

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 January 23, 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 **NICOLE TING, DEPUTY DISTRICT ATTORNEY**  
13 **NAN ANCHO, ACTING 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 January 23, 2014 at 9:00 a.m.]  
23

24 **CHAIRMAN GARNER:** Call the Lander County Commission Board  
25 Meeting, Town Board of Battle Mountain, Austin Board of County  
26 Highways Commissioners to order.

27 We'll do the pledge.  
28

29 (Pledge of Allegiance)  
30  
31

32 **APPROVAL OF AGENDA NOTICE**  
33

34 **CHAIRMAN GARNER:** Discussion for possible action regarding  
35 approval of Agenda Notice.

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

38 **COMMISSIONER BULLOCK:** Second.

39 **CHAIRMAN GARNER:** Any public comment?

40 (No comment.)

1 CHAIRMAN GARNER: All those in favor?  
2 COMMISSIONER STIENMETZ: Aye.  
3 COMMISSIONER BULLOCK: Aye.  
4 COMMISSIONER WAITS: Aye.  
5 COMMISSIONER MASON: Aye.  
6 CHAIRMAN GARNER: Aye.  
7  
8

9 **APPROVAL & ACCEPTANCE OF MINUTES**

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11 CHAIRMAN GARNER: Discussion for possible action regarding  
12 approval and acceptance of Minutes of January 9<sup>th</sup>, 2014 Regular  
13 Session.

14 COMMISSIONER BULLOCK: I'll make a motion to approve the  
15 minutes of January 9, 2014 Regular Session.

16 COMMISSIONER WAITS: I do have one correction at the very  
17 end on page 92 under Public Comment. It was our Chairman,  
18 Commissioner Garner, that asked the question: "Do I have any  
19 public comment?"

20 COMMISSIONER BULLOCK: I'll amend my motion to include the  
21 corrections that has been stated.

22 COMMISSIONER STIENMETZ: I'll second the motion.

23 CHAIRMAN GARNER: All those -- any public comment?

24 (No comment.)

25 CHAIRMAN GARNER: All those in favor?

26 COMMISSIONER STIENMETZ: Aye.

27 COMMISSIONER BULLOCK: Aye.

28 CHAIRMAN GARNER: Aye.

29 COMMISSIONER WAITS: Aye.

30 COMMISSIONER MASON: Aye. We'll get it right. We can work  
31 at it.

32

33

34 **COMMISSIONER REPORTS**

35

36 CHAIRMAN GARNER: Commissioner Reports on meetings,  
37 conferences and seminars attended.

38 COMMISSIONER STIENMETZ: I haven't attended any.

39 I did get a notice from SLUPAC saying that they'd received  
40 my application, and they were proceeding on with everything

1 to -- so that I'm official again to attend the SLUPAC  
2 meetings -- State Land Use Board.

3 CHAIRMAN GARNER: Dean?

4 COMMISSIONER BULLOCK: I have nothing.

5 CHAIRMAN GARNER: I attended one meeting -- two meetings.  
6 One meeting with the rec -- getting the rec center stuff back  
7 together so we can have regular meetings.

8 And the other -- everything else is in the packet. Patsy?

9 COMMISSIONER WAITS: Thank you. I have a few to report on.  
10 On January 13<sup>th</sup>, I did have a conference call with  
11 Division for Aging on the state committee. I had reported last  
12 time we were putting together a video for the elected officials  
13 on the senior services that are looking to be cut. And what the  
14 counties may have to step up to do. So it's kind of an  
15 informational and educational video.

16 They will be inviting all the commissioners individual --  
17 individually to attend if possible by video or by conference  
18 call. And that will be coming up. We're looking at the end of  
19 February, the first part of March.

20 I did have an Austin Airport Board Meeting. Most of that  
21 was discussed on the budget and our carryover for the designated  
22 funds for fuel and so forth. So that will be coming up.

23 On the 15<sup>th</sup>, I attended the sage grouse meeting, which was  
24 held in Winnemucca. And it was regarding the Reid/Heller Draft  
25 Bill. There was a lot of discussion, of course, on the draft.  
26 It was gone over very, very carefully. There were many  
27 legislatures there. And every single county was represented.

28 The synopsis of all of the comments was really that they  
29 didn't care for the Draft Bill at all and they should go back to  
30 square one. I don't believe the -- that Heller and Reid are  
31 going to do that, but that was what came out of the actual  
32 meeting.

33 And the Nevada and Northeastern California Greater Sage  
34 Grouse Draft Land Use Plan and their Environmental Impact  
35 Statement is due for comments on the 29<sup>th</sup> of January. And the  
36 counties are forwarding those. And we will be forwarding some  
37 comments on that. That's ongoing for what we've all been  
38 working with.

39 On the 16<sup>th</sup>, we had the four counties that are working on  
40 the Regional Management Plan with BLM hold a meeting, just the

1 four counties, in Austin to try and see what we all had together  
2 and what specific things that might be individually to each  
3 county. We are still requesting our face-to-face meeting. We  
4 will be doing that with all four counties with BLM and  
5 individually was our request. I think they will be honoring  
6 that. What they did do is extend our comment time from the 29<sup>th</sup>  
7 of January, which you may notice was the same time for the  
8 comments on the EIS with the sage grouse. BLM extended that for  
9 us now to the 28<sup>th</sup> of February. They are really short staffed.  
10 So I think they were happy to do that. Our main contact is no  
11 longer with the BLM in Battle Mountain. So we have a little  
12 more time on that. And that's for all of our comments from  
13 Chapters 1 to 3. Lander County actually submitted our comments  
14 on Chapter 2, which was quite lengthy, last fall.

15 We also had a conference call with BLM on the 22<sup>nd</sup>.  
16 That's where the other information is coming from.

17 And on the 17<sup>th</sup>, we had a special meeting call from the  
18 Central Nevada Regional Water Authority. And that was a  
19 conference call. That is on our agenda for Number 25 today. So  
20 we will be going through that regarding becoming a co-plaintiff  
21 with the -- the complaint that's being filed by White Pine on  
22 the Southern Nevada Water Authority taking their water.

23 And that's it for me.

24 COMMISSIONER MASON: I have nothing.

25  
26  
27 **PAYMENT OF THE BILLS**

28  
29 CHAIRMAN GARNER: Moving on. Do we have -- let's see --  
30 discussion for possible action regarding Payment of Bills.

31 JANE BIANCI: I have one to ratify this morning: Check  
32 #46958, Wells Fargo Remittance in the amount of \$402.10.

33  
34 (Commissioners reviewing payment of the bills.)

35  
36 **Wells Fargo Remittance**

37  
38 COMMISSIONER STIENMETZ: I'll make a motion to ratify Check  
39 #046958 in the amount of \$402.10 to Wells Fargo Remittance.

40 COMMISSIONER BULLOCK: Second.

1 CHAIRMAN GARNER: 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 COMMISSIONER STIENMETZ: I'll make a motion to approve  
11 submitted expenditures in the amount of \$403,710.70 from Check  
12 #46973 to 47060.  
13 COMMISSIONER BULLOCK: Second.  
14 CHAIRMAN GARNER: Any public comment?  
15 (No comment.)  
16 CHAIRMAN GARNER: All those in favor?  
17 COMMISSIONER STIENMETZ: Aye.  
18 COMMISSIONER BULLOCK: Aye.  
19 CHAIRMAN GARNER: Aye.  
20 COMMISSIONER WAITS: Aye.  
21 COMMISSIONER MASON: Aye.

22  
23  
24 **PAYROLL CHANGE REQUESTS**

25  
26 CHAIRMAN BULLOCK: Discussion for possible action regarding  
27 Payroll Change Requests.  
28  
29 COMMISSIONER STIENMETZ: Thanks, Jane.  
30 COMMISSIONER MASON: Thanks, Jane.  
31 JANE BIANCI: Thank you.  
32  
33 CHAIRMAN GARNER: I have two: Number 1316, Number 1342.  
34 JOY SWEENEY: Pardon me.  
35 COMMISSIONER STIENMETZ: Do we have payroll change  
36 requests?  
37 JOY SWEENEY: No.  
38 COMMISSIONER STIENMETZ: Do you have the wrong packet?  
39 COMMISSIONER BULLOCK: I believe that was the last one.  
40 CHAIRMAN GARNER: It's going to be awesome.

1 COUNTY CLERK SULLIVAN: Do you want to borrow that paper  
2 packet for the meeting?

3 CHAIRMAN GARNER: Yeah, because this isn't -- what's  
4 scanned is -- what do you have?

5 COMMISSIONER STIENMETZ: I don't have one.

6 CHAIRMAN GARNER: If there are none, --  
7  
8

9 **PUBLIC COMMENT**

10  
11 CHAIRMAN GARNER: -- moving on to Public Comment.

12 (No comment.)

13 CHAIRMAN GARNER: There's none.  
14  
15

16 **FINANCE**

17  
18 1) **Discussion for possible action regarding budget review,**  
19 **contracts, financial update and other matters properly**  
20 **relating thereto.**  
21

22 CHAIRMAN GARNER: Item 1, discussion for possible action  
23 regarding budget review, contracts, financial update, and other  
24 matters properly relating thereto.

25 COMMISSIONER STIENMETZ: Good morning, Nan.

26 NAN ANCHO: Good morning. How are you?

27 COMMISSIONER WAITS: Hello.

28 NAN ANCHO: Nan Ancho, Finance Department.

29 I just have a couple updates for you. One is an update on  
30 the B of A ATM. On Monday, February 3<sup>rd</sup>, the cash will be  
31 pulled at 9:00 a.m. Construction will be at 12:00 p.m. that  
32 same day and be completed by February 7<sup>th</sup>. We do have a call in  
33 to B of A in regards to the rent that we have not received in  
34 the last couple months. Have not heard back from them.

35 We are currently working on the W-2s and 1099s. We have  
36 until January 31<sup>st</sup> to have them postmarked and distributed. So  
37 please don't inundate us with phone calls. If you do not  
38 receive your information by the middle of February, then please  
39 do give us a call.

40 And we have three or -- excuse me -- two of the three

1 background checks back on the candidates for the Executive  
2 Director's position. So we're still waiting on one, still  
3 pending.  
4 And that's all I have for update.  
5 CHAIRMAN GARNER: What -- what's -- the W-2s, what's the  
6 hold up?  
7 NAN ANCHO: We have till the 31<sup>st</sup> of January --  
8 CHAIRMAN GARNER: Yeah.  
9 NAN ANCHO: -- to get them sent out, postmarked,  
10 distributed. But we're already getting phone calls wondering  
11 when they're going to receive their --  
12 CHAIRMAN GARNER: Oh.  
13 NAN ANCHO: -- W-2s. So it's --  
14 CHAIRMAN GARNER: But we're --  
15 NAN ANCHO: -- the same.  
16 CHAIRMAN GARNER: But there's no problem with them going  
17 out?  
18 NAN ANCHO: No. Huh-uh.  
19 CHAIRMAN GARNER: Okay.  
20 NAN ANCHO: We're just getting phone calls already from  
21 people wanting their W-2s now.  
22 CHAIRMAN GARNER: Okay.  
23 NAN ANCHO: So we'll have them out by the end of the month.  
24 Okay?  
25 And that's all I have for that.  
26 COMMISSIONER BULLOCK: Okay. Thanks, Nan.  
27 COMMISSIONER WAITS: Thank you, Nan.  
28 COMMISSIONER STIENMETZ: (indiscernible)  
29 NAN ANCHO: What's that?  
30 CHAIRMAN GARNER: We've got to wait.  
31 COMMISSIONER BULLOCK: We can go to Item Number 3.  
32 CHAIRMAN GARNER: (indiscernible)  
33 COMMISSIONER BULLOCK: You can skip to Item Number 3.  
34 CHAIRMAN GARNER: Don't we have a time on that?  
35 (indiscernible)  
36 Yeah, we'll go to three and then come back --  
37 (indiscernible) -- have times.  
38 We'll skip 2 and move on to 3.  
39  
40

1     **SAFETY**

2  
3     **3) Discussion for possible action regarding operations and**  
4     **projects of the Lander County Safety Manager and other**  
5     **matters properly related thereto.**  
6

7           CHAIRMAN GARNER: Discussion for possible action regarding  
8 operations and projects of Lander County Safety Manager.

9           KEITH WESTENGARD: Good morning.

10          CHAIRMAN GARNER: Good morning.

11          COMMISSIONER BULLOCK: Good morning, Keith.

12          COMMISSIONER WAITS: Good morning.

13          KEITH WESTENGARD: Okay. Start with the -- the safety part  
14 of it. The door seal program that I was given the task in  
15 October, I believe, that's pretty much completed. All of the  
16 door seals have been printed up. And each department head has  
17 received their allocation for the door seals of the county  
18 vehicles. So you should see those on all county vehicles,  
19 should be on pretty much all of them right now with very few  
20 exception.

21          I've been working on OSHA 30-hour classes and hazardous  
22 materials classes for the south county Road and Bridge folks and  
23 as well as the Austin VFD, their HAZMAT training. So  
24 hopefully -- I had a good conversation with Roger James, the  
25 Austin Volunteer Fire Chief, the day before yesterday. We do  
26 have a plan -- somewhat of a plan in place to get these things  
27 taken care of.

28          I've been working with the Heart Savers in the county to  
29 promote February as Heart Saver Month. So you'll see the  
30 ambulance crews and myself out promoting Heart Saver safety to  
31 the community.

32          And then at our next commission meeting, the National  
33 Weather Service is going to be here. We are a StormReady  
34 Community. And they're going to present us with all of our  
35 signs and all the things that go along with being StormReady.  
36 So we have completed that process. I worked with Sheriff Unger  
37 and Undersheriff Quick on that as well as the Weather Service.

38          LEPC and the Safety Committee are -- are talked about in  
39 some other agenda items up here. So we'll attack those as we  
40 get on.

1 So that's all I have for that part of it.  
2 COMMISSIONER WAITS: Thank you, Keith.  
3 KEITH WESTENGARD: Uh-huh.  
4

5 4) Discussion for possible action regarding approval of the OSHA  
6 Annual Report and authorization for the Chairman to sign the  
7 OSHA 300A Form and other matters properly related thereto.  
8

9 CHAIRMAN GARNER: Item 4, discussion for possible action  
10 regarding approval of the OSHA Annual Report and authorization  
11 for Chair to sign the OSHA 300A Form and other matters properly  
12 related thereto.

13 KEITH WESTENGARD: This is our annual reporting that --  
14 that I do -- that I do for the county to OSHA. It's a summary  
15 of all of our accidents throughout the year. We had a total of  
16 11 recordable injuries, which means that required beyond first  
17 aid. They had to go to the emergency room or to the doctor.  
18 And we have one that is work-related -- or -- I'm sorry -- days  
19 lost. And we're working through that one now.

20 Last year we ended up with 16 total, I believe. So we are  
21 down a little bit. And we continue to work on it. And that's  
22 all about the OSHA 300A. Oh, it will be posted. Once it's  
23 signed by the Chair, it will be posted through February.

24 COMMISSIONER BULLOCK: Make --

25 KEITH WESTENGARD: I'm sorry through April. I'm sorry.  
26 Yes.

27 COMMISSIONER BULLOCK: I make a motion the Commission  
28 approve the OSHA Annual Report and authorize the Chairman to  
29 sign the OSHA 300A form.

30 COMMISSIONER STIENMETZ: I will second the motion.

31 COMMISSIONER WAITS: Where is that posted, Keith?

32 KEITH WESTENGARD: It will be posted at the office on  
33 Second. It will be posted here at the courthouse and in the  
34 south part of the county as well at the courthouse.

35 COMMISSIONER WAITS: Thank you.

36 CHAIRMAN GARNER: Any public comment?

37 (No comment.)

38 CHAIRMAN GARNER: All those in favor?

39 COMMISSIONER STIENMETZ: Aye.

40 COMMISSIONER BULLOCK: Aye.

1 CHAIRMAN GARNER: Aye.  
2 COMMISSIONER WAITS: Aye.  
3 COMMISSIONER MASON: Aye.  
4

5 5) Discussion for possible action regarding approval of the 2014  
6 Local Emergency Planning Committee (LEPC) membership roster  
7 and other matters properly related thereto.  
8

9 CHAIRMAN GARNER: Item 5, discussion for possible action  
10 regarding approval of the 2014 Local Emergency Planning  
11 Committee (LEPC) membership roster and other matters properly  
12 related thereto.

13 KEITH WESTENGARD: These -- this is our current LEPC  
14 membership roster. This is part of our annual requirement  
15 through the State Emergency Response Commission to stay in  
16 compliance. The next several items all deal with that. They  
17 are turned in annually, the SERC, State Emergency Response  
18 Commission, reviews them on February 24<sup>th</sup>. Once they deem us  
19 to be compliant, then we are able to continue as a LEPC. And we  
20 can get grants and so forth throughout the year.

21 COMMISSIONER WAITS: Keith, do they ever make any  
22 recommendations of other departments that should be on that?

23 KEITH WESTENGARD: When I went to the meeting last year,  
24 we -- I -- I wanted to see the process. And yeah, they go --  
25 they actually go through the plan. They look at it. And they  
26 make recommendations as to improvements or in the -- in the case  
27 of this plan, they were very happy with it.

28 The one thing that we were a little lacking in last year  
29 was our table of contents. It was little out of whack. It  
30 didn't refer to the correct tabs and so forth. We got that  
31 fixed this year. So I think we'll be good.

32 COMMISSIONER WAITS: I was thinking more of the -- the  
33 people that were sitting on the committee. Did they have  
34 recommendations of another department or another area that we've  
35 missed? Perhaps you'd like to share with us --

36 KEITH WESTENGARD: Oh, sure. Yeah, and -- and we have  
37 spoke of getting the American Red Cross involved. And I'm going  
38 to invite them to our next meeting. And I'll make contact with  
39 them.

40 And if there's any additional suggestions about

1 involvement, we certainly would like to hear them.

2 We did add a category this year. It's South County Fire  
3 Fighting or South County Fire. Kingston VFD is going to be part  
4 of it. And they have their two folks. Their assistant chiefs  
5 are members.

6 And the thing that I had to explain to them is any time we  
7 put a new category in here, it -- it requires our quorum to go  
8 up because we have more people. So the one -- the one -- the  
9 thing that I wanted to make sure they understood is they have to  
10 be involved in it. If they want to be part of it, they have to  
11 be involved. And they have committed to that. They've been  
12 very active. They've been a part of every meeting since they  
13 became part of the LEPC. So that's -- that's the only drawback  
14 to adding more people is it could affect our quorum. So as long  
15 as they're active, we're good with it.

16 COMMISSIONER WAITS: I'll make a motion we approve the 2014  
17 Local Emergency Planning Committee membership roster and request  
18 that the secretary forward the roster to the State Emergency  
19 Response Commission.

20 COMMISSIONER STIENMETZ: I'll second the motion.

21 CHAIRMAN GARNER: Any public comment?

22 (No comment.)

23 CHAIRMAN GARNER: All those in favor?

24 COMMISSIONER STIENMETZ: Aye.

25 COMMISSIONER BULLOCK: Aye.

26 CHAIRMAN GARNER: Aye.

27 COMMISSIONER WAITS: Aye.

28 COMMISSIONER MASON: Aye.

29 CHAIRMAN GARNER: Discussion for possible -- Number 6,  
30 discussion for possible action regarding --

31 COMMISSIONER BULLOCK: We should go back.

32 CHAIRMAN GARNER: Yeah.

33 Jump back to two.

34 Keith, --

35 KEITH WESTENGARD: Okay.

36 CHAIRMAN GARNER: You can -- you can stay there, I believe.

37 KEITH WESTENGARD: Okay.

38

39

40

1 FINANCE

- 2
- 3 2) Discussion for possible action regarding approval/dis-  
4 approval of Resolution No. 2014-02, a resolution to augment  
5 the FY 2013-2014 budget of the General Fund (001), Indigent  
6 Fund (003), Landfill Fund (011), Austin Town Fund (020),  
7 Court Facility Fees Fund (285), and Court Facility Capital  
8 Fund (385), and other matters properly related thereto.  
9

10 CHAIRMAN GARNER: Discussion for possible action regarding  
11 approval/disapproval of Resolution Number 2014-02, a resolution  
12 to augment the FY 2013-14 budget of the General Fund (001),  
13 Indigent Fund (003), Landfill Fund (011), Austin Town Fund  
14 (020), Court Facility Fund -- Fees Fund (285), and Court  
15 Facility Capital Fund (385), and other matters properly related  
16 thereto.

17 NAN ANCHO: Yeah. We have to augment the -- we had a few  
18 funds that we needed to make adjustments to for positions that  
19 we've changed, and unknown overtime that was requested in  
20 landfill, and a correction to be made to the Court Facility  
21 Fund. Like I -- the resolution states that all the amounts are  
22 stated in the resolution. So if you have any questions?

23 COMMISSIONER BULLOCK: I'll make a motion the Commission  
24 approve and adopt Resolution Number 2014-02, a resolution  
25 augmenting the fiscal year 2013-2014 Lander County budget  
26 providing for augmentation of the Lander County General Fund  
27 (001) in the amount of \$258,147, Indigent Fund (003) in the  
28 amount of \$5,000, Landfill Fund (011) in the amount of \$13,000,  
29 Austin Town Fund (020) in the amount of \$3,000, Court Facility  
30 Fees Fund (285) in the amount of \$4,541, and Court Facility  
31 Capital Fund (385) in the amount of \$4,541, applying the  
32 specific resources as identified with the resolution.

33 COMMISSIONER STIENMETZ: I will second the res -- second  
34 that motion.

35 CHAIRMAN GARNER: Any public comment?

36 (No comment.)

37 CHAIRMAN GARNER: All those in favor?

38 COMMISSIONER STIENMETZ: Aye.

39 COMMISSIONER BULLOCK: Aye.

40 CHAIRMAN GARNER: Aye.

1 COMMISSIONER WAITS: Aye.  
2 COMMISSIONER MASON: Aye.  
3 COMMISSIONER BULLOCK: Thanks, Nan.  
4 COMMISSIONER STIENMETZ: Thanks, Nan.  
5 CHAIRMAN GARNER: Thanks.  
6 NAN ANCHO: Thank you.  
7

8 **SAFETY**  
9

- 10 6) Discussion for possible action regarding approval and  
11 promulgation of the Lander County All Emergency Operations  
12 Plan (EOP) for 2014 and authorization for the Chairman to  
13 sign the Letter of Promulgation, and other matters properly  
14 related thereto.  
15

16 CHAIRMAN GARNER: Going back to 6. Discussion for possible  
17 action regarding approval and promulgation of the Lander County  
18 All Emergency Operation Plans (EOP) for 2014, authorizing for  
19 the Chair to sign the Letter of Promulgation.

20 KEITH WESTENGARD: Okay. This has to deal with our annual  
21 Letter of Promulgation. Our 2014 Operating Plan is here. It's  
22 the exact same plan that I brought to you guys last year with  
23 the exception we did update the contact list so it is current.  
24 And we also received an update of the School District's  
25 Evacuation Emergency Operations Plan that's in the book.

26 Um, our part, as far as the county goes, that had not  
27 changed at all from last year, like I said, other than the  
28 contact lists.

29 CHAIRMAN GARNER: Okay. I'll make a motion the Commission  
30 approve the Lander County All Emergency Operations Plan (EOP)  
31 for 2014, authorize the Chairman to sign the Letter of  
32 Promulgation and request the LEPC secretary to immediately  
33 forward the Letter of Promulgation and the EOP to the State  
34 Emergency Response Commission.

35 COMMISSIONER STIENMETZ: I'll second the motion.

36 CHAIRMAN GARNER: Any public comment?

37 (No comment.)

38 CHAIRMAN GARNER: All those in favor?

39 COMMISSIONER STIENMETZ: Aye.

40 COMMISSIONER BULLOCK: Aye.

1 CHAIRMAN GARNER: Aye.  
2 COMMISSIONER WAITS: Aye.  
3 COMMISSIONER MASON: Aye.  
4

5 7) Discussion for possible action regarding approval/disapproval  
6 of Resolution No. 2014-03, a resolution amending the Lander  
7 County Safety Committee; defining the authority and duties of  
8 that committee; specifying the responsibilities of the  
9 County's employees and officials relating to safety; and  
10 other matters properly relating thereto.  
11

12 CHAIRMAN GARNER: Item 7, discussion for possible action  
13 regarding approval/disapproval of Resolution Number 2014-03, a  
14 resolution amending the Lander County Safety Committee; defining  
15 the authorities and duties of that committee; specifying the  
16 responsibilities of the County's employees and officials  
17 relating to safety; and other matters properly relating thereto.

18 KEITH WESTENGARD: Okay, this resolution here, the --  
19 it's -- it's the same as it has been in the past. We did -- we  
20 are asking that we are able to include Lander County EMS on our  
21 Safety Committee in order for them to be a part of it. So with  
22 the exception of adding one additional position, Lander County  
23 EMS, the resolution has not changed.

24 CHAIRMAN GARNER: They were never --

25 KEITH WESTENGARD: And it has been -- I'm sorry.

26 CHAIRMAN GARNER: They were never on there, huh?

27 KEITH WESTENGARD: No, they were not. And the District  
28 Attorney has reviewed this. Correct, Nicole?

29 NICOLE TING: Yes. That's correct.

30 KEITH WESTENGARD: So it's been reviewed. So --

31 COMMISSIONER STIENMETZ: I'll make a motion the Commission  
32 approve Resolution Number 2014-03, a resolution amending the  
33 Lander County Safety Committee; defining the authority and  
34 duties of the committee; and specifying the responsibility of  
35 County employees and officials relating to the safety; and  
36 authorize the Chairman to sign the resolution.

37 COMMISSIONER WAITS: I'll second that motion.

38 CHAIRMAN GARNER: Any public comment?

39 (No comment.)

40 CHAIRMAN GARNER: All those in favor?

1 COMMISSIONER STIENMETZ: Aye.  
2 COMMISSIONER BULLOCK: Aye.  
3 COMMISSIONER GARNER: Aye.  
4 COMMISSIONER WAITS: Aye.  
5 COMMISSIONER MASON: Aye.  
6 COMMISSIONER STIENMETZ: Thank you, Keith.  
7 KEITH WESTENGARD: Thank you.  
8 CHAIRMAN GARNER: Thanks, Keith.  
9 COMMISSIONER WAITS: Thank you.  
10 KEITH WESTENGARD: Um, how do I get a copy of those because  
11 I need to get them sent in to the state?  
12 COUNTY CLERK SULLIVAN: Once the meeting's over and we have  
13 all the signatures, then I can --  
14 KEITH WESTENGARD: Okay, I'll just come to your office  
15 later today --  
16 COUNTY CLERK SULLIVAN: Yeah.  
17 KEITH WESTENGARD: -- or tomorrow? Okay. Great.  
18 COUNTY CLERK SULLIVAN: That would be great.  
19 KEITH WESTENGARD: Thank you. Have a good day.  
20 COUNTY CLERK SULLIVAN: Thank you.  
21 COMMISSIONER BULLOCK: Mm-hm.

22  
23

24 **ROAD AND BRIDGE SOUTH**

25

26 8) **Discussion for possible action regarding operations and**  
27 **projects for the Road and Bridge South Department and other**  
28 **matters properly related thereto.**

29

30 CHAIRMAN GARNER: Item 8, discussion for possible action  
31 regarding operations and projects for the Road and Bridge South  
32 Department.

33 DONALD NEGRO: I'm Donald Negro, Road and Bridge North, but  
34 I'm sitting in for Burt. He's -- they're -- they're flopping  
35 their radios today. So he had to take the CR Electronics up on  
36 Austin Summit with a Sno-Cat.

37 And he said that they're -- everything's going normal.

38 And he's been working with them on their mapping of the  
39 Austin, but it will come up later on this afternoon. So --

40 Any questions for him?

1 CHAIRMAN GARNER: I don't think so.  
2  
3

4 ROAD AND BRIDGE NORTH  
5

6 9) Discussion for possible action regarding operations and  
7 projects for the Road and Bridge North Department and other  
8 matters properly related thereto.  
9

10 CHAIRMAN GARNER: Nine. Discussion for possible action  
11 regarding operations and projects for the Road and Bridge North  
12 Departments.

13 DONALD NEGRO: Pretty much we're business as normal. We're  
14 out of money. Our budgeting is all -- we've got all of our  
15 equipment.

16 Cashman has been -- we task trained. We've got copies of  
17 all equipment. And what I did was I task trained everybody, you  
18 know, on the equipment, so like the dozers. And I feel that if  
19 something happens, you know, they have to be able to -- the  
20 gatekeeper has to be able to start the dozer, you know, just to  
21 deal that.

22 I've been dealing with Cortez on Road 224. That's the one  
23 that's over the summit at Cortez -- at Cortez Hill. And what  
24 they're -- what they're doing is they're expanding their heap  
25 leach. And we've -- they need to come down right -- come down  
26 our road like a half a mile with their haul trucks -- the 40-ton  
27 haul trucks for the clay. And so I've been, you know, I set  
28 down perimeters, what they have to do to keep us happy. It's  
29 daylight hours. And they have to do their signage. And if they  
30 get any complaints, we're going to have to go to something else.  
31 But they maintain the road as it stands anyway. So they're  
32 going to have to keep it bladed and keep the public happy. Just  
33 so you're aware of -- you know, if you happen to go down Grass  
34 Valley to this north end -- and I've talked to Burt about it.  
35 We had a meeting with him that there's going to be the 40-ton  
36 haul trucks. But they're -- before they just crossed it, but  
37 they're expanding so much on their heap leach that they have to  
38 come down it instead of rerouting the road going through the  
39 environmental with the BLM and stuff. Just so you're aware of  
40 it.

1 COMMISSIONER WAITS: How far do they have to come down,  
2 Donnie?

3 DONALD NEGRO: About a half a mile. So you know, it's not  
4 real serious, but I want you to know.

5 And I talked to the state. We've had a -- well, two weeks  
6 ago or last week we had our inspection at the landfill and  
7 everything looked really good. We had some ditching to go in in  
8 case we have the hundred year cloud burst or the flood and, you  
9 know, just typical state stuff.

10 And then I've been talking to the -- about the signs. You  
11 know, I talked to you before about the stop signs. And we're  
12 supposed to update all our signs by the end of 2014. Now,  
13 they've -- they've changed it. And they've gave us a grace --  
14 give everybody a grace period because of the impact of the  
15 money, you know. What you're -- what you would have to go  
16 through with on your street signs is a big letter. Like on  
17 Lander it would have to be a big L and then little letters for  
18 the elderly. And now, they've give us a grace period. So --  
19 but we're -- I'm still going to budget money for our stop signs  
20 and stuff like that. We've been updating our stop signs  
21 anywhere that we have one that's faded out, we're changing them  
22 out.

23 CHAIRMAN GARNER: Is that it?

24 DONALD NEGRO: That's it.

25 COMMISSIONER STIENMETZ: All right. Thanks, Donnie.

26 CHAIRMAN GARNER: Thanks, Donnie.

27 COMMISSIONER WAITS: Thank you.

28

29

30 **PUBLIC WORKS**

31

32 10) **Discussion for possible action regarding operations and**  
33 **projects for the Public Works Department and other matters**  
34 **properly related thereto.**

35

36 CHAIRMAN GARNER: Number 10, discussion for possible action  
37 regarding operations for -- and projects for the Public Works  
38 Department. Jake.

39 JAKE EDGAR: Good morning, guys.

40 COMMISSIONER STIENMETZ: Good morning, Jake.

1 COMMISSIONER WAITS: Good morning.

2 JAKE EDGAR: So we'll get the big elephant out of the room  
3 right off the bat. We had the water go down. Our computer kind  
4 of took a scramble on us and froze in the -- in the correct  
5 position. So we thought everything was great and it wasn't.  
6 Um, we learned a lesson. Probably could have checked the tank  
7 level out at the tank itself. They go by it and they thought it  
8 was full when it was actually empty. So we got water back to  
9 town in about an hour. We used the old well to pressurize this  
10 part of town and started the process of getting water back in  
11 the tanks. And it took about 14 hours for it to get up to  
12 21 feet. So if anybody has any questions on how that worked --

13 The radio communication -- we lost radio communication, and  
14 the computer froze where it was. So when the radio quit, it  
15 looked normal. It's supposed to give you an alarm. It did not  
16 give us an alarm.

17 So I called Mike Wootton yesterday. And he has no answer  
18 yet. And he was still working on trying to figure out why --  
19 our program is called Win 911 -- he was trying to figure out why  
20 it didn't call. And he has no answer yet. So they're --  
21 they're diving into why it didn't call. Every time he's tested  
22 it so far since and run a fake test on it, it's called. But it  
23 never did call us. So I don't know. And it's supposed to.

24 So we learned a lesson, and it probably will not happen  
25 again. I'm not going to say it won't. But I'm a little bit  
26 more confident on -- on actually having to make everyone look at  
27 the tank itself instead of just the computer screen. That's  
28 actually my fault so --

29 Other than that, we've had multiple meters -- leaks and  
30 stuff that we've been working on.

31 Put a new valve in. We had a leak on Mount Lewis Drive.  
32 We stuck a new valve in out there. There was not one there. So  
33 now we can isolate Mount Lewis Drive, if we have to.

34 Our lift station is down today. We started the morning off  
35 well out at Echo Bay. It's supposed to prime itself and do all  
36 this automatic staged thing. And it's not doing it. So it's  
37 fairly filthy, so it's going to take them a while to get it  
38 cleaned out and get the -- we had to go find some part -- it  
39 needs actually redone completely. But for now, we've been just  
40 dealing with it. All the parts are like archaic so we can't get

1 them. So we're just kind of man-making things or coming up with  
2 whatever we can come up with at this point in time to make it  
3 run. So we do have everything sitting on the ground to redo the  
4 lift station. We just need to get money for someone to come in  
5 and install the stuff. We're going to have to back a bunch of  
6 -- back a bunch of the community up and bypass pump and do a  
7 bunch of stuff while they work on the lift station if we're ever  
8 going to do that. So that will be in the budget this year  
9 hopefully, which we probably won't get anything, but whatever.

10 Other than that, we opened the PRVs completely up. I guess  
11 the guys are going to be here today to test for the jail and  
12 some other things. So -- we're -- right now we're probably at  
13 about 74 pounds of pressure in town, which is the most we've  
14 probably ever had. So you should notice it in your faucet.  
15 It's probably really good.

16 Other than that, that's pretty much all we've got going on.

17 CHAIRMAN GARNER: Seventy-four?

18 JAKE EDGAR: What -- at the -- at the car -- yeah, you  
19 might want to check your stuff at the car wash, dude.

20 MARK BRETHER: Yeah, we had about 50 when we did the  
21 first fire flow tests out there around the new courthouse  
22 proposed site out there. So that's probably up about 20 PSI  
23 from what we had before. So the fire flow tests should improve  
24 quite a bit.

25 JAKE EDGAR: Yeah.

26 MARK BRETHER: Like Jake said, they're out there working  
27 on it.

28 JAKE EDGAR: If you see any like brownish, sandy gravel,  
29 please inform me. In our pre-pump situation where we're pumping  
30 the waste -- is what we call it -- we're not really pumping the  
31 waste, but that's what we call it. Anyway, so during the  
32 pre-pump stage, our pump's running at like 60-hertz where -- or  
33 so -- 58.6. What happens is that's full -- that's full blast.  
34 I mean, that's -- so it's running about 1100 gallons a minute  
35 out of the well for a short period of time. What happens is it  
36 stirs the stuff on the bottom up. And it's picking it up. So  
37 in the program -- when they designed the program, there was no  
38 step to say pump slow down to this amount right now. So they're  
39 working on that also.

40 So if you do see any sand, please let me know, because we

1 have a way of -- we can throttle the -- the check valve back a  
2 little bit and slow it down by hand if we have to. So if you  
3 guys see any of that, anybody in here, if you see any of that in  
4 the community, please let me know instantly so we can -- we  
5 think we have it where it's supposed to be right now. But if we  
6 start seeing it, then we know we have to turn it down some more  
7 until we can get that in the program fixed to where the VFD will  
8 actually slow the pump down by itself while we're pumping the  
9 waste. So if anyone sees anything, please let me know.

10 COMMISSIONER WAITS: Jake, what's the pressure amount? How  
11 high will it go --

12 JAKE EDGAR: We're at it.

13 COMMISSIONER WAITS: -- before we run into negative  
14 consequences.

15 JAKE EDGAR: We're at it. It's open. This is what it is.

16 COMMISSIONER STIENMETZ: Not going to get any higher.

17 JAKE EDGAR: So we're open. And if things start to happen  
18 drastically, which I don't see happening, I mean, so far we've  
19 been really -- there's nothing happened. I mean, we had a few  
20 water boxes and a few things here. But, I mean, it's not --  
21 before when we did it, we had main lines that were --

22 COMMISSIONER WAITS: Blowing.

23 JAKE EDGAR: -- fractured and starting to go. And so up  
24 until this point right now, it looks good. (Knocking on the  
25 table.) So --

26 MARK BRETHERAUER: I've got to thank Jake and his crew too  
27 for helping us out. He found a few half closed valves and  
28 partially closed valves out there. And they've been checking  
29 all the valves for us. So we should get some pretty good fire  
30 flow results.

31 JAKE EDGAR: And -- we have a -- Cody from Shaw  
32 Engineering -- there was -- I guess something in Fallon or  
33 something happened to Fallon one day. And they're actually  
34 addressing -- Brian, you asked about the corrosion and all that.

35 CHAIRMAN GARNER: Mm-hm.

36 JAKE EDGAR: They're actually addressing that statewide  
37 right now, I guess. So there are some things going on.

38 Again, it's probably just going to cost us more money, and  
39 they'll go to stainless steel stuff or what. I don't know. But  
40 they are -- some people are addressing it, just not us. So I'll

1 keep you informed if I ever hear anything different --  
2 CHAIRMAN GARNER: Okay.  
3 JAKE EDGAR: -- or whatever.  
4 Parks-wise. The weather's been super nice. We actually  
5 have people using the parks, trying to reserve them. So -- that  
6 we haven't really been doing -- doing anything else.  
7 Got the Christmas lights down.  
8 Have some ramps to fix at the skate park that we're  
9 probably going to end up buying a new one because the bolt holes  
10 are wore out.  
11 I might be approaching you guys before the budget session.  
12 I'll know more on Monday. Marigold -- I -- Marigold con --  
13 Marigold contacted me and then I contacted Marigold back.  
14 They're talking about trying to get out of the new youth fitness  
15 building. And they wanted to -- to talk -- tried to contact us  
16 first to see if we would be interested in the equipment and to  
17 try to work out some deal where -- they're having a hard time  
18 with, you know, there's no one there all day long or whatever.  
19 If we could work something out where they would give us the  
20 equipment and their guys could work out for free if we had a  
21 building. I talked to -- to Joy Sweeney about the insurance  
22 part. We're going to find out more about our wellness program  
23 that's supposed to -- that could drop our insurance, how much we  
24 get charged for our insurance. So I'm going to look more into  
25 it and come back to you guys. And if you guys are at all  
26 interested, kick the idea around now until I come back to you  
27 and see exactly what they have.  
28 COMMISSIONER WAITS: What kind of equipment are we talking  
29 about?  
30 JAKE EDGAR: Exercise equipment.  
31 COMMISSIONER WAITS: Exercise equipment.  
32 JAKE EDGAR: Right.  
33 COMMISSIONER WAITS: Okay. I thought you were talking  
34 vehicles or something.  
35 JAKE EDGAR: No, sorry.  
36 COMMISSIONER WAITS: Backhoes, tow trucks.  
37 JAKE EDGAR: Right. Yeah. Um.  
38 COMMISSIONER MASON: Wishful thinking.  
39 COMMISSIONER WAITS: Yeah, wishful thinking.  
40 JAKE EDGAR: Yeah, I don't know how that works. We need to

1 contact the -- the wellness program people and see how -- what  
2 goes on. But it was just an idea. The guy called. And we  
3 talked about it. So if you guys -- like I said, right now is a  
4 good time to talk about it before I come back to you. Any  
5 questions?

6 COMMISSIONER MASON: I have one, on -- back on the water --  
7 JAKE EDGAR: Okay.

8 COMMISSIONER MASON: -- pressure. Are you -- is there any  
9 major concern that you're watching closely with the water, --  
10 JAKE EDGAR: They're all --  
11 COMMISSIONER MASON: -- the pipelines?  
12 JAKE EDGAR: They're all in the ground, Dave, I can't see  
13 them so -- that's where --  
14 COMMISSIONER MASON: I understood that.  
15 JAKE EDGAR: But I mean, there's nothing I can do except to  
16 go.  
17 COMMISSIONER STIENMETZ: If it ruptures.  
18 COMMISSIONER MASON: But all the old pipes in town are  
19 holding?  
20 JAKE EDGAR: So far.  
21 COMMISSIONER MASON: Good deal.  
22 JAKE EDGAR: Yeah. I -- I don't know.  
23 COMMISSIONER MASON: You don't have any major concerns at  
24 this point?  
25 JAKE EDGAR: I got lots of major concerns, Dave. There's  
26 nothing you can do about it. I mean, we're just going to be  
27 where we're at. And if it starts to blow up, then away we go.  
28 COMMISSIONER MASON: I'm enjoying the pressure in the  
29 shower. That's great.  
30 JAKE EDGAR: I'm sure. This summer everybody will be  
31 happy.  
32 All right. Thank you, guys.  
33 COMMISSIONER MASON: Thanks.  
34 COMMISSIONER BULLOCK: Thanks, Jake.  
35 MARK BRETHAUER: Stick around for the --  
36 JAKE EDGAR: I'm sorry.  
37 CHAIRMAN GARNER: You done with 9?  
38 COMMISSIONER BULLOCK: Ten.  
39 COMMISSIONER WAITS: Ten.  
40 CHAIRMAN GARNER: Ten. Is it done?

1  
2 11) Discussion for possible action regarding award of bid to C.H.  
3 Spencer & Company, in the amount of \$121,990.00, for the  
4 purchase of a new pump and motor for the Battle Mountain  
5 Water and Sewer Department and other matters properly related  
6 thereto.  
7

8 CHAIRMAN GARNER: Eleven, discussion for possible action  
9 regarding award of bid to C.H. Spencer & Company, in the amount  
10 of \$121,990.00, for the purchase of a new pump -- and motor for  
11 the Battle Mountain Water and Sewer Department and other matters  
12 properly related thereto.

13 JAKE EDGAR: So we put this out. This is for Well #9.  
14 This is just the pump and motor portion of the project. C.H.  
15 Spencer & Company, which is out of Elko, came in with the lowest  
16 bid. Everything looked great. Right now our recommendation is  
17 to award C.H. Spencer & Company in the bid amount, in the amount  
18 of \$121,990.

19 CHAIRMAN GARNER: Is -- I have -- did this meet the  
20 manufacturer's spec?

21 JAKE EDGAR: Yeah.

22 CHAIRMAN GARNER: Did Jay look at this?

23 JAKE EDGAR: Yes.

24 CHAIRMAN GARNER: This -- it's --

25 JAKE EDGAR: They -- kind of on that -- on that note,  
26 Goulds, which this is a Goulds pump -- before we were using  
27 Floway.

28 CHAIRMAN GARNER: Mm-hm.

29 JAKE EDGAR: Floway designs their pumps on a different --  
30 on a different curve line.

31 CHAIRMAN GARNER: Mm-hm.

32 JAKE EDGAR: So this Goulds is not a -- say, it's not, um  
33 -- it would be like going and getting a can of soup off the  
34 shelf pretty much.

35 CHAIRMAN GARNER: Okay.

36 JAKE EDGAR: This is a -- one of those type of pumps. The  
37 one we had before was a special doodad put together thing that  
38 they did. So this one is, like I said, basically like going and  
39 getting a can of soup off the shelves. And Jay can explain that  
40 to you guys more about actually what it does and the performance

1 curve and all that if you need to.

2 CHAIRMAN GARNER: Okay. So with the 121,000, that's one  
3 pump. We talked about earlier budgeting and stuff. Do we have  
4 a spare for this if it were to go down?

5 JAKE EDGAR: What we were talking about doing is in the bid  
6 docs -- it depends on where the number came in --

7 CHAIRMAN GARNER: Yeah.

8 JAKE EDGAR: -- and we were going to try to --

9 CHAIRMAN GARNER: Yeah.

10 JAKE EDGAR: -- buy an extra one at the end of the project,  
11 not --

12 CHAIRMAN GARNER: Okay.

13 JAKE EDGAR: -- upfront. So --

14 CHAIRMAN GARNER: But we haven't forgot that?

15 JAKE EDGAR: I have not forgot that --

16 CHAIRMAN GARNER: Okay.

17 COMMISSIONER BULLOCK: I'll make a motion the Commission  
18 award the bid for the purchase of a new pump and motor for Well  
19 #9 to C.H. Spencer & Company in the amount of \$121,990.

20 COMMISSIONER STIENMETZ: I will second the motion.

21 CHAIRMAN GARNER: Any public comment?

22 (No comment.)

23 CHAIRMAN GARNER: All those in favor?

24 COMMISSIONER STIENMETZ: Aye.

25 COMMISSIONER BULLOCK: Aye.

26 CHAIRMAN GARNER: Aye.

27 COMMISSIONER WAITS: Aye.

28 COMMISSIONER MASON: Aye.

29

30 12) Discussion for possible action regarding award of bid to H.E.  
31 Hunewill Construction Co., in the amount of \$1,589,900.00,  
32 for construction of the 2013 Water and Sewer System  
33 Improvements for the Battle Mountain Water and Sewer  
34 Department and other matters properly related thereto.  
35

36 COMMISSIONER BULLOCK: Twelve, discussion for possible  
37 action regarding award of bid to H.E. Hunewill Construction Co.,  
38 for the amount of a hundred and -- correction -- \$1,589,900.00,  
39 for construction of 2013 Water and Sewer System Improvements for  
40 the Battle Mountain Water and Sewer Department.

1 JAKE EDGAR: So this is our north side of the tracks and  
2 Front Street Alley project that has been in the workings for  
3 quite a while now. We're finally here.  
4 The number that H.E. Hunewill Construction came in with was  
5 \$1,589,900. Everything -- it's a lot cheaper than I thought it  
6 was going to be, so I recommend that we approve it.  
7 MARK BRETHAUER: I second that. I concur.  
8 COMMISSIONER BULLOCK: So on Broad Street, do we have to  
9 get with NDOT on that one?  
10 MARK BRETHAUER: Yeah.  
11 JAKE EDGAR: Yeah.  
12 MARK BRETHAUER: We have the permit.  
13 COMMISSIONER BULLOCK: Okay.  
14 JAKE EDGAR: That's all worked out. They're going to make  
15 us go with the -- with the six inches, right?  
16 MARK BRETHAUER: I think that's what they ended up with,  
17 yeah.  
18 JAKE EDGAR: With six inches. It was -- it was kind of a  
19 --  
20 MARK BRETHAUER: That's NDOT.  
21 JAKE EDGAR: -- rough deal.  
22 JAKE EDGAR: Yeah, we're there.  
23 COMMISSIONER BULLOCK: Yeah, I'm sure. It and Front Street  
24 both --  
25 JAKE EDGAR: Yeah.  
26 COMMISSIONER BULLOCK: -- we've got to coordinate with  
27 them.  
28 JAKE EDGAR: We're all good.  
29 MARK BRETHAUER: We're stuck with them.  
30 COMMISSIONER STIENMETZ: I'll make a motion the Commission  
31 award the bid for the 2013 water and sewer system improvements  
32 for the Battle Mountain Water and Sewer Department to H.E.  
33 Hunewill Construction in the amount of \$1,589,900.  
34 COMMISSIONER BULLOCK: Second.  
35 CHAIRMAN GARNER: Any public comment?  
36 I just had a quick question on --  
37 MARK BRETHAUER: Sure.  
38 COMMISSIONER WAITS: What is the number of feet? What's  
39 the length that we're actually doing on this? Do you have any  
40 idea on that?

1 MARK BRETHER: I did. And I presented at the last  
2 meeting with my project stats reports. I don't have that  
3 number. Or I can't recall.

4 JAKE EDGAR: I think it's like close to 4,000.

5 CHAIRMAN GARNER: It's 2,951 feet of eight-inch.

6 MARK BRETHER: Yeah. They've got it all divvied out.  
7 Yeah.

8 CHAIRMAN GARNER: It's one thousand -- 1158 feet of  
9 six-inch and seven -- eight -- eight valves.

10 MARK BRETHER: It's a lot. It's a lot.

11 COMMISSIONER WAITS: So there's a lot. Thank you.

12 JAKE EDGAR: So you're close to 4,000-foot and some extras.

13 MARK BRETHER: Yeah. We had like 28 sheets in the plan  
14 sets and we have 21 just plan profile sheets right now. What  
15 I'm doing is just going through it, and I'm setting up  
16 everything so we can have them all inspected, every project set  
17 up on a spreadsheet so we're all taken care of there.

18 COMMISSIONER STIENMETZ: First and second.

19 CHAIRMAN GARNER: All those in favor?

20 COMMISSIONER STIENMETZ: Aye.

21 COMMISSIONER BULLOCK: Aye.

22 COMMISSIONER GARNER: Aye.

23 COMMISSIONER WAITS: Aye.

24 COMMISSIONER MASON: Aye.

25  
26  
27 **ENGINEER**

28  
29 13) Discussion for possible action regarding adoption of the  
30 updated Orange Book Details that have been reviewed and  
31 approved by the Lander County Building Department, Public  
32 Works Department and Road and Bridge North and South  
33 Department staff for use by Lander County, and other matters  
34 properly related thereto.  
35

36 CHAIRMAN GARNER: Thirteen, discussion for possible action  
37 regarding adopt -- adoption of the updated Orange Book Details  
38 and have been -- that have been reviewed and approved by the  
39 Lander County Building Department, Public Works Department, Road  
40 and Bridge North and South Department staff for use by Lander

1 County.

2 MARK BRETHAUER: You see a picture is a worth a thousand  
3 words. So you have about 74,000 words there in front of you in  
4 this document. It's been taking me the last few months to get  
5 these reviewed and approved and refined.

6 About two-thirds of these details are the ones I prepared  
7 with Carson City when I first came on with them 23 years ago.  
8 And so they allowed me to go ahead and bring these to Lander  
9 County and gave us our approval. And so they've been modified  
10 and tweaked and reviewed by our staff here to be able to be used  
11 here within our county.

12 There's a lot of details maybe you probably notice that may  
13 not apply at this point in time. Maybe there's some extra  
14 reclaimed water details in there, but, you know, eventually  
15 maybe once we get to that point where we do have reclaimed water  
16 in our system, we'll have it detailed for those -- for those  
17 construction items.

18 I'm not sure how many of you have had a chance to actually  
19 look at any of the details, but they're pretty involved.  
20 Basically, it's just for work that would happen in the  
21 right-of-way. If there's development that comes to town then  
22 they know exactly what we want. They're standardized. So  
23 everything that's there is what our crews would want to see in  
24 the field when it gets -- when it gets built.

25 COMMISSIONER WAITS: For the record, Mark, --

26 MARK BRETHAUER: Uh-huh.

27 COMMISSIONER WAITS: -- I thought the drawings were lovely.  
28 They really are. I've looked at a lot of different, you know,  
29 specs and stuff through the years. And I thought you really did  
30 a nice job.

31 MARK BRETHAUER: Oh, good. Thank you. Yeah, I got those  
32 from CAD.

33 COMMISSIONER WAITS: I just had one question --

34 MARK BRETHAUER: Sure.

35 COMMISSIONER WAITS: -- and there's a few. In one you  
36 referred to transfer wire. And I know that a lot of places --  
37 we always used tape. We've never used the transfer wire. I  
38 just wondered since it's all public utilities and it's not  
39 residential or anything, if they wanted to make an exception,  
40 how difficult is it that?

1 MARK BRETHAUER: It's not difficult at all.  
2 COMMISSIONER WAITS: Would they just talk to you?  
3 MARK BRETHAUER: There's certain things on there we want to  
4 keep. And then if they want to come in and maybe, you know,  
5 change things a little bit, we can review that.  
6 COMMISSIONER WAITS: That's okay. That's --  
7 MARK BRETHAUER: We're making the Building Department is  
8 our point of contact. So that will be like our engineering  
9 center right there. So they would come to them first and  
10 ultimately, if Joe and Anna couldn't answer the question, they  
11 would come to the engineers and we would take a look at it and,  
12 you know, either allow it or disallow it. They're flexible.  
13 It's a flexible document. It's kind of a living document, but  
14 it has some flexibility in it, but some of it we really want to  
15 stick with because there's --  
16 COMMISSIONER WAITS: Thank you.  
17 MARK BRETHAUER: -- certain things we want to keep. Yeah.  
18 I was talking to my brother the other day. And he's an  
19 electrician. And he says, yeah, he's been working on a lot of  
20 projects where everybody's standardizing now. And gas is  
21 putting -- well, gas has put wire on their conduits for years.  
22 And we -- we started there in Carson City about 15 years -- 15,  
23 20 years ago putting the wire on -- traditional wire on the  
24 water lines. And then slowly, we moved to the sewer lines as  
25 well to keep those laterals and mains. So you'll see those  
26 details and wiring in the sewer details as well.  
27 COMMISSIONER WAITS: I'll make a motion that we adopt all  
28 updated Orange Book details for use by Lander County.  
29 COMMISSIONER STIENMETZ: I'll second the motion.  
30 CHAIRMAN GARNER: All those -- Any public comment?  
31 (No comment.)  
32 CHAIRMAN GARNER: All those in favor?  
33 COMMISSIONER STIENMETZ: Aye.  
34 COMMISSIONER BULLOCK: Aye.  
35 CHAIRMAN GARNER: Aye.  
36 COMMISSIONER WAITS: Aye.  
37 COMMISSIONER MASON: Aye.  
38  
39  
40

1 TREASURER

2  
3 14) Discussion for possible action regarding approval/disapproval  
4 of the tax delinquent properties for sale in Lander County  
5 and other matters properly related thereto.  
6

7 CHAIRMAN GARNER: Fourteen, discussion for possible action  
8 regarding --  
9

10 MARK BRETHER: Thank you.

11 COMMISSIONER STIENMETZ: Thank you.

12 COMMISSIONER BULLOCK: Thank you.  
13

14 CHAIRMAN GARNER: -- approval/disapproval of the tax  
15 delinquent properties for sale in Lander County and other  
16 matters properly related thereto.

17 Grace.

18 GRACE POWRIE: Good morning.

19 COMMISSIONER WAITS: Good morning.

20 COMMISSIONER STIENMETZ: Good morning.

21 GRACE POWRIE: Do you need to read the item first?

22 CHAIRMAN GARNER: I just did.

23 GRACE POWRIE: Oh, did you?

24 Good morning.

25 CHAIRMAN GARNER: Do you want me to read it again?

26 GRACE POWRIE: Yeah. I didn't hear you.

27 CHAIRMAN GARNER: Discussion for possible action regarding  
28 approval/disapproval of the tax delinquent properties for sale  
29 in Lander County, and other matters properly related thereto.

30 GRACE POWRIE: I'm set to have another sale in April. And  
31 these are the properties that I need permission from the  
32 Commissioners to take to sale.

33 So with your blessings, I will have you make two motions  
34 according to the recommended actions, unless you have any  
35 questions otherwise.

36 COMMISSIONER STIENMETZ: I'll make a motion to approve the  
37 list of tax delinquent properties for sale.

38 COMMISSIONER WAITS: I'll second that motion.

39 GRACE POWRIE: And then there's a second motion.

40 COMMISSIONER STIENMETZ: I know. We do one motion at time.

1 GRACE POWRIE: Okay.  
2 CHAIRMAN GARNER: Any public comment?  
3 (No comment.)  
4 CHAIRMAN GARNER: All these in favor?  
5 COMMISSIONER STIENMETZ: Aye.  
6 COMMISSIONER BULLOCK: Aye.  
7 CHAIRMAN GARNER: Aye.  
8 COMMISSIONER WAITS: Aye.  
9 COMMISSIONER MASON: Aye.

10  
11 COMMISSIONER STIENMETZ: I'll make a second motion to make  
12 an order to be entered on the record directing the County  
13 Treasurer permission to sell the tax delinquent properties  
14 according to NRS 361.595.

15 COMMISSIONER BULLOCK: Second.  
16 CHAIRMAN GARNER: Any public comment?  
17 (No comment.)  
18 CHAIRMAN GARNER: All those in favor?  
19 COMMISSIONER STIENMETZ: Aye.  
20 COMMISSIONER BULLOCK: Aye.  
21 COMMISSIONER GARNER: Aye.  
22 COMMISSIONER WAITS: Aye.  
23 COMMISSIONER MASON: Aye.  
24

25 15) Discussion for possible action regarding approval of the  
26 County Tax Deed for APN #003-181-44, allowing the  
27 Unincorporated Town of Kingston to acquire property held in  
28 trust by the Lander County Treasurer pursuant to Nevada  
29 Revised Statutes (NRS) 361.603, and other matters properly  
30 related thereto.  
31

32 CHAIRMAN GARNER: Fifteen, discussion for possible action  
33 regarding approval of the County Tax Deed for APN 003-181-44,  
34 allowing the Unincorporated Town of Kingston to acquire property  
35 held in trust by the Lander County Treasurer pursuant to the  
36 Nevada Revised Statutes (NRS) 361.603, and other matters  
37 properly related thereto.

38 GRACE POWRIE: That's an insert. Patsy called me and  
39 informed me that we had on the separator packet the wrong  
40 information. So that should have been in your packet.

1           The -- the agenda item's correct. It's just the background  
2 there is not correct. The dollar amount's changed. So the  
3 motion's on the second page.

4           Thank you, Commissioner Waits.

5           GRACE POWRIE: Basically, on this one, the Unincorporated  
6 Town of Kingston is applying for a piece of property for the use  
7 of their sewer projects and area down there in the Kingston --  
8 and we've -- I think I've been before you probably three or four  
9 times with other properties that -- um -- I took trustee on.  
10 And then they have the opportunity through the statute to  
11 acquire it.

12           COMMISSIONER BULLOCK: So why did we waive the taxes?

13           GRACE POWRIE: The statute -- states if it's used for  
14 sewage, drainage, they don't have to pay the --

15           COMMISSIONER BULLOCK: They don't have to, but we still can  
16 attach it, correct?

17           GRACE POWRIE: Possibly. It just says they need not pay  
18 the taxes. That's just the wording of the statute. I've never  
19 had anyone challenge that, Mr. Bullock, so --

20           COMMISSIONER BULLOCK: That's not a challenge; it's a  
21 question.

22           GRACE POWRIE: I mean challenge the statute as far as the  
23 terminology or the definition of it. Now, if they do not use it  
24 for the terms and the statute which is there, if it says it does  
25 not qualify under any of these open space real property or -- or  
26 the sewage, the drainage, then yes, they do have to pay the  
27 taxes. But if they qualify under those specific things, it says  
28 they need not pay the taxes.

29           And that actually would be a question for your District  
30 Attorney, because it has to be approved by her before -- before  
31 I can go forward anyway. So --

32           NICOLE TING: Well, we did. I guess we approved the  
33 Commissioners approving it. Whether you guys want to approve it  
34 or not is up to you.

35           GRACE POWRIE: Mr. Bullock, on the statute within your  
36 packet, paragraph five is --

37           COMMISSIONER BULLOCK: I read it.

38           GRACE POWRIE: -- all I'd go by.

39           COMMISSIONER BULLOCK: I read it.

40           I'll make a motion that the Commission accept the

1 application from the Unincorporated Town of Kingston to the  
2 Board of County Commission for permission to acquire the  
3 property.  
4 Do we have a legal description or --  
5 GRACE POWRIE: No, the --  
6 CHAIRMAN GARNER: APN.  
7 GRACE POWRIE: Yeah.  
8 COMMISSIONER BULLOCK: APN #003-181-44 --  
9 (indiscernible)  
10 COMMISSIONER STIENMETZ: I'll second the motion. Oh --  
11 were you done?  
12 COMMISSIONER BULLOCK: -- to acquire the property per NRS  
13 361.603.  
14 COUNTY CLERK SULLIVAN: (indiscernible)  
15 COMMISSIONER BULLOCK: No. I got it. It's good.  
16 COMMISSIONER STIENMETZ: I'll second the motion.  
17 CHAIRMAN GARNER: Any public comment?  
18 COMMISSIONER WAITS: Just a question. Don't we want to  
19 comment whether we're waiving the taxes and --  
20 CHAIRMAN GARNER: That's next.  
21 COMMISSIONER WAITS: -- applying the costs?  
22 CHAIRMAN GARNER: That's next.  
23 COMMISSIONER BULLOCK: It's coming up.  
24 COMMISSIONER STIENMETZ: There's --  
25 COMMISSIONER WAITS: Thank you.  
26 UNIDENTIFIED PARTICIPANT: -- four different motions here.  
27 COMMISSIONER BULLOCK: She didn't want it in one motion.  
28 CHAIRMAN GARNER: Any other public comment?  
29 (No comment.)  
30 CHAIRMAN GARNER: All those in favor?  
31 COMMISSIONER STIENMETZ: Aye.  
32 COMMISSIONER BULLOCK: Aye.  
33 CHAIRMAN GARNER: Aye.  
34 COMMISSIONER WAITS: Aye.  
35 COMMISSIONER MASON: Aye.  
36 COMMISSIONER BULLOCK: Okay, let's make this a little  
37 simpler.  
38 I make a motion to direct the County Treasurer to give  
39 notice of intent to sell per NRS 361.603 to the Unincorporated  
40 Town of Kingston -- that the Unincorporated Town of Kingston

1 need not pay the delinquent taxes in the amount \$375.99 because  
2 it qualifies pursuant to NRS 361.603, paragraph five, as the  
3 property will be used for street, sewer, or drainage uses, and  
4 that the Unincorporated Town of Kingston shall pay the interest,  
5 costs, and penalties in the amount of \$343.37 pursuant to NRS  
6 361.603.

7 COMMISSIONER STIENMETZ: I'll second the motion.

8 CHAIRMAN GARNER: Any public comment?

9 (No comment.)

10 CHAIRMAN GARNER: All those in favor?

11 COMMISSIONER STIENMETZ: Aye.

12 COMMISSIONER BULLOCK: Aye.

13 COMMISSIONER GARNER: Aye.

14 COMMISSIONER WAITS: Aye.

15 COMMISSIONER MASON: Aye.

16 GRACE POWRIE: Thank you.

17  
18  
19 **COMMISSIONERS**

20  
21 16) **Discussion for possible action regarding presentation by Wes**  
22 **Henderson, Nevada League of Cities Executive Director, on the**  
23 **benefits of membership in the Nevada League of Cities to the**  
24 **towns of Battle Mountain and Austin, Nevada, and other**  
25 **matters properly related thereto.**  
26

27 CHAIRMAN GARNER: Sixteen, discussion for possible action  
28 regarding presentation by Wes Henderson, Nevada League of Cities  
29 Executive Director, on the benefits of membership in the Nevada  
30 League of Cities to the towns of Battle Mountain and Austin,  
31 Nevada, and other matters properly related thereto.

32 COMMISSIONER BULLOCK: I don't see him here.

33 COMMISSIONER WAITS: I just saw Wes Henderson at the sage  
34 grouse meeting. And he said, I think I'm on your agenda. But I  
35 don't know whether anybody let him know. Because it sounded  
36 like he was going to come if he knew.

37 COMMISSIONER STIENMETZ: I don't know.

38 CHAIRMAN GARNER: Did he put in for a --

39 COMMISSIONER BULLOCK: Mm-huh.

40 COMMISSIONER STIENMETZ: Should have been notified by

1 Donna.

2

3 17) Discussion for possible action regarding update by Larry  
4 Grube and/or Ryan Cook of Summit Engineering Corporation on  
5 the status of the Land Surveying Rights-of-Way Project for  
6 the Town of Austin and other matters properly related  
7 thereto.

8

9 CHAIRMAN GARNER: Moving on to 17. Discussion for possible  
10 action regarding update by Larry Grube and/or Ryan Cook of  
11 Summit Engineering Corporation on the status of the Land Survey  
12 Right-of-Way Project for the Town of Austin and other matters  
13 properly related thereto.

14 COMMISSIONER BULLOCK: Don't see him.

15 CHAIRMAN GARNER: Don't see anybody for Summit?

16

17 Moving to 18, discussion for possible action  
18 regarding presenta --

19 COMMISSIONER BULLOCK: You got to recess.

20 COMMISSIONER STIENMETZ: We got to recess.

21 COMMISSIONER WAITS: We have to recess.

22 COMMISSIONER STIENMETZ: 12:00 noon.

23 CHAIRMAN GARNER: Do we?

24 COMMISSIONER BULLOCK: It's after 1:00.

25 COMMISSIONER STIENMETZ: Yep.

26 CHAIRMAN GARNER: Wow.

27 COMMISSIONER BULLOCK: Two presentations didn't show up.

28 You could take a ten-minute recess and make some phone calls.

29 COMMISSIONER STIENMETZ: Yeah.

30 CHAIRMAN GARNER: Take a ten-minute recess.

31

32 [Break taken between 9:58 a.m. and 10:25 a.m.)

33

34 CHAIRMAN GARNER: We'll call the meeting back to order.

35

36 16) Discussion for possible action regarding presentation by Wes  
37 Henderson, Nevada League of Cities Executive Director, on the  
38 benefits of membership in the Nevada League of Cities to the  
39 towns of Battle Mountain and Austin, Nevada, and other  
40 matters properly related thereto.

1 CHAIRMAN GARNER: Sixteen, discussion for possible action  
2 regarding presentation by Wes Henderson, Nevada League of Cities  
3 Executive Director, on the benefits of membership in the Nevada  
4 League of Cities to towns of Battle Mountain and Austin, Nevada.

5 WES HENDERSON: Okay. Hi. Thank you. Mr. Chairman.  
6 Members of the Commission. For the record, my name is Wes  
7 Henderson, and I'm the Executive Director of the Nevada League  
8 of Cities and Municipalities.

9 And it's a pleasure to be back in Lander County. It's been  
10 a while. Last time I was before this body, I was with the  
11 Nevada Association of Counties. So it's like coming home  
12 almost.

13 What I'm here for today is to talk to you about possibility  
14 of having Austin and Battle Mountain become members of the  
15 League of Cities. You know, we think that would be beneficial  
16 to the towns because that's what we represent. We represent the  
17 cities and towns.

18 I provided you with a -- a pamphlet that probably does a  
19 better job than what I can do of listing the benefits of  
20 membership in the League, but just some of the highlights I'd  
21 like to go over.

22 One of the functions that we provide, we serve as an  
23 information conduit. We get information, goes on at the state  
24 and federal level that can affect the operations of the towns  
25 and the cities. And we make sure that you are aware of that.

26 We also -- we do represent all the cities in the state with  
27 the exception of Carson City, even though they could be a  
28 member. They're a member of NACO at the present time, which is  
29 a good thing. NACO's a great organization. And we also have  
30 the towns of Pahrump and Gardnerville that are our members. We  
31 are working hard to recruit other towns to bring them into the  
32 fold as well.

33 I was asked many times during the last legislative session  
34 if we represent all the cities in the state. And it's very  
35 important to the legislatures that we're able to tell them that,  
36 yes, we do. And the more members we have and the more, you  
37 know, towns that we bring into the League, the better that's  
38 going to be with them as well.

39 You know, we do provide advocacy for the legislature. We  
40 focus on Title 21 of the Nevada Revised Statutes, which includes

1 Chapters 265 through 270B. And Chapters 266 and 269 are  
2 applicable to towns. And we're also knowledgeable on other  
3 chapters that relate to local governments, including Chapter  
4 241, which is the open meeting law and 288, which has to do with  
5 public employees and also with our public works.

6 And we also provide interface with our congressional  
7 delegation and agencies of the federal and state governments.

8 Becoming a member also gives you access to National League  
9 of Cities materials. As you're aware, we hold an annual  
10 conference, as does NACO, that last year the conference was  
11 joint and that seemed to work out very well. And we look  
12 forward to doing that again down the road in the future. But at  
13 our conference, you know, that provides town leaders with an  
14 opportunity to meet with colleagues across the state. And we  
15 provide educational workshops. We have expert speakers.  
16 There's also social opportunities where you can build personal  
17 relationships with the leaders from across the state. But we  
18 also have an annual banquet and recognition of local government  
19 leaders.

20 As a member of the Nevada League of Cities and  
21 Municipalities, each member has a seat on our Board of  
22 Directors. And they can also serve on various committees that  
23 we have such as a legislative committee.

24 We also get the -- they would get the state municipal  
25 member rate to attend the National League of Cities Conferences.  
26 They have two conferences every year. They have a conference  
27 annually in March. And in Washington, we always arrange visits  
28 with our congressional delegation. So we go -- get to go sit  
29 down with them and talk about issues that are specific to  
30 Nevada.

31 And then also an Annual Congress of Cities and Exposition.  
32 It's later in the year. It's usually in November. And this  
33 year that will be in Austin, Texas.

34 Also in the brochure I gave you, I give you a packet of a  
35 presentation that I give to our members. If I could, I'd like  
36 to run through that very briefly.

37 You know, on the front page it lists our member cities and  
38 then our current officers this year. As you can see, we have  
39 officers that represent both small municipalities and large  
40 municipalities. And that's a good balance. And that's

1 something that we strive to get and maintain is that we have  
2 recently formed a committee where we are reviewing membership  
3 structure and the dues that our members pay to make sure that we  
4 have the right balance. And we want to be as inclusive as  
5 possible.

6 Some of the services that we offer, you know, we have a  
7 health insurance pool, a deferred compensation program,  
8 advocacy, a directory of local officials, and the training that  
9 we provide.

10 And we also represent the towns and municipalities on  
11 various boards and commissions. Again, as we I said, we're an  
12 information conduit. We have created a periodic newsletter that  
13 our members receive, an annual conference, again, and the League  
14 of Cities.

15 The National League of Cities does the same thing that we  
16 to. They do it in Washington, D.C on a national level. And  
17 there are, you know, I think a lot of benefits to participating  
18 in national. And every meeting that I attend, I stress that,  
19 how important it is for us to do that because that is our chance  
20 to add Nevada's voice to the conversation that develops national  
21 municipal policies. And I think that's -- that's very  
22 important.

23 Every legislative session, we get five BDRs. We were  
24 successful in getting two of them passed last session. The  
25 bills we got passed were AB 44, which deals with -- that  
26 requires planned communities, the association of planned  
27 communities to allow for the outside storage of trash and  
28 recycled material containers, but retains the right of the HOA  
29 to require that they be screened so they keep it within the  
30 ascetics of the neighborhood.

31 And also, one I think -- that I thought personally was the  
32 most important was Senate Bill 37. And that bill increased the  
33 penalties for persons that are convicted of damaging or stealing  
34 certain material to obtain scrap metal. And we all see -- we  
35 know or have heard of stories of people going out, stealing  
36 copper wire out of the lights at the ball field, you know, or  
37 manhole covers and sell them for scrap metal. So what this bill  
38 does was -- was it makes the payment of restitution mandatory.  
39 Before it was at the discretion of the judge. So now if you're  
40 convicted, you have to pay restitution and you also have to

1 perform community service, which I think is apt because you're  
2 stealing from the community and you need to give back to them to  
3 make up for your actions. So I was really proud of getting that  
4 bill through.

5 And then the next slide are some of the plans. I've been  
6 in this job for almost a year now. I started February 1<sup>st</sup>, last  
7 year. My plan was to go out and meet the leadership and  
8 management of our members and of eligible entities that aren't  
9 members, such as Austin and Battle Mountain.

10 And we're reviewing our policies and procedures and, of  
11 course, we monitor activities by the federal and state  
12 governments.

13 One thing I do -- I have committed to do is to appear  
14 before the governing body of all our members at least once a  
15 year.

16 And I'm pleased to be joined by our president this year.  
17 This is Mayor Emily Carter from West Wendover. And she drove  
18 out this morning to be with us. And if I could, I'd like to  
19 just pause for a second and let Emily say a few words.

20 MAYOR EMILY CARTER: All right. Please excuse my  
21 tardiness. I thought I left in plenty of time. Apparently not.

22 The League is a fabulous organization that really brings  
23 members together and focuses on our positives and really builds  
24 that comradery between the different cities and municipalities.  
25 One of the things that I've gained from it is I'm -- in West  
26 Wendover, our biggest media market is Salt Lake. So we don't  
27 get any Nevada news. And so being a member of the League has  
28 really helped us develop that ability to connect with other  
29 Nevada city council members, other mayors. So it's really made  
30 a huge difference in helping me further my political knowledge  
31 because I certainly -- when I first walked into a city council  
32 seat, I was pretty young. I really wasn't sure what I was  
33 getting myself into. And it was something that I definitely  
34 needed that, I guess, that shoulder to cry on when the papers  
35 got mean and nasty. But also, when I had a question and I  
36 didn't feel comfortable enough to know that our city was  
37 following the right path and I needed to find someone who had  
38 similar experience and who could say, oh, hey, that was a great  
39 idea, or, no, that was a waste of time, don't go there. And so  
40 the League has definitely helped bring me that ability to

1 strengthen, not only myself, but also our city.

2 So -- if there's any questions or anything I can answer,  
3 I'd be more than happy to.

4 COMMISSIONER BULLOCK: I'll reserve it for the end there.  
5 So go ahead.

6 WES HENDERSON: Okay. Thank you. Wes Henderson, again,  
7 for the record.

8 But anyway, I've outlined some of the goals that we have  
9 for the League. Like I said, I want to be in front of the  
10 governing bodies at least once a year to learn what you want  
11 from your league membership, but also let you know what I need.

12 And what I need is participation. I need people who  
13 participate and help the League formulate their policy and help  
14 us to understand what services we need to provide you.

15 This just to summarize or some of the other goals -- we  
16 want to expand our audio visual communication capabilities. You  
17 know, I'm a strong proponent of face-to-face meetings, but at  
18 the same time, I know travel is expensive. So we're working to  
19 increase our telecommunications ability.

20 We're working hard to stabilize our assets and our cash  
21 flow and increase our reserves and to improve the advocacy that  
22 we provide on our members' behalves at both the federal and  
23 state level.

24 And one benefit of me having been with NACO is, you know, I  
25 think it's really important that the counties and the cities and  
26 the towns all work together. The legislature -- it is so  
27 important at the legislature when Mr. Fontaine and myself can  
28 sit at the same table on an issue and be on the same side. They  
29 don't want to hear it when we come in there and we're not the  
30 same. They'll tell us to go back and figure it out anyways. So  
31 we like to work with NACO as much as possible to benefit all  
32 local governments of the state.

33 And again, as I said to increase our participation in the  
34 National League of Cities activities.

35 Some of the recent actions that we've taken, we've adopted  
36 a resolution creating a joint veteran's services committee with  
37 NACO. We also appointed Elko Mayor Chris Johnson to the  
38 committee that is studying the governance and funding of  
39 community colleges, which their first meeting is next Tuesday in  
40 Las Vegas. And again, like I said, we built the formation of a

1 committee to study the membership and our dues structures.

2 And upcoming events. We have a board of directors meeting  
3 coming up. We have at least four board of directors meetings  
4 each year. We have more as needed. And then again, the  
5 congressional cities conference is coming up in March, which is  
6 rapidly approaching.

7 So that's it in a nutshell. I would be happy to answer any  
8 questions that you have. And we would certainly love to have  
9 Battle Mountain and Austin become members of the League of  
10 Cities.

11 COMMISSIONER BULLOCK: So you use NACO as a kind of a  
12 synonym in this. So I'll put it point blank here. What  
13 advantage would we get from the League of Cities that we're not  
14 getting from NACO?

15 WES HENDERSON: NACO's a great organization. The advantage  
16 that you would get is NACO focuses more on Title 20, which is  
17 Chapter 244 through whatever. See, I don't remember how far it  
18 goes, two -- but that -- that -- they deal more with county  
19 issues.

20 Towns have to operate under different parts of NRS,  
21 particularly 269. And we provide -- we have more knowledge in  
22 that area. And we work with our other members to make sure that  
23 those statutes allow the towns to operate in the most efficient  
24 manner possible.

25 COMMISSIONER BULLOCK: Okay. So I noticed two other towns  
26 on here: Gardnerville and Pahrump.

27 WES HENDERSON: Mm-hm.

28 COMMISSIONER BULLOCK: Do they have a board or directors or  
29 how is their towns run -- comparable to ours?

30 WES HENDERSON: Okay. Gardnerville and Pahrump both have  
31 elected boards. Okay. We are actively seeking other -- ohter  
32 towns that have advisory boards, such as Beatty and Tonopah.  
33 You know, we're recruiting them. You guys serve as a town  
34 board.

35 COMMISSIONER BULLOCK: Yeah. We're kind of unique.

36 WES HENDERSON: Yeah.

37 COMMISSIONER BULLOCK: That's my point I'm trying --

38 WES HENDERSON: Yeah.

39 COMMISSIONER BULLOCK: -- to get at here.

40 WES HENDERSON: Yeah, you guys serve as a town board. So

1 what that would provide you, not only would you be able to help  
2 at the county level in developing county policy and the  
3 legislative initiatives on county issues, you also would be able  
4 to help develop the League stance and initiatives to take to the  
5 legislature that apply to the town, you know, under NRS 269 or  
6 266. So it gives you just, you know, more bites of the apple as  
7 it were.

8 COMMISSIONER WAITS: So you don't have any other  
9 unincorporated towns right now that are members, right?

10 WES HENDERSON: Well, other than --

11 COMMISSIONER BULLOCK: Yeah.

12 WES HENDERSON: -- other than Pahrump and --

13 MAYOR EMILY CARTER: Gardnerville.

14 WES HENDERSON: Gardnerville. Thank you.

15 COMMISSIONER WAITS: Like I said on the other. Okay.

16 WES HENDERSON: But we do have also --

17 MAYOR EMILY CARTER: Some GIDs.

18 WES HENDERSON: We have some General Improvement Districts  
19 that are members as well.

20 COMMISSIONER WAITS: I saw that.

21 WES HENDERSON: Yeah.

22 COMMISSIONER WAITS: Tell me about the health insurance  
23 pool.

24 WES HENDERSON: Okay. We administer a health insurance  
25 pool. Right now, we're going through L & S Insurance. Okay.  
26 We offer health, vision, and dental insurance. It's a -- you  
27 know, -- pooled together so that small entities can -- can get a  
28 better rate than they could on their own.

29 Even though the Affordable Care Act, there's been a recent  
30 interpretation by the Division of Industry that as far as the  
31 health insurance goes, that small groups can't form together.  
32 They -- they each still -- they can still come together as a  
33 group, but they all have to be rated individually, which we're  
34 working on. That's one issue that we're working on right now  
35 because we don't think that was really the intention of the law.  
36 And that's something that we're going to be talking to our  
37 congressional delegation about when we're back in DC.

38 COMMISSIONER WAITS: So you would just be another entity  
39 for getting a quote, basically. We couldn't just join you and  
40 come in under one flat fee apparently not.

1 WES HENDERSON: For -- I'm sorry. I didn't understand the  
2 question.

3 COMMISSIONER WAITS: You're saying that we're rated  
4 individually.

5 WES HENDERSON: For -- right.

6 COMMISSIONER WAITS: So we can't -- If we join, we just  
7 can't say, we looked at your rates and they're good. So we're  
8 moving all of our health insurance, all of our county employees  
9 to you?

10 WES HENDERSON: Right.

11 COMMISSIONER WAITS: No. They would have to underwrite us.  
12 So you're just another entity for getting a quote is what I'm  
13 saying. The same as if we went to an insurance agent. Because  
14 you have an agent giving you a quote.

15 WES HENDERSON: Right.

16 COMMISSIONER WAITS: And we're all individual?

17 WES HENDERSON: Right.

18 COMMISSIONER WAITS: So it's just another outlet?

19 WES HENDERSON: It's an outlet for -- for the health care.  
20 Now, for the dental and the vision the ruling -- the Division of  
21 Insurance's ruling on the ACA won't affect that. So we can  
22 still pool together to get a -- get a better rate.

23 But there's a little uncertainty over the healthcare. But  
24 we're working with our partners now to try to figure out how --  
25 there's some possible workarounds to that ruling that we  
26 could -- we could become self-funded. There's some other  
27 mechanisms. What they -- what we did is that provision kicks in  
28 January 1<sup>st</sup> of this year is when it kicked in. We worked with  
29 our insurance providers. And we had an early renewal in  
30 December so that our rate -- we can still pool for the next year  
31 until December 31<sup>st</sup> of this year. Okay. And then that's  
32 when -- that's when the renewal question of where they have to  
33 break you out for each individual group -- that's when that will  
34 be coming into play.

35 COMMISSIONER WAITS: I see. So of your members, what is  
36 your percentage that belong to the health insurance pool?

37 I mean, just roughly, I mean.

38 WES HENDERSON: You know.

39 COMMISSIONER WAITS: Most of them? Not very many of them?

40 WES HENDERSON: No, actually less. Less of the smaller

1 entities are the ones that belong to our pool. Some of the  
2 larger -- a lot of the larger entities are self-insured fully so  
3 they don't participate in that.

4 COMMISSIONER WAITS: 50%?

5 WES HENDERSON: I'd say 30.

6 COMMISSIONER WAITS: Thirty percent of your members?

7 WES HENDERSON: Yeah. Yeah.

8 COMMISSIONER WAITS: Thank you.

9 COMMISSIONER BULLOCK: So what's the basis for your  
10 membership fee?

11 WES HENDERSON: Population.

12 COMMISSIONER BULLOCK: Population.

13 WES HENDERSON: Population. It's a sliding scale based on  
14 population. The more population you have, the per capita fee  
15 goes down. And where you, like I said, we have this committee  
16 now that we're reviewing the fee structure. The fee structure  
17 hasn't been changed for -- I think since the 80s. So we are  
18 looking at that.

19 There is a minimum. Right now, it's a thousand dollars is  
20 the minimum. And then there's also a maximum of 40,000, which  
21 only affects Las Vegas and the City of Henderson. But it is  
22 based on population.

23 COMMISSIONER BULLOCK: Okay. So you're aware why Lander  
24 County pulled out or Battle Mountain of the League of Cities?

25 WES HENDERSON: I am not.

26 COMMISSIONER BULLOCK: Neither am I. I'd like to hear.  
27 That's why.

28 WES HENDERSON: I've been with the League since February  
29 1<sup>st</sup>. So -- so anything before that, I don't know.

30 COMMISSIONER BULLOCK: Because originally we were part of  
31 the League of Cities. But I think it had something to do with  
32 NACO coming about or something.

33 WES HENDERSON: That I don't know. And like I said, NACO  
34 is a great organization. They do a lot of work for the  
35 counties.

36 There's just certain areas of NRS where I think the League  
37 is a better fit on -- to represent the towns on the statutes  
38 that are -- that directly affect them.

39 One example I can give you is last session there was a bill  
40 that would've required four cities to change the way they have

1 elections. Right now, they have primaries or by ward. And then  
2 the general election is county -- or city wide. Okay, there was  
3 a bill that would have required them to change to where  
4 everything was just ward-only election. Our members didn't like  
5 that. You know, and we testified against a bill. But it was  
6 four cities. But one of the cities was Carson City, you know.  
7 So we were at the table for our members and there was nobody  
8 backing Carson City. There were -- you know, that's just a  
9 section of the statutes that NACO doesn't really get involved  
10 in.

11 MAYOR EMILY CARTER: If I may.

12 COMMISSIONER BULLOCK: Sure any time.

13 MAYOR EMILY CARTER: Emily Carter, for the record.

14 Over the last couple of years, we have -- West Wendover --  
15 at least since 2006 when I've been on the city council, um, I  
16 don't know when exactly Battle Mountain pulled out. But I can  
17 tell you that the prior years, the benefit of being in the  
18 League has not been as great as what it has for the last year.

19 And one of that -- I think the biggest changes was our  
20 Executive Director changed. I was on the committee -- I've been  
21 on the Executive Board for two and a half years now. And I've  
22 seen the difference in the engagement. I can tell you that over  
23 the last six years, our previous Executive Director never came  
24 to West Wendover. And that, in my opinion, is an important  
25 aspect. They should be visible. And they should be coming to  
26 your community. Because myself as a representative of my city,  
27 it's great that I go to other entities and I sit on these  
28 meetings, but for the rest of the council members, do they know  
29 what the benefit is? Do they understand that there is a  
30 benefit, that there are resources to be called upon? And I  
31 think that's why it's so important that we come in front of  
32 boards to let you know that, hey, we're here. We're available.  
33 We have at least some answers, not all the answers, but at least  
34 some. And we're willing to stand with you when you have an  
35 issue that needs support. And that was something that I don't  
36 think was well thought out previously or maybe it wasn't just a  
37 priority. But that is something -- and that is the difference,  
38 I think, between Wes and our prior Executive Director.

39 He definitely wants to make sure that anyone that is a  
40 member understands that there is importance and that there is

1 support when you need it.

2 COMMISSIONER WAITS: Wes, you mentioned there were four  
3 meetings a year?

4 WES HENDERSON: Mm-hm.

5 COMMISSIONER WAITS: And you hold most -- they're always  
6 video conferenced, which doesn't help us right now, but maybe in  
7 the future.

8 WES HENDERSON: Well, actually we don't have video  
9 conferencing capability yet. But there is -- you can call in.  
10 But we have -- we have started moving the meetings around the  
11 state.

12 COMMISSIONER WAITS: That was my question. Okay.

13 WES HENDERSON: Because I think it's important for, as  
14 Mayor Carter said, I think it's important to see other parts of  
15 the state.

16 I've been very fortunate in my professional life in Nevada,  
17 is I've gotten to travel the state in any jobs I've had.  
18 Beautiful state. But some people don't do that, you know.

19 And so I think it's important to move the board of  
20 directors meetings around the state to get to see other parts of  
21 the state.

22 And a side benefit of this is usually people have to come  
23 in the night before, so we've started having a little meet and  
24 greet meeting before and that builds the social relationships  
25 between your peers and your colleagues from around the state so  
26 that, oh, yeah, I know so and so from this town here. I can  
27 just pick up the phone and call them and I know who I'm talking  
28 to. I have this issue. He mentioned something how they had  
29 done this before. So it's just networking -- networking  
30 opportunity.

31 COMMISSIONER WAITS: Thank you.

32 COMMISSIONER BULLOCK: So if we wanted to attend the  
33 meeting to feel the waters is that possible --

34 WES HENDERSON: Absolutely.

35 COMMISSIONER BULLOCK: -- without being a member?

36 WES HENDERSON: Absolutely. February 28<sup>th</sup> in Pahrump --  
37 which means there'll a meet and greet February 27<sup>th</sup> in Pahrump.  
38 And if you -- if you happen to come down and you get to the Las  
39 Vegas airport at 2:45, I'm providing van service to Pahrump.

40 COMMISSIONER BULLOCK: Oh. I'm sure our Office Manager

1 would want to go. She could go to her other house. But --  
2 COMMISSIONER STIENMETZ: Mm-hm.  
3 COMMISSIONER BULLOCK: So you don't have -- do you have an  
4 estimated cost for membership? Have you looked at it at all?  
5 Or --  
6 WES HENDERSON: I did. And it was -- based on -- on --  
7 based on Battle Mountain -- and I didn't bring that piece of  
8 paper. I --  
9 COMMISSIONER BULLOCK: That's all right.  
10 WES HENDERSON: I did have it figured out. I'm trying to  
11 think. I think the 2012 population of Battle Mountain was  
12 around 1400? Is that about right?  
13 COMMISSIONER MASON: No. It's a little higher than that.  
14 COMMISSIONER STIENMETZ: Not Battle Mountain.  
15 COMMISSIONER BULLOCK: See, that's -- yeah. See, you've  
16 got the township, and then you've got --  
17 WES HENDERSON: Yeah.  
18 COMMISSIONER BULLOCK: -- the outskirts.  
19 WES HENDERSON: Yeah, it was -- and I will get back to you  
20 with the exact figure. But it was around 1300, I believe.  
21 And our -- our membership year is from July 1<sup>st</sup> to  
22 June 30<sup>th</sup>. So if you were to join before July 1<sup>st</sup>, you know, of  
23 course, we would prorate whatever the dues were for the whole  
24 year.  
25 COMMISSIONER BULLOCK: Well, I mean, part of the reason is  
26 even bringing this out. And you know, of course, you've got  
27 budgets coming up.  
28 WES HENDERSON: Absolutely.  
29 COMMISSIONER BULLOCK: And you know, we have to take a look  
30 at things and so --  
31 WES HENDERSON: And that is one of the goals of our new  
32 membership and dues committee that we have is to make sure that  
33 we have an estimate, at least, out to all our members by the end  
34 of March so they can use that for budgeting purposes.  
35 You know, last year, we didn't get that figure out until a  
36 little bit late in the year. And there was a couple of cites  
37 that had budgeted a different amount for it. But -- so that was  
38 a commitment that I made that we would get an estimate out to  
39 everybody by the end of March so they could use for budgeting  
40 purposes.

1           And I think this committee is looking at or going to be  
2 looking at our fee structures. Like I said, they haven't been  
3 changed for a while, but I don't think they were actually  
4 assessed correctly necessarily.

5           So once we get that structure in place, then it will be,  
6 you know, pretty constant, but still. By March, we would let  
7 everybody know what your estimated dues would be for the  
8 upcoming year.

9           COMMISSIONER STIENMETZ: Would you also at that time have  
10 one for Austin?

11          WES HENDERSON: Yes.

12          COMMISSIONER BULLOCK: Well, I would assume it's a thousand  
13 because it's the minimum.

14          WES HENDERSON: Right.

15          COMMISSIONER BULLOCK: I mean, that's what I'm assuming  
16 for --

17          WES HENDERSON: Right.

18          COMMISSIONER BULLOCK: -- Austin.

19          CHAIRMAN GARNER: A lot of people there.

20          COMMISSIONER WAITS: Well, since we're different and we're  
21 a county with the two, I thought he'd put them together.

22          WES HENDERSON: You know, I actually thought about that and  
23 especially with the size of Austin. You know. And that is  
24 something that we need to discuss with that membership committee  
25 because there could be a possibility that --

26          CHAIRMAN GARNER: Well, and Kingston too.

27          COMMISSIONER BULLOCK: Yeah, we don't want to discount  
28 Kingston out of this either.

29          WES HENDERSON: Right. Right.

30          CHAIRMAN GARNER: Kingston and Austin are --

31          WES HENDERSON: Like I said, --

32          CHAIRMAN GARNER: Battle Mountain.

33          WES HENDERSON: -- there may be an appetite and I don't  
34 know. I'm just thinking out loud here. We haven't discussed  
35 this with the committee. And of course, the committee's  
36 recommendations would go to the board of directors and they have  
37 to approve it. But there is a possibility for counties like  
38 Lander County who have three unincorporated towns that don't  
39 have elected boards or based -- I don't know if you have  
40 advisory boards or you're just it.

1 COUNTY CLERK SULLIVAN: There are elected boards as well.  
2 WES HENDERSON: Okay.  
3 COUNTY CLERK SULLIVAN: Just to let you know.  
4 WES HENDERSON: Okay. But maybe --  
5 COMMISSIONER BULLOCK: For specific areas, I guess.  
6 WES HENDERSON: Yeah.  
7 COMMISSIONER STIENMETZ: Kingston --  
8 COMMISSIONER BULLOCK: Kingston does, but Austin.  
9 COUNTY CLERK SULLIVAN: Austin.  
10 WES HENDERSON: But, I mean, there may be a way to come in  
11 just at an unincorporated-towns-of-Lander-county rate. Okay.  
12 And that is something we're going to have that discussion about.  
13 So under the current structure, yeah, the minimum is a  
14 thousand. What it will be July 1st may be different.  
15 COMMISSIONER BULLOCK: Okay. My questions are answered. I  
16 appreciate the presentation.  
17 CHAIRMAN GARNER: Do we have anything else?  
18 COMMISSIONER STIENMETZ: Nope. I don't.  
19 COMMISSIONER MASON: I think you ought to consider what was  
20 taken place in this meeting. And I think this Commission would  
21 appreciate a letter stating exactly what the fees would be and  
22 how we would, --  
23 WES HENDERSON: Mm-hm.  
24 COMMISSIONER MASON: -- how they'd be worked.  
25 WES HENDERSON: Okay.  
26 COMMISSIONER MASON: I mean, we have one population, Battle  
27 Mountain, which is kind of spread out. And then we have a small  
28 population in Kingston and Austin.  
29 WES HENDERSON: Okay.  
30 COMMISSIONER MASON: And you know, fees can be combined or  
31 should they be?  
32 WES HENDERSON: Yeah. Well, I can certainly provide you  
33 with what the fees would be under the system that's in place  
34 now.  
35 COMMISSIONER MASON: Okay.  
36 WES HENDERSON: And then, you know, keep you apprised of  
37 any changes that the membership committee recommends and the  
38 board adopts.  
39 We -- we will have the due structure for next year adopted  
40 at our February 28<sup>th</sup> meeting. You know, I have to have that so

1 I can let everybody know in the month of March what your dues  
2 are going to be or an estimate anyway. So we should have that  
3 in place by February meeting.

4 COMMISSIONER MASON: Okay.

5 WES HENDERSON: And any changes, I can certainly make sure  
6 you're aware of them.

7 CHAIRMAN GARNER: Any public comment?

8 (No comment.)

9 CHAIRMAN GARNER: Thank you for your time.

10 WES HENDERSON: Okay.

11 COMMISSIONER STIENMETZ: Thank you.

12 COMMISSIONER WAITS: Thank you, so much.

13 WES HENDERSON: I appreciate your time.

14 COMMISSIONER WAITS: Safe travels.

15 MAYOR EMILY CARTER: Thank you.

16  
17 **17) Discussion for possible action regarding update by Larry**  
18 **Grube and/or Ryan Cook of Summit Engineering Corporation on**  
19 **the status of the Land Surveying Rights-of-Way Project for**  
20 **the Town of Austin and other matters properly related**  
21 **thereto.**  
22

23 CHAIRMAN GARNER: Discussion -- seventeen, discussion for  
24 possible action regarding update by Larry Grube and/or Ryan Cook  
25 of Summit Engineering Corporation on the status of the Land  
26 Surveying Rights-of-Ways Project for the Town of Austin and  
27 other matters properly related thereto.

28 COUNTY CLERK SULLIVAN: Do you need the overhead?

29 LARRY GRUBE: Excuse me.

30 COUNTY CLERK SULLIVAN: The overhead?

31 LARRY GRUBE: Yes, please.

32  
33 (Larry Grube preparing equipment for presentation.)  
34

35 COUNTY CLERK SULLIVAN: Can you move over that speaker so  
36 Austin can hear it? Move it between you and Brian.

37 (indiscernible)

38 CHAIRMAN GARNER: Hm?

39 COUNTY CLERK SULLIVAN: Patsy was talking and I didn't know  
40 if they could hear. Or even between Brian and Patsy

1 (indiscernible)

2 CHAIRMAN GARNER: Where?

3 COUNTY CLERK SULLIVAN: (To Joy Brandt in Austin) Joy,  
4 could you hear Patsy when she was speaking on that item?

5 JOY BRANDT: Not really.

6 COUNTY CLERK SULLIVAN: I think it was just muffled. Not  
7 very far from you, Brian.

8 COMMISSIONER WAITS: Okay, Joy, can you hear me now?

9 JOY BRANDT: Yeah.

10 CHAIRMAN GARNER: See?

11 JOY BRANDT: We can.

12 COUNTY CLERK SULLIVAN: That's because it was muffled under  
13 the papers over there.

14 RAY WILLIAMS: We really thank Commissioner Garner for  
15 getting up there. We can hear him good now too.

16 CHAIRMAN GARNER: Thank you.

17

18 (Larry Grube preparing equipment for presentation.)

19

20 LARRY GRUBE: Okay. Commissioners, good morning. And  
21 thank you for having me here today. For the record, my name is  
22 Larry Grube. I'm with Summit Engineering. I'm a professional  
23 land surveyor that's been working on the mediation for the  
24 Austin right-of-ways.

25 Per the previous meeting on November 21<sup>st</sup>, 2013, we  
26 basically decided that we would -- that our next meeting would  
27 be to discuss some of the engineering standards that need to be  
28 considered in the process of establishing where the final  
29 right-of-ways might be.

30 So at any rate, what you're looking at right now is just  
31 basically the points that we had last -- at the last meeting.  
32 But we'll go over just real quickly what -- what some of those  
33 were.

34 I have basically been sending Burt and -- or I sent Burt  
35 and Mark some draft ideas for how the final right-of-ways might  
36 actually be and got some comments back from them last week on  
37 whether they thought we were moving in -- in the correct  
38 direction.

39 Burt has also sent me a diagram showing what he feels the  
40 priority order should be for -- in other words, what roads we

1 need to concentrate on first as far as taking care of issues  
2 on -- on higher priority streets.

3 So basically, what -- what we've started into in the last  
4 two to three weeks is now we've basically come up with some  
5 alignments. And now we're starting to look a little more  
6 closely at the grades, in other words, the elevations along the  
7 center line and to see if we can come up with right-of-ways that  
8 meet current county code. And basically, today I'm going show  
9 you what that layout -- -- layout looks like.

10 And in the rest of these points are just points that we  
11 discussed last meeting that are basically future steps that need  
12 to be accomplished.

13 So at any rate, going into the -- going to the Lander  
14 County current county code Title 16 Subdivisions -- what I've  
15 kind of done is I've gone through, and I've red-lined here  
16 the -- some of the specifications that I think we need to  
17 address in coming up with these final right-of-ways. So at any  
18 rate, they're not necessarily -- because I'm -- what you're  
19 looking at is just the straight county code. They're not  
20 necessarily in the order of priority as far as determining the  
21 final right-of-ways, but any rate, we'll go through those.

22 The first one you see here is any street or highway  
23 intersecting any other street or highway shall intersect at an  
24 angle that's nearly at a right angle as possible. So in going  
25 through -- so obviously if you've been to Austin, you know we  
26 have a lot of places where we have some -- some intersections  
27 that intersect at very oblique angles. So at any rate, we've --  
28 I've tried to address those.

29 The next one, no center line curve radius of less than  
30 150 feet shall be provided on any collector street, which is  
31 shown on the plan of streets and highways. So a line radius of  
32 less than 150 feet or not having the radius less than 150 feet  
33 has actually not been too difficult to meet. That's actually  
34 one of the easier -- one of the easier standards to hit.

35 Okay. Now we get into -- into some of the little bit more  
36 difficult issues. And this is regarding the width of the  
37 right-of-ways. And in four -- in basically in four, you can see  
38 it's specified at 60 feet at a -- as a minimum right of way  
39 width. Whether we really need that or not, I think is -- is  
40 open -- is open for discussion.

1           And then number five is where we would have cul-de-sacs to  
2 provide a turnaround radius or to provide a turnaround of at  
3 least 45 feet. So where I have come up with cul-de-sacs so far,  
4 I'm actually using a 50-foot radius. I'm thinking here that, if  
5 necessary, we can drop down to 45. But when I started out doing  
6 this, I hadn't actually looked at this specific part of the  
7 code. So at any rate --

8           Okay. Lesser developed street right-of-way sections may be  
9 permitted when it can be clearly established that no on-street  
10 parking is required or desired where related to planned unit  
11 development approaches. I think really for Austin, we want to  
12 kind of be more in this type of philosophy. In other words, I  
13 don't think we need 60-foot -- we need 60-foot-wide  
14 right-of-ways. And when I hand out the handouts here -- I think  
15 you'll see where we're going with this. Okay.

16           Now, here's the toughies. Secondary roads and local  
17 streets, 10% maximum grade.

18           We go into D, which is dead end roads less than 400 feet  
19 long, 12% maximum grade.

20           Obviously, we have a situation in Austin where we have some  
21 pretty steep streets. So that's been -- that's been a really  
22 difficult one to -- to deal with. Basically, the philosophy  
23 I've been using in the process of trying to relocate  
24 right-of-ways is that if I put something in where there was no  
25 previous existing roadway, then I'm making that meet 10% since  
26 we're kind of using the open -- whatever open ground there is to  
27 possibly put in provisions for a future road.

28           And then this last one. Street jogs with center line  
29 offsets of less than 125 feet shall not be permitted. In other  
30 words, when you have two streets coming up and intersecting,  
31 they should either intersect right on each other or at least  
32 125 feet offset. We have a couple of places along Virginia  
33 Street due to the urban -- or the suburban buildup there, that  
34 you're just not going to be able to get by that -- by that.  
35 You're going to have to have some offset streets that are little  
36 bit less than 125 feet.

37           And then this is L and M are pretty much relate more to the  
38 street section. So in other words, this is regarding what kind  
39 of fill slopes and cut slopes you can have. Basically, 1.5 to 1  
40 slope. If we had to don any improvements, should be obtainable.

1 And that's kind of what we're going to use in our philosophy  
2 when we start to look more closely at the right-of-ways we're  
3 proposing.

4 So at any rate, what I have here is a superimposition of  
5 the proposed road network over the existing lots and blocks.

6  
7 (Larry Grube handing out maps to the Commissioners.)  
8

9 COMMISSIONER MASON: Thank you.

10 LARRY GRUBE: Now, one of the philosophies that you kind of  
11 need to look at, you know, obviously Austin has a lot of  
12 history. And obviously, there's a ton of existing  
13 infrastructure that we have to deal with here.

14 But let's just pretend for a moment that, you know, we were  
15 kind of doing just a new layout. In other words, if we were  
16 trying to build, say -- let me plug in my mouse here -- if you  
17 look at the existing lot structure and where it's kind of easy  
18 to see is up here. You can see that number one, we have  
19 extremely small lots. And basically, we have a lot of  
20 right-of-way in relation to the area of the lots.

21 If this was something you were doing under modern  
22 development, the idea is to -- obviously, you don't want to have  
23 to build a lot of road infrastructure. The less road  
24 infrastructure you can develop to service the maximum number of  
25 people is going to be economically more sound.

26 So -- so when you look at this, you see this road network,  
27 but you see a lot of lots.

28 So if we go to the next slide, basically, what I've done  
29 here is, thanks to Lura, I was able to obtain the County's  
30 Assessor database for Austin. And what I've basically done in  
31 this diagram is I've dissolved the -- the parcel lines -- the  
32 lot lines where there is common ownership.

33 Now, there are a tremendous number of parcels that are  
34 labeled as unknown. And we believe that those are probably  
35 property of Austin Resources, correct?

36 LURA DUVALL: No, not just them. There are some that are  
37 county-owned and then various owners of patented mining claims  
38 of which the larger ownership is Austin --

39 LARRY GRUBE: Austin Resources.

40 LURA DUVALL: -- Resources, but there are others.

1 LARRY GRUBE: Correct. And in talking with Lura last week,  
2 I basically got a list of some of these names of other possible  
3 owners.

4 So it may be that there are some other lines that need to  
5 go back in due to, okay, there's one owner on one side of this  
6 line, one owner on the other side of this line.

7 But now what you can kind of see -- now that we've gotten  
8 rid of all the many, many lot lines. Then we can start to see  
9 the existing development there. Now, you can kind of see  
10 that -- that the road network is indeed serving all the  
11 ownership parcels in the town.

12 So you can see as we get closer to the center of town we  
13 have a more dense road network.

14 As we're getting further out, that road network gets a  
15 little -- gets a little more -- gets a little more sparse.  
16 So -- and right -- for right now, all I'm doing is just because  
17 50 is pretty much going to be 50. Right now, I'm just dealing  
18 with the north side of the highway. That pretty much sets a  
19 demarcation line.

20 So in other words, what we do on the south side of the  
21 street is not really going to be influenced by what we do on the  
22 north side of the street. So -- and then.

23 COMMISSIONER MASON: Would you say that again? The south  
24 side and the north side?

25 LARRY GRUBE: Yeah, in other words, on the -- in the lower,  
26 left side of the --

27 COMMISSIONER MASON: Okay, I got it.

28 LARRY GRUBE: Yeah, in other words that's kind of the  
29 southwesterly -- I guess it would be more correct southwesterly  
30 side of U.S. 50. Because we've got -- in other words, we've got  
31 to look at -- we've got to look at right-of-way issues over  
32 there too.

33 But the more -- the more pressing because of the steepness  
34 and --

35 COMMISSIONER MASON: Right.

36 LARRY GRUBE: -- on the right there -- on the upper right  
37 side, there's -- there's a lot more issues as far as -- as far  
38 as trying to get everything to work.

39 And then this last -- next map. And it's a little bit dim  
40 on the slide, but you should be able to see it there, shows a

1 10-foot contour interval with the -- superimposed on the -- on  
2 the proposed right-of-ways.

3 COMMISSIONER MASON: So let me ask a question. Bateman is  
4 the top street. That's the highest street.

5 LARRY GRUBE: Yes, sir.

6 COMMISSIONER MASON: Okay. And that pretty much ends -- if  
7 I'm looking north -- where it says Bateman?

8 LARRY GRUBE: Yes, sir.

9 COMMISSIONER MASON: You know, the -- it's written there  
10 Bateman Street.

11 LARRY GRUBE: And that's -- and it may not actually be how  
12 it's signed on the ground, but per the information I have, yes,  
13 I'm calling it Bateman too.

14 COMMISSIONER MASON: That whole road is pretty much the  
15 highest elevation in town.

16 LARRY GRUBE: Yes, sir. Yes, sir. That is correct.

17 COMMISSIONER MASON: When you get to the end of it, the  
18 south end down here and it you curves back into Highway 50 in  
19 two places, does that go up again?

20 LARRY GRUBE: Okay. The one that's on the -- on the  
21 diagram, the one that's going up and looping back, --

22 COMMISSIONER MASON: Right.

23 LARRY GRUBE: -- at kind of the top, that's basically --  
24 that's existing graded road right there.

25 COMMISSIONER MASON: It doesn't appear that any -- there's  
26 any houses up there, but maybe there are people living there.

27 LARRY GRUBE: And I mean, it's -- the other thing -- this  
28 is, you know, this is not something we're saying, hey, this has  
29 got to be cast this stone.

30 COMMISSIONER MASON: I understand.

31 LARRY GRUBE: This is just something -- this is kind of a  
32 first draft.

33 COMMISSIONER MASON: A starting point.

34 LARRY GRUBE: Yes, sir.

35 COMMISSIONER MASON: I gotcha.

36 LARRY GRUBE: Absolutely. Now, the reason for the one  
37 going across -- one of the things I was trying to keep -- keep  
38 in the forefront is to kind of consider, okay, what's our  
39 situation in case -- you know, if the -- to do what needs to be  
40 done so that we can make sure that if there -- that if emergency

1 vehicles have to come into the heart of the town that they have  
2 appropriate access ways that they can use regardless of the time  
3 of the year.

4 So we're not propose -- I'm not saying that, hey, we're  
5 saying we're going to build this. We're just saying, hey, if  
6 there comes a time that this becomes mandated, due to  
7 development, we know where this road should go. So it's kind  
8 of -- it's like I say, we're not -- we're not -- we're trying to  
9 match as much as possible the existing road infrastructure. But  
10 we're also trying to look to the future.

11 I just want to make a -- kind of an anecdotal point here.  
12 As a kid, when I was in my -- between about -- when I was ten  
13 and fourteen, I used to go to a little town in Colorado all the  
14 time. That little town was very, very, very cold in the winter,  
15 didn't really get all that warm in the summer. It had two paved  
16 streets in it: Main Street and the street that was parallel to  
17 it.

18 My grandmother was born in that small town. And she had a  
19 lot of property literally right in the center of the town. So  
20 it was, you know, not a lot of development when I was between  
21 ten and thirteen.

22 That town is Aspen, Colorado. Needless to say, when I look  
23 at it in Google now, I can remember as a child that it was easy  
24 to walk from one end of the town to the other. The town now  
25 sprawls out over the entire mountainside there and -- and the  
26 valley.

27 So the -- what I'm trying to do with this road, with this  
28 right-of-way plan, is ensure that -- that we have provisions for  
29 any future roads that might be necessary in case -- in case  
30 there's development. In other words, kind of get a game plan  
31 for where we want to go with the ultimate road infrastructure.

32 CHAIRMAN GARNER: I have a que -- I have a question.  
33 There's so many of these roads, I guess, that would be abandoned  
34 and turned into right-of-ways?

35 LARRY GRUBE: Okay, now, some of the -- some of the  
36 existing traveled ways, the right-of-way network I'm showing  
37 here is basically the right-of-ways that the county would  
38 ultimately end up essentially having -- having dedicated to  
39 them. That would not necessarily remove public access over  
40 other -- other pieces, other -- other traveled ways.

1           And that's kind of an issue that would need to be directed  
2 to the District Attorney is basically a risk assessment of if  
3 you are keeping roads that are so far out of standard, you know,  
4 what kind of risk is the -- is the county incurring by basically  
5 taking -- taking possession of those roads?

6           CHAIRMAN GARNER: But what I'm -- what I'm going to add is  
7 we've got these, say, say, if we adopted this, there's some  
8 right-of-ways that are right in the middle of a house that cut  
9 some houses off. Would the county -- would that be a  
10 base-to-base situation, Lura, where they would have to come in  
11 on a -- on a per ownership and get that squared up with the  
12 new -- this new -- say, I'm not saying this would be the final.  
13 I'm just saying, where there's right-of-ways that haven't been  
14 there for years, we go to this new system, where does that leave  
15 the homeowner when their house is halfway in the right-of-way?

16           LURA DUVALL: Okay, are you talking about the platted  
17 right-of-ways that may not be physically in existence? They're  
18 platted --

19           CHAIRMAN GARNER: Yeah.

20           LURA DUVALL: -- the county already owns all those.

21           CHAIRMAN GARNER: Yeah, we already own them. But some of  
22 these

23           LURA DUVALL: But they don't physically exist because  
24 they've not been constructed.

25           CHAIRMAN GARNER: But they're --

26           LURA DUVALL: They're on a map.

27           CHAIRMAN GARNER: But --

28           LURA DUVALL: The county owns them. These are -- --

29           CHAIRMAN GARNER: But they're still.

30           LURA DUVALL: -- these are physical right-of-ways.

31           CHAIRMAN GARNER: -- still halfway in peoples' houses --

32           LURA DUVALL: Correct, --

33           CHAIRMAN GARNER: -- or they're in their yards.

34           LURA DUVALL: -- because they don't physically exist. And  
35 that's part of the problem.

36           CHAIRMAN GARNER: So then that's --

37           LURA DUVALL: It would be --

38           CHAIRMAN GARNER: -- what I'm trying to say. How do you  
39 come back in, restructure your property so it dictates that,  
40 yeah, the right-of-way is not in the middle of my living room?

1 LURA DUVALL: Well, this has been ongoing over decades and  
2 decades. They do a street abandonment and exchange, basically,  
3 for the property.  
4 COMMISSIONER MASON: Let me take an example, if I could.  
5 Paul Street, where it says Paul. It's -- it's up at the north  
6 end.  
7 LURA DUVALL: Okay.  
8 CHAIRMAN GARNER: The street's right in the middle of the  
9 --  
10 COMMISSIONER MASON: Yeah, and it says Paul. And there's a  
11 house right under the word.  
12 CHAIRMAN GARNER: Yeah.  
13 LURA DUVALL: I'm not finding it.  
14 COMMISSIONER MASON: Uh.  
15 LURA DUVALL: Just a second.  
16 COMMISSIONER MASON: Go up. Go up. Well, let's see.  
17 COUNTY CLERK SULLIVAN: I think she's speaking of Gandol--  
18 COMMISSIONER MASON: Just go to --  
19 COUNTY CLERK SULLIVAN: Is he speaking of Gandolfo, the red  
20 roof?  
21 COMMISSIONER MASON: Huh?  
22 COUNTY CLERK SULLIVAN: The red roof.  
23 COMMISSIONER MASON: Yeah, it's got that red roof.  
24 COUNTY CLERK SULLIVAN: Where it's the Gandolfo, the  
25 grandma.  
26 COMMISSIONER MASON: It's the pink roof.  
27 LARRY GRUBE: Except this one --  
28 COMMISSIONER MASON: I was just brought it up because if --  
29 COUNTY CLERK SULLIVAN: No, further down.  
30 COMMISSIONER MASON: -- you have access to all these  
31 properties --  
32 COUNTY CLERK SULLIVAN: Right there. Yeah, that one.  
33 COMMISSIONER MASON: -- then these -- these streets here  
34 could be rededicated back to the owner?  
35 LARRY GRUBE: And that's -- that's --  
36 LURA DUVALL: It's called street abandonment.  
37 LARRY GRUBE: Street abandonment.  
38 LURA DUVALL: And it goes to the District Attorney's  
39 office.  
40 COMMISSIONER MASON: Okay, so we could abandon that and the

1 owners that would pick up that space.

2 LARRY GRUBE: Correct. And that's one of the things I'm  
3 hoping that will, you know, help get the townspeople to  
4 cooperate down there. Because I'm thinking, based on what I'm  
5 seeing, that by the time we go through the full process that  
6 everybody if they were to add up their total acreage based on  
7 whatever's in their deed, would actually come out with a little  
8 bit -- would actually come out with a little bit more.

9 You have to appreciate the fact that when the -- when the  
10 town map was done years and years and years ago, there was  
11 absolutely no consideration made for the -- for the terrain.

12 I mean, if you look at the stuff over on the west and the  
13 stuff up to the north, if you were to put that to -- put that to  
14 basically modern developmental codes regarding hillside  
15 ordinances, what you're going to find is -- is that the number  
16 of allowable units that you would be permitted to have there  
17 would -- would drop down easily by a factor of ten if not more.

18 I mean, what would frankly be nice since probably a lot of  
19 that to the north, northeast is in one ownership is if the owner  
20 of record would be willing to do -- to do a reversionary map on  
21 it and just basically put it back to a single parcel. And then  
22 at some future time that he felt that he wanted to do  
23 development on it, he could come forward and --

24 COMMISSIONER MASON: Have a master plan.

25 LARRY GRUBE: -- and move forward based on current  
26 development standards.

27 COMMISSIONER MASON: Right.

28 LARRY GRUBE: I mean, obviously, I don't think the Building  
29 Department's going to be too keen on, on, say, on some of those  
30 lots that are up there on -- on -- on 30%, 40% slopes of -- of  
31 allowing two houses to be built together. Because, I think, if  
32 I recall right those are either 30 or 50-foot wide lots. So in  
33 other words, --

34 LURA DUVALL: Thirty-five.

35 LARRY GRUBE: -- the -- I worked with the Reno -- the City  
36 of Reno slope ordinances. And basically, based on doing what's  
37 called a slope map, you come up with a formula that reduces the  
38 number -- you have to multiple that times the number of allowed  
39 units per the zoning for that -- for that property. So when you  
40 get into slopes greater than 30%, that basically becomes

1 non-developable. So your -- and your -- and the number of  
2 allowed units drops way down.

3 COMMISSIONER MASON: This -- we're looking at page two,  
4 right?

5 LARRY GRUBE: Page two makes it -- they're basically -- the  
6 road network is superimposed the same on all. The point I'm  
7 making between sheet one and sheet two is when -- on sheet one  
8 you're looking at all the existing lots per the -- per the court  
9 decreed --

10 COMMISSIONER MASON: I got it.

11 LARRY GRUBE: -- map.

12 COMMISSIONER MASON: Then you've eliminated a lot of those.

13 LARRY GRUBE: And then when you go to the second page, then  
14 what you're looking at is more lines based on contiguous owners.  
15 So in the case of -- and I hope I don't destroy her name. Is it  
16 Maestretti, Bonnie Maestretti? She has a bunch of lots. Her  
17 existing development is over lot lines, which I know for UBC,  
18 that's a violation of UBC. And I'm pretty sure it's a violation  
19 of IBC. In other words, you are not permitted to build across  
20 lot lines. So you know, --

21 LURA DUVALL: (inaudible)

22 LARRY GRUBE: -- there's a situation where -- where people,  
23 you know, would want to revise their parcel lines to come more  
24 into conformance with their actual land use and their  
25 occupation.

26 And you know, believe me, I understand from looking at --  
27 at -- at very closely at the occupation and the ownerships that  
28 you've got situations where families started out with a bunch of  
29 land. And then they have children that say, okay, tell you  
30 what, you can build a house over here. So obviously, you  
31 want -- you'd want multiple parcels there.

32 CHAIRMAN GARNER: Okay. All right.

33 So if we look at page three, are you there yet? Are you  
34 still --

35 LARRY GRUBE: Yeah. That's the slide I'm on now. That's  
36 just. What -- what's --

37 COMMISSIONER MASON: You've eliminated a whole bunch of lot  
38 lines?

39 LARRY GRUBE: Right. And that's basically, all you're  
40 looking at on three is the same thing that's on two, except I've

1 superimposed the terrain.  
2 COMMISSIONER MASON: Right.  
3 LARRY GRUBE: So you can kind of get an idea of --  
4 COMMISSIONER MASON: Now, let me take you back to Paul  
5 Street. Is that still -- we want to eliminate that street?  
6 I mean, I'm just using -- I'm just looking at that. Where it  
7 says Paul.  
8 LARRY GRUBE: Um.  
9 COUNTY CLERK SULLIVAN: It goes much further than that on  
10 your map.  
11 COMMISSIONER MASON: Well, yeah, but he's got these new  
12 roads curving in there, touching just about everybody. We don't  
13 need those streets is what I'm getting to.  
14 LARRY GRUBE: Right. And that's -- in other words, once we  
15 get consensus between the townspeople and the Commission, then  
16 we'll move forward on doing the necessary abandonments and  
17 right-of-way takes in order to -- to achieve whatever final road  
18 right-of-way network that is agreed upon by -- by the Commission  
19 and the townspeople of Austin.  
20 COMMISSIONER MASON: Let me step back a second.  
21 Originally, you said what we're trying to do -- if I heard you  
22 correctly -- was we're trying to reach every piece of property  
23 with access -- road access without doubling up. We don't need  
24 to double up with a lot of this because of the elevations.  
25 And it appears to me like everybody has access to their  
26 property in what you've drawn. You're pretty close to it,  
27 aren't you?  
28 LARRY GRUBE: I -- I would like to believe I am. I know  
29 that, for instance, up here by the public facilities here that  
30 --  
31 COMMISSIONER MASON: Where are you pointing?  
32 LARRY GRUBE: Right.  
33 COMMISSIONER MASON: Okay, I got it.  
34 LARRY GRUBE: Right there. That this maybe two ownerships  
35 here. But for that, I would just say we establish a private  
36 access easement just going westerly of the cul-de-sac.  
37 These people currently appear to use the access coming from  
38 right there. But when you get to this point right here, --  
39 COMMISSIONER MASON: Yeah.  
40 LARRY GRUBE: -- it is very, very narrow and there's a cut

1 bank there. So --

2 COMMISSIONER MASON: Is it also -- what's the elevation?  
3 Is it over ten feet?

4 LARRY GRUBE: It's -- I don't know that the rise is -- is  
5 all that bad. It's just -- it's basically what you've got is  
6 you've got a pretty good slope coming up this way here. And  
7 then there's -- I mean, it's like I say, there's cut bank right  
8 along in here.

9 COMMISSIONER MASON: I got it.

10 LARRY GRUBE: And then we -- the other thing too I was  
11 trying to do is come up with access to the public facilities.  
12 So, you know, basically there would be a drive -- you know, an  
13 access. I mean, this would probably be all the property of the  
14 public facility -- or excuse me -- the public facilities.

15 CHAIRMAN GARNER: Lura, you had a question?

16 LURA DUVALL: No. I was just going to point out the  
17 building codes came -- or the zoning codes came into effect in  
18 1976 all these properties are grandfathered.

19 The town of Austin is probably the second oldest town in  
20 Nevada. So all of this existed prior to and including many of  
21 the traveled ways. So -- I have a lot of concerns about them --  
22 what is perceived to be a massive reconstruction of the town of  
23 Austin.

24 COMMISSIONER MASON: See, I --

25 LURA DUVALL: I'm real concerned about that. Because  
26 number one, where does the money come from to pay for all of  
27 this from the county's standpoint. And a lot of this -- I'm a  
28 little confused, because in the beginning this -- I mean, this  
29 has gone way beyond what I thought was going to occur. So I'm  
30 just kind of getting up to speed here.

31 COMMISSIONER MASON: I think -- I think I would like to  
32 state this. We -- and the last meeting with you -- it was  
33 discussed about grandfathering in where as needed, where it  
34 makes sense to grandfather in lesser access or lesser street  
35 width or what -- because of the terrain. And that -- you're  
36 still accounting for that? Are you still dealing with that?

37 LARRY GRUBE: Yes. I'm finding that if we could go to a --  
38 the -- for the stuff -- a lot of the stuff we got there.

39 Now, Virginia street is a big problem. And Water Street  
40 where you have the split going -- basically going from the lower

1 right to the upper left, where that splits, you've got some --  
2 you've got some problems there. You've got extremely -- you  
3 know, based on the structures that are there right now. You  
4 have just some very narrow street ways.

5 In other words, we're -- we're not proposing to do any  
6 massive construction at this time. We're just basically saying,  
7 hey, if we have these right-of-ways and we know what the -- what  
8 the plan is for the future, when it becomes necessary and when  
9 the money is there, hopefully through development not through,  
10 um, the county's pockets, that we have a plan in place that we  
11 can say okay, this is. You know, this is the right-of-way width  
12 we have here.

13 On -- just to go back to this issue regarding the 60-foot  
14 width, what I have done -- you've probably noticed sometimes in  
15 driving through some -- some subdivisions that you have these  
16 roads where the pavement will be wide and you have parking on  
17 the left and the right. And then it necks down and you -- you  
18 don't have -- the actual curb comes in and you can't park along  
19 that. Well, that's basically the existing condition you have in  
20 Austin.

21 In other words, when you're going up some of these traveled  
22 ways, you get -- you get places where, hey, you know, you've  
23 got -- you've got a house. And if you were to try to maintain a  
24 60-foot right-of-way, you would have to start doing all these  
25 little, you know, jogs around the buildings. And then you would  
26 start having the problem of getting your minimum radius for a  
27 curb too small because you were making all these little -- all  
28 these little jigs and jogs, which -- so the way I have addressed  
29 that is by tapering the right-of-ways in areas where we have  
30 existing buildings and keeping the center line so that it  
31 meets -- so that it meets code for not having too small a  
32 radius. And then basically if there was -- if that sectioning  
33 was developed in the future, then where it's tapered down to  
34 being narrowed, you'd have no parking on that side of the  
35 street. Where it was the wider right-of-way, you would allow  
36 parking on that side of the street.

37 COMMISSIONER MASON: (indiscernible)

38 COMMISSIONER WAITS: Let me ask -- oh.

39 COMMISSIONER MASON: Excuse me. You could get a variance,  
40 in other words? We could -- the County could allow subdivision

1 development in Austin subject to variance with an engineer. I  
2 mean, you know, guys like you could help them design -- let's  
3 say somebody wants to build six houses, you know. And the first  
4 thing somebody says, well, I got to be put in a 60-foot-wide  
5 street. Couldn't we authorize a variance to meet the need?

6 LARRY GRUBE: Actually, I would have to direct that to the  
7 District Attorney. So that's -- that's an interpretation of  
8 your code.

9 COMMISSIONER MASON: Or you can't develop?

10 NICOLE TING: Well, it's --

11 CHAIRMAN GARNER: That's --

12 COMMISSIONER MASON: That's Austin. Austin is historic.  
13 By nature, it's historic. So, you know, my question is: Could  
14 we leave room for variances, --

15 CHAIRMAN GARNER: No.

16 COMMISSIONER MASON: -- so that it could further develop  
17 itself?

18 CHAIRMAN GARNER: No. You're off.

19 COMMISSIONER BULLOCK: I would think what's grandfathered  
20 in is grandfathered in.

21 COMMISSIONER STIENMETZ: (indiscernible).

22 CHAIRMAN GARNER: Yeah.

23 COMMISSIONER BULLOCK: But what you go forward with --

24 LURA DUVALL: Yeah. Correct.

25 COMMISSIONER BULLOCK: -- you got to stick with the code  
26 and the standards --

27 LURA DUVALL: Right.

28 COMMISSIONER STIENMETZ: Yeah.

29 COMMISSIONER BULLOCK: -- that are set now.

30 LURA DUVALL: Absolutely.

31 COMMISSIONER MASON: Well, can we give Austin a separate  
32 code?

33 CHAIRMAN GARNER: No.

34 LURA DUVALL: No.

35 COMMISSIONER STIENMETZ: No.

36 COMMISSIONER WAITS: My question is from what you have  
37 presented, what do you need to do now before you can have a  
38 meeting with the public in the southern part?

39 LARRY GRUBE: Well, I was supposed -- unfortunately, I  
40 didn't look close enough at my calendar. I was supposed to meet

1 with Burt Ramos on Monday. And I -- I didn't notice it because  
2 Summit worked on Monday. And then just as I was going out the  
3 door, Ryan said, you know, you better check because I think  
4 they're off today.

5 So anyway, Burt and I have been in touch with each other  
6 throughout the week. I'm supposed to go out next week and meet  
7 with him.

8 I'm going to be meeting with Lura this afternoon to talk  
9 about -- the -- basically the issues for, you know, ultimately  
10 moving towards -- towards the abandonments and the takes.

11 COMMISSIONER WAITS: So we're -- we have -- you still have  
12 a couple meetings left. And then you plan on coming back to  
13 this Commission. Or are you going to hold the public meeting  
14 for the Austin residents.

15 LARRY GRUBE: The next meeting -- or the meetings I would  
16 envision would be with the public in Austin.

17 I mean, the Commissioners ultimately have to approve  
18 obviously anything that we finally come up with. But I think  
19 it's important for me to -- to go to the town and basically, you  
20 know, get input from the -- those people on -- on -- what they  
21 think on trying to do something like this.

22 COMMISSIONER WAITS: That's an absolute must. And I know  
23 that was on your calendar. So that's why -- originally, when I  
24 asked a couple of months ago, they thought it was going to be  
25 January. And that's not going to be. So I was just trying to  
26 get an idea. You will be setting the meeting with the Austin  
27 residents fairly soon.

28 LARRY GRUBE: Yes.

29 COMMISSIONER WAITS: And it should be held maybe in  
30 February or --

31 LARRY GRUBE: It will be very soon after I sit down with  
32 Burt Ramos next week. So I'll be in Austin next week. And if  
33 they're -- if Burt -- I mean, it may be possible that Burt's  
34 going to have some -- some of the townspeople at that meeting.

35 COMMISSIONER MASON: Okay. I have a question. I don't  
36 know if you can answer it. But I just heard a couple of noes  
37 and nays here about 60-foot right-of-ways.

38 Are we not open to accepting your work as a Commission?

39 Gentleman, do we have -- can't we accept the finished product  
40 with smaller streets?

1 COMMISSIONER WAITS: Well, if they're grandfathered in --  
2 CHAIRMAN GARNER: Yeah.  
3 COMMISSIONER WAITS: -- and there's no way we can make them  
4 bigger, I think the answer would be --  
5 COMMISSIONER MASON: Yes.  
6 COMMISSIONER WAITS: -- why can't we?  
7 LARRY GRUBE: I think --  
8 LURA DUVALL: They are already accepted.  
9 CHAIRMAN GARNER: They're already accepted.  
10 LURA DUVALL: This is already adopted --  
11 COMMISSIONER WAITS: That's not the problem.  
12 LURA DUVALL: -- by court order. The official map of  
13 Austin is legally binding by court order with, you know, this  
14 issue with -- okay, now we've got to make -- now, we've got to  
15 retrofit the town to --  
16 COMMISSIONER MASON: Okay.  
17 LURA DUVALL: -- meet the current codes.  
18 COMMISSIONER MASON: That answers my --  
19 LURA DUVALL: No, it's grandfathered.  
20 COMMISSIONER MASON: -- question.  
21 LURA DUVALL: Yeah.  
22 COMMISSIONER MASON: That answers me. Good.  
23 LURA DUVALL: In a sense.  
24 COMMISSIONER MASON: Good. Proceed.  
25 LARRY GRUBE: So -- so yes, we will -- I'm trying to get to  
26 Austin as soon as I possibly can, because I know -- I know this  
27 has been very frustrating for those folks down there.  
28 Burt wants to get going. So -- I -- it's like I say, we  
29 had a little bit of misscheduling this week.  
30 So I was originally hoping to have a first public meeting  
31 with them next week.  
32 So based on -- based on whatever Burt and I discuss and  
33 whatever additional input I get from Mark, we'll -- you know,  
34 we'll make corrections. And then we'll -- we'll move forward.  
35 COMMISSIONER WAITS: Excuse me. If I'm understanding you  
36 right, you're saying the first public meeting. You're not  
37 considering your meeting with Burt Ramos as your first public  
38 meeting or you are?  
39 LARRY GRUBE: I -- I don't -- he asked me to -- we agreed  
40 that we should meet next, you know, very soon. So --

1 COMMISSIONER WAITS: That sounds fine, but when you say  
2 public meeting, I want time to advertise.  
3 LARRY GRUBE: Okay. Understood.  
4 COMMISSIONER WAITS: I mean, our people have to know.  
5 LARRY GRUBE: Okay.  
6 COMMISSIONER WAITS: You can't drop on them --  
7 LARRY GRUBE: Right. Right.  
8 COMMISSIONER WAITS: -- one day --  
9 LARRY GRUBE: Sorry. Sorry.  
10 COMMISSIONER WAITS: -- and expect us --  
11 LARRY GRUBE: I didn't mean --  
12 COMMISSIONER WAITS: -- to tell everybody.  
13 LARRY GRUBE: -- it to sound that way.  
14 COMMISSIONER WAITS: Okay. It did. Thank you.  
15 COMMISSIONER MASON: I want to go one question and let you  
16 loose. If I -- let's do it in I -- first person. If I wanted  
17 to buy a section here and develop it, could I do it by  
18 driveways?  
19 CHAIRMAN GARNER: Hm?  
20 COMMISSIONER MASON: Individual driveways, I mean, rather  
21 than trying to maintain a 60-foot street?  
22 LURA DUVALL: No.  
23 COMMISSIONER MASON: Why not?  
24 LURA DUVALL: Because it's in the code. You're talking  
25 about future development.  
26 COMMISSIONER MASON: Yeah.  
27 LURA DUVALL: We're talking about existing.  
28 COMMISSIONER MASON: I mean, if I wanted to put in five  
29 homes and I've got individual driveways to each one --  
30 CHAIRMAN GARNER: Dave, you're off the subject. You  
31 can't --  
32 LURA DUVALL: Yeah, way beyond.  
33 CHAIRMAN GARNER: This is -- this is --  
34 COMMISSIONER MASON: Well, it's --  
35 CHAIRMAN GARNER: This is --  
36 COMMISSIONER MASON: -- the subject is --  
37 CHAIRMAN GARNER: This is right now. We can't talk about  
38 the future right now. This is right now.  
39 We're not talking future expansion. We're talking right  
40 now.

1 COMMISSIONER MASON: All right. I think you're doing a  
2 good job, and I appreciate it. It's a hard -- it's a hard task.

3 LARRY GRUBE: It is. But I've spent a lot of time in  
4 Austin and people of Austin have been very good to me. So I  
5 hope I can return -- return the favor to them by ultimately  
6 coming up with something that, you know, makes everybody happy  
7 happen out there and allows the town to move forward.

8 COMMISSIONER MASON: Amen. Amen. I -- I agree with you.

9 CHAIRMAN GARNER: Do we have any other public comment?

10 LURA DUVALL: Larry, didn't you say something about --  
11 um -- a future point in time addressing the existing deeds that  
12 are recorded? And if they're -- you know, some of these  
13 things -- how is this going to affect the legal descriptions?

14 Or it's my understanding from the onset that each situation  
15 would be case by case. Now, it's sort of a big blanket thing.  
16 So I'm a little concerned about --

17 CHAIRMAN GARNER: I think.

18 LURA DUVALL: -- legal descriptions and accepting deeds.

19 CHAIRMAN GARNER: -- if this were. The way I take it. And  
20 I want to make clear too, once this is set, which is good that  
21 we know a specific, because we know exactly. Then on a  
22 case-by-case basis -- case-by-case basis, you could come in as  
23 that homeowner and you could adjust and get the lot lines and  
24 stuff --

25 LURA DUVALL: The street abandonments.

26 CHAIRMAN GARNER: -- correct. And when there's a street in  
27 the middle of you house, then the County can take those  
28 provisions to correct all those inadequacies of the land and  
29 then actually start on a base-by-base making those APNs match  
30 exactly your property. Is that what our common goal is here;  
31 isn't it?

32 LARRY GRUBE: As we move forward, once we've got a plan  
33 that everybody is happy with, then it's going to be -- a big  
34 task is going to go to title to make sure that we know what --  
35 what -- who has all the underlying rights.

36 And that's -- there's some other issues that Lura brought  
37 up in our phone conversation last week. And that's one of the  
38 reasons we're meeting today so she can give me some input on --  
39 on the existing patents there.

40 COMMISSIONER MASON: Okay.

1 COMMISSIONER WAITS: Thank you.

2 LOUIS LANI: Yeah. One issue I haven't heard addressed.  
3 I'm Louis Lani with Lander County Sewer and Water #2 in Austin.  
4 How would the utilities set up in this? Some of the  
5 streets I see on here on the map there is underlying utilities.

6 LARRY GRUBE: Correct.

7 And -- and once again, it would be title and legal that  
8 would handle this part of it.

9 But any time we were to do a -- an abandonment, we would  
10 either create a specific easement for the utility that's there.  
11 But in the case of all abandonments, the language should be in  
12 there such that an, you know, an easement and right of access  
13 thereto for all existing utilities. That way if you miss  
14 something and the gas company comes along at a later time and  
15 says, hey, we've got a gas line right there. And we -- and  
16 there's no easement for it, and it's like, well, yeah,  
17 technically there is.

18 LOUIS LANI: Now, what you're proposing here, is this going  
19 to be coming before the Planning Commission? I also sit on that  
20 committee. I'm just trying to stay in the loop here is what's  
21 going on.

22 LARRY GRUBE: Yeah, it -- I mean, it's -- it's -- it --  
23 there's lot of work to be done. There's no doubt about it. But  
24 I think, what we need to do is -- is, you know, get an idea of  
25 what the big picture ultimately has to -- has to look like.  
26 Because right now with the way the abandonments have been going,  
27 I'm not completely convinced that the water tower up here -- and  
28 it may be the way I'm interpreting the deed, but I -- I'm kind  
29 of thinking maybe the wrong side of the street got abandoned.  
30 So, you know, it's -- it's -- when we've been doing stuff just a  
31 little bit at a time, you know, I think there's -- some, you  
32 know, there's been some accidents that may have happened that  
33 maybe we didn't do exactly what we thought we should have done.

34 So that's why I think it's important to kind of get a big  
35 picture.

36 I mean, am I inventing a bunch of new stuff? Not really  
37 because the only new right-of-way that's -- that's completely  
38 undeveloped -- I'm not advocating that this be built. I'm just  
39 saying, in other words, for safety purposes I can get 10% from  
40 that point there onto Bateman. So that's -- that's access for

1 emergency vehicles. Does it need to be built today? No. For  
2 the most part -- okay, this is one pretty much just new access.  
3 No, it doesn't need to be built now because everybody that's  
4 there is getting to their properties just fine. But whether we  
5 can make a public right-of-way that meets code coming in the  
6 other way is -- is -- is debatable.

7 All I've done here -- this is not -- this is not -- I'm not  
8 advocating building this either. This is an existing dirt road.  
9 The problem is is when you get to the end of this street here,  
10 you've got a drop off on the -- if you're going forward, you've  
11 got a drop off on the left side of the street. You have an  
12 emergency vehicle that comes in, what that loop going back  
13 around, that is just strictly I'm just looking at that as  
14 emergency secondary access. A large emergency vehicle would be  
15 able to continue on and drive -- drive on out without having to  
16 backup.

17 So that's just when we do -- when we do subdivision design,  
18 we have cul-de-sacs that reach a certain length, then we're  
19 required to provide secondary access. So in that case, I'm just  
20 following an existing dirt road that might be -- once again, may  
21 be a little bit steep, but it can -- it can probably be made to  
22 meet some criteria for secondary emergency access.

23 COUNTY CLERK SULLIVAN: I have a couple of questions. Is  
24 it set in stone? This right here you can actually drive out  
25 there. Is there a reason you have that showing as a cul-de-sac?

26 LARRY GRUBE: Um.

27 COUNTY CLERK SULLIVAN: Because currently you can drive  
28 out.

29 LARRY GRUBE: Yes, it --

30 COUNTY CLERK SULLIVAN: And then also --

31 LARRY GRUBE: That has to --

32 COUNTY CLERK SULLIVAN: -- this is paved going up as well.

33 LARRY GRUBE: That has to do with the -- um -- in other  
34 words, the street intersections -- having street intersections  
35 within 125 feet of -- of --

36 CHAIRMAN GARNER: It's because of --

37 LARRY GRUBE: -- each other -- so, obviously, once again,  
38 it's not like you're going to go in there and build, you know,  
39 build a -- you know, sidewalked cul-de-sac at the end of that.  
40 But in -- in looking at this, you have these two -- you have two

1 intersections that are very, very close to US 50. And I'm sure  
2 NDOT would be much happier with that scenario than -- than  
3 the -- than the existing condition. But whether it goes -- in  
4 other words, we're not advocating building anything right now.

5 CHAIRMAN GARNER: Is NDOT been looking in at your work?

6 LARRY GRUBE: No, we haven't -- that's --

7 CHAIRMAN GARNER: Has nothing to do with --

8 COMMISSIONER MASON: That's later?

9 LARRY GRUBE: Yeah, we've pretty much -- we've got just  
10 existing conditions here.

11 As far as NDOT's concerned, we're not advocating changing  
12 anything. Because it's like I say, this is strictly just a  
13 future provision. I just put that in because, hey, I can get  
14 10% -- I can meet 10% grade going from that point on 50 onto  
15 Bateman. So that's -- coming up, I believe -- I believe, this  
16 is -- and whether it's signed as such, I don't know. This down  
17 here is in the Elm -- is either in the Elm or the Birch  
18 right-of-way. And then the other one's Birch. But once again,  
19 you've got your 10% plus coming up this existing alignment here.  
20 And you've got the same situation coming up -- coming up here.  
21 So, you know, the main reason I just threw this in is because,  
22 hey, I can get 10% and stay within code.

23 COMMISSIONER MASON: Thank you. I want your work to  
24 continue.

25 LARRY GRUBE: Thank you, sir.

26 COMMISSIONER MASON: It's good stuff.

27 CHAIRMAN GARNER: Other public comment?

28 Recess for lunch.

29

30 [Break was taken between 11:48 a.m. and 1:00 p.m.]

31

32 CHAIRMAN GARNER: Call the meeting back to order.

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1 LANDER ECONOMIC DEVELOPMENT AUTHORITY

2  
3 18) Discussion for possible action regarding presentation by  
4 George Fennemore, Lander Economic Development Authority  
5 (LEDA), on LEDA's marketing and business recruitment efforts,  
6 including 2014 business recruiting opportunities and  
7 communication protocol between Lander County and prospect  
8 businesses, and other matters properly related thereto.  
9

10 CHAIRMAN GARNER: Eighteen, discussion for possible action  
11 regarding presentation by George Fennemore, Lander County --  
12 Lander Economic Development Authority, on LEDA's marketing and  
13 business recruit -- recruitment efforts, including 2014 business  
14 recruiting opportunities and communicating -- communication  
15 protocol between Lander County and prospect business, and other  
16 matters.

17 GEORGE FENNEMORE: Thanks, very much. I'm George Fennemore  
18 with the Lander Economic Development Authority. I'm joined  
19 today by my fellow board member, Sarah Edgar and Shar Peterson.

20 Wanted to take a moment to just give you an update on where  
21 we're at with our marketing plan, which this -- this board  
22 approved back in June 2012. We've moved on to the phase where  
23 we're looking into the economic diversification part of that  
24 plan where we're looking at recruiting businesses from outside  
25 the area to come take a look at potentially relocating to Lander  
26 County.

27 This board approved the hiring of a consultant, known as  
28 RCI, which is working on developing leads and information for us  
29 and helping us get -- get to know companies in the target  
30 business sectors, which we directed them to look at, where they  
31 might be interested in -- in relocating or expanding.

32 There are five questions, which RCI is putting to  
33 businesses, which is: Do you have a plan to relocate or expand  
34 in the near future? What's the size of that expansion in terms  
35 of a dollar sense? How many employees would be hired or  
36 relocated? And what are the key considerations for your  
37 company's relocation? And finally, who is -- who are the  
38 decision makers within the company who are going to be looking  
39 at communities in terms of relocation?

40 And with this information -- they provide this information

1 back to us that says, you know, here's a company x that has  
2 these characteristics. This is what they do. This is how  
3 they're looking to relocate. This is the size of their project.  
4 And they bring information back to us on these companies so that  
5 we can make a decision whether we want to make contact with  
6 those companies and let them know about Lander County and the  
7 opportunities that are here.

8 So at this point, they're starting to return information.  
9 Businesses answer these questions back to us. And they've  
10 started to find companies like a light bulb manufacturing plant  
11 that's looking to increase its capacity in this part of the  
12 country, a plastics production plant, plants involved with the  
13 manufacture of equipment for renewable energies, and those type  
14 of companies.

15 And really what we need is direction from this board as to  
16 now that we're starting to get leads and information about  
17 companies that could potentially be interested in relocating to  
18 Northern Nevada and into Lander County, how would this body like  
19 to proceed with those contacts?

20 We certainly get this information in and certainly LEDA  
21 develops an opinion on these companies. But really what we need  
22 is some guidance on if the company comes in, who -- who should  
23 make a decision on whether we want to reach out with our marketing  
24 information and get in contact with that company? And then as a  
25 follow-up to that, if that company responds back with interest,  
26 who from the side of Lander County should be the point person and  
27 point of communication for speaking with that company to tell them  
28 about Lander County. And if they want to visit, if they want to  
29 actually look at Lander County, tour the area, who -- who would  
30 you like to speak for the County and represent the County in that  
31 capacity?

32 And before we started making contact with any of these  
33 leads, we want to understand how exactly the Commissioners  
34 wanted to handle that communication and contacts. Because we  
35 understand that LEDA is an advisory board to this Commission and  
36 not empowered to speak in any way for the County or to make  
37 these types of decisions.

38 So that's where we're at. And like I said, leads are  
39 starting to come in. And before we -- we made any missteps, we  
40 wanted some guidance from the Commissioners on how best to

1 proceed with these points.

2 COMMISSIONER MASON: Well, in the -- I'm a -- I used to be  
3 a lender. So the first thing you do is qual -- prequalify. So  
4 are you capable of prequalifying a business?

5 GEORGE FENNEMORE: We're capable of reviewing the  
6 information we have and sort of holding that up against our  
7 understanding of what -- what -- what our -- what Lander County  
8 has to offer. And what -- what -- what the community desires  
9 through some of the survey work we've done in terms of, you  
10 know, what is not only compatible with Lander county, but what  
11 is desirable in terms of a business. And we're capable of  
12 putting together our recommendation, our opinion on that. And  
13 then the question is: Is that -- is, you know, there's a lot of  
14 things that we can do with that. We could make a recommendation  
15 to the Commission on whether to move forward in contacting that  
16 business. Or -- or -- or we could turn over the -- the -- all  
17 the information to the Commission and have a decision, you know,  
18 rendered by the Commission on that point. We just need some  
19 guidance. If the information is in and we have -- we have an  
20 opinion or recommendation on that, how would you like to proceed  
21 with -- with the terms of a decision to make?

22 COMMISSIONER MASON: Well, if you guys are -- if your  
23 company is qualified in handling prequalifications, --

24 GEORGE FENNEMORE: Mm-hm.

25 COMMISSIONER MASON: -- we would like --

26 CHAIRMAN GARNER: I don't think --

27 COMMISSIONER MASON: -- to see it professionally done.

28 COMMISSIONER STIENMETZ: That's not --

29 COMMISSIONER WAITS: It's LEDA. It's not a company.

30 CHAIRMAN GARNER: It has nothing to do with --

31 COMMISSIONER MASON: Okay. So we still --

32 COMMISSIONER WAITS: We have to.

33 COMMISSIONER MASON: He's still asking that same question.

34 COMMISSIONER STIENMETZ: They get their own financing. We  
35 wouldn't give them the financing.

36 COMMISSIONER WAITS: Yeah. I don't -- I mean, we need  
37 information, assuming this information is correct coming in from  
38 RCI, I don't see any reason to prequalify. I think we should be  
39 --

40 CHAIRMAN GARNER: It's nothing.

1 COMMISSIONER WAITS: -- contacting them. Because we're not  
2 giving them money.

3 GEORGE FENNEMORE: We're giving them --

4 COMMISSIONER WAITS: We're enticing them to come to our  
5 county.

6 CHAIRMAN GARNER: It would be -- normally be our Executive  
7 Director.

8 COMMISSIONER WAITS: Of course, it will be the Executive  
9 Director very soon, but in the interim.

10 COMMISSIONER BULLOCK: I don't know if it's so much the  
11 Executive Director. That's why we have a Communities Service  
12 Director.

13 COMMISSIONER WAITS: Certainly would be Jan.

14 COMMISSIONER BULLOCK: That sits on LEDA and, you know, is  
15 a county employee that represents the Commission. So, you know,  
16 to me, that should be the contact person. I mean, sure, confer  
17 with the Executive Director on it. But I think that needs to be  
18 our lead person that should be involved in this.

19 COMMISSIONER WAITS: With that, we'll take care of both  
20 questions.

21 CHAIRMAN GARNER: Mm-hm.

22 COMMISSIONER WAITS: Responding with interest, who would be  
23 the -- who would the Commissioners want to speak on behalf of.  
24 The Community Service Director.

25 If a company were to want to meet personally, it's the same  
26 one.

27 COMMISSIONER STIENMETZ: Right.

28 COMMISSIONER BULLOCK: Sure, I mean, not only that, I mean,  
29 LEDA's working on putting a package together for lands and stuff  
30 to be able to, you know, allow her to show that to the people,  
31 hey, this is available. This isn't. And so I think it's just a  
32 go -- a go between.

33 And something that came out too is -- um, it's a case by  
34 case, I understand that, but at some point, we need to put some  
35 kind of an incentive package together as a county what we're  
36 willing to offer. But that comes from us.

37 That's where LEDA's coming from. They can't say, hey, the  
38 county might waive this and might that. That's got to come from  
39 this the board to say, okay, here, you know, you're going to  
40 provide a thousand jobs. We can definitely negotiate something

1 here.

2 COMMISSIONER STIENMETZ: Right.

3 COMMISSIONER BULLOCK: You know. And so I think that's  
4 somewhat what they're looking for direction is where would we --  
5 are we even willing, as a board, to negotiate some of the fees  
6 involved in coming here.

7 COMMISSIONER WAITS: I think --

8 CHAIRMAN GARNER: Be a whole other agenda item; wouldn't  
9 it?

10 COMMISSIONER WAITS: Right. It is.

11 COMMISSIONER BULLOCK: Probably so --

12 COMMISSIONER WAITS: Yes.

13 COMMISSIONER BULLOCK: -- but it's just putting it out  
14 there is the whole deal.

15 We've got to decide, are we willing? Or are the fees set?  
16 Bottom line. And then they can let the companies know that.

17 COMMISSIONER WAITS: Well, I think the other really good  
18 thing about it is -- is our Community Services Director knows  
19 the county. She knows the north and the south both. So I think  
20 it's an excellent represent --

21 JAN MORRISON: May I speak a little?

22 COMMISSIONER STIENMETZ: Mm-hm.

23 COMMISSIONER BULLOCK: Sure.

24 JAN MORRISON: Do you mind? Okay. Jan Morrison. I'm your  
25 new Community Service Director.

26 COMMISSIONER WAITS: Why don't you come up --

27 JAN MORRISON: Thanks.

28 COMMISSIONER WAITS: -- so they can hear you, Jan?

29 JAN MORRISON: I have a great time with LEDA, and I've  
30 spoken to a couple of you, and I've also spoken to George. So I  
31 look at our office as being able to provide the background,  
32 gather the data, get together a marketing packages, incentives,  
33 whatever we need do.

34 And when George said qualify, we do need to qualify the  
35 leads, not from a financing point of view, but of course, from a  
36 performance point of view, if they're really serious or not and  
37 just checking us out.

38 And So we're looking at within the next couple months in  
39 working with LEDA as getting the background data that you need,  
40 a system in place that you'll need, and something so that when

1 these leads come in -- they've already come in and we've already  
2 made contact. We already have some meetings lined up, by the  
3 way, that we'll be able to come to you. We'll give you some  
4 quantitative measurements of who's approached us, what kind of  
5 firms, if they're a fit, if they're not a fit, what we need to  
6 do. But mostly, when they come to us, we'll be prepared for  
7 them.

8 And So I'm really excited to work with LEDA. They've done  
9 a phenomenal job and the data that they've put together is --  
10 is -- is first class. And we're going to be able to work with  
11 it and hopefully come up with some great results to you as we go  
12 along.

13 So thank you.

14 COMMISSIONER STIENMETZ: Thank you.

15 GEORGE FENNEMORE: Thank you, very much.

16 CHAIRMAN GARNER: Thanks.

17 COMMISSIONER MASON: Thank you.

18 COMMISSIONER BULLOCK: Thank you.  
19  
20

21 **SEWER & WATER DISTRICT**

- 22  
23 19) **Discussion for possible action regarding approval/disapproval**  
24 **for the Lander County Sewer and Water District #2 to purchase**  
25 **300 water meters and transponders, a trailer-mounted sewer**  
26 **hot jetter unit with camera, an internal tank inspection with**  
27 **funds remaining from the Austin Arsenic Mitigation Project,**  
28 **and other matters properly related thereto.**  
29

30 CHAIRMAN GARNER: Nineteen, discussion for possible action  
31 regarding approval/disapproval for the Lander County Sewer and  
32 Water District 2 to purchase 300 water meters and transponders,  
33 a trailer-mounted sewer hot jetter unit with camera, an internal  
34 tank inspection with funds remaining from the Austin Arsenic  
35 Mitigation Project, and other matters properly relating thereto.

36 LOUIS LANI: Good afternoon. I'm Louis Lani. I'm with the  
37 Lander County Sewer & Water #2, Chairman of the Board in Austin.

38 And my purpose for being here today is we're in the high  
39 90% to finishing up the five and a half million dollar Arsenic  
40 Mitigation Project we had going in Austin.

1 And what I'm ask -- I'm asking to change the agenda -- two  
2 items removed on there. Talking to Jake this morning, the  
3 jetter, and these trailer-mounted things are in Battle Mountain,  
4 and they're available to be used in Austin also. So I don't --  
5 I don't need that. That would be a pretty good cost savings.

6 So really what I'm after is asking for the replacement of  
7 300 meters with transponders in Austin.

8 And what I'm asking for on this one here, this project is  
9 winding down. Like I say, we're in the high 90% completion on  
10 this project. And there may be some funds leftover. They've  
11 been pretty frugal and did a good job on this project down  
12 there.

13 And I'd like to see any of these funds left over put into a  
14 capital improvement fund for Lander County Sewer & Water #2.  
15 And that would help be the leader in taking over the purchase of  
16 these meters, replacements of meters and transponders for  
17 Austin. That's basically my speech.

18 COMMISSIONER BULLOCK: How many services are there?

19 LOUIS LANI: Three hundred.

20 COMMISSIONER BULLOCK: There's 300 and the population's  
21 300. I'm a little confused here.

22 LOUIS LANI: The population is three hundred, but right now  
23 there's only about 158 active meters. The other 300, the rest  
24 of the 300 meters are in the ground on lots. And you know,  
25 there are pieces of property, they're not being used right now.

26 CHAIRMAN GARNER: Is -- is --

27 COMMISSIONER WAITS: But they're being charged, right?

28 LOUIS LANI: They're being charged.

29 COMMISSIONER WAITS: They still pay for the service.

30 LOUIS LANI: For every meter -- every lot that is serviced  
31 -- has sewer or water fronted or sided by sewer or water, they  
32 pay a 15 -- \$15.35 a month system obligation fee.

33 CHAIRMAN GARNER: Isn't the system completely  
34 Austin-owned -- or your complete system, the water system is  
35 separate from ours, correct?

36 COMMISSIONER STIENMETZ: Yeah.

37 LOUIS LANI: Yeah. It's -- you're a long ways away.

38 CHAIRMAN GARNER: No. I'm saying you guys have your own  
39 water board? You collect your --

40 LOUIS LANI: Yeah. We do. It's an --

1 CHAIRMAN GARNER: You collect your --  
2 LOUIS LANI: -- elected board.  
3 CHAIRMAN GARNER: You collect your own charges.  
4 LOUIS LANI: It's a 318 district.  
5 CHAIRMAN GARNER: You collect your own --  
6 LOUIS LANI: And the Commissioners up here, you guys set up  
7 us ex-officio officers of the board, being's it's a 318  
8 district.  
9 CHAIRMAN GARNER: But we're paying for the Arsenic  
10 Mitigation already.  
11 LOUIS LANI: Yeah, that --  
12 CHAIRMAN GARNER: If you.  
13 LOUIS LANI: The county elected when Grace -- what was it?  
14 A year and a half two years ago come around and paid off all of  
15 us, all the county entities, that made us debt-free.  
16 And what I'm trying to do on this one here, if any of this  
17 money that's left over and put in a capital improvement fund. I  
18 don't have to obligate again to another one of these 40-year  
19 loans for -- for whatever.  
20 CHAIRMAN GARNER: I guess the biggest thing would be we  
21 need to see what -- what we come up with at the end of the  
22 project.  
23 LOUIS LANI: Pardon me, I can't --  
24 CHAIRMAN GARNER: I guess the biggest thing is what we  
25 actually -- if there is any money left.  
26 LOUIS LANI: Well, I --  
27 CHAIRMAN GARNER: We don't know that yet.  
28 LOUIS LANI: No. We're about 90 some percent finished.  
29 And I think there's going to be at least enough left over to pay  
30 for the hundred and -- it's got to be \$126,000 meters. There  
31 may be a little bit more. But if I can get a commitment to put  
32 into like a capital improvement fund, then I'm not having to  
33 come back and ask for more money or try to take out loans and  
34 commit.  
35 CHAIRMAN GARNER: I don't know how we can move that.  
36 NAN ANCHO: I'm not up on this project, so I don't --  
37 CHAIRMAN GARNER: Yeah. I don't know if we can move that  
38 without doing another augmentation; can we?  
39 NAN ANCHO: Right.  
40 LOUIS LANI: I don't think you have to augment, because

1 it's a five and a half million dollar project. And we're going  
2 to come up with a little bit leftover. And what I'm saying is  
3 we can take what's left over and just put it back water system,  
4 arsenic mitigation and replacement of water meters. The old  
5 meters would be a capital improvement and part of the water  
6 system. And this is what I'm looking at.

7 COMMISSIONER WAITS: So I think the question is whether --  
8 whether something we would even have to vote on if he didn't  
9 bring it before us. Because that's considered part of the water  
10 system. You're still putting in the meters --

11 CHAIRMAN GARNER: No.

12 COMMISSIONER WAITS: -- and the rest.

13 COMMISSIONER STIENMETZ: No, that's not right. It's not  
14 part of the original scope of the job.

15 CHAIRMAN GARNER: It's doesn't have anything to do --

16 LOUIS LANI: No, it's beyond.

17 COMMISSIONER WAITS: So what happens to the money, --

18 CHAIRMAN GARNER: It comes --

19 COMMISSIONER WAITS: -- if he doesn't come before us.

20 CHAIRMAN GARNER: It comes -- comes back to us.

21 COMMISSIONER STIENMETZ: It comes back to us.

22 But we can't split projects. If that's the project  
23 that's -- it's just for arsenic project. If it was in the scope  
24 to begin with it'd be one thing, but it wasn't in the scope.

25 COMMISSIONER WAITS: It wasn't in the scope?

26 LOUIS LANI: Not for the replacement of the --

27 CHAIRMAN GARNER: No.

28 LOUIS LANI: -- meters. No.

29 CHAIRMAN GARNER: No. I think it would have to dissolve  
30 that -- that first one would have to dissolve. And we'd have to  
31 come back and re-budget that money for the --

32 Personally, I mean. Nan would have to dig into that  
33 project and see, and come back with us -- to us with some  
34 results on that.

35 NAN ANCHO: Mm-hm. Yes.

36 CHAIRMAN GARNER: So at this time --

37 COMMISSIONER STIENMETZ: So we need have to have Nan figure  
38 out. You know, I mean, we're not objecting to using the extra  
39 money. But we've got to make sure we do it legally.

40 LOUIS LANI: That's why I'm here today. I didn't want

1 to just go out and say, I thought I had money left over, just go  
2 ahead and order them, and then --

3 COMMISSIONER STIENMETZ: Yeah.

4 LOUIS LANI: -- what they say. It's easier --

5 COMMISSIONER STIENMETZ: What we'll have to have Nan do is  
6 find out exactly how we need do that.

7 LOUIS LANI: Like I said, it's easier to do it this way  
8 than beg for forgiveness after. Just get it before the board.

9 I'll ask you guys a question then. If there is money left  
10 over and I can come back, am I getting the feeling there  
11 wouldn't be an objection to continue to upgrade the water  
12 system?

13 CHAIRMAN GARNER: We can't give you that right now.

14 COMMISSIONER STIENMETZ: No.

15 LOUIS LANI: Okay. That's what I'll be coming back with  
16 anyways, so --

17 Any other questions or comments?

18 COMMISSIONER WAITS: I -- I have a question. If this is on  
19 the agenda, why can't you give him the information now?

20 CHAIRMAN GARNER: Because we don't have the information to  
21 make a determination. We do not know what money's leftover. We  
22 do not know if it is possible to take out of that project. I  
23 mean, it's basically like a change order. If you wanted to  
24 steal that money off the end of the project, it's pretty much  
25 like a change order.

26 COMMISSIONER WAITS: I understand that. But I'm saying the  
27 way that the agenda item is worded, you could give him a vote of  
28 confidence. That's what he asked for, and you said --

29 CHAIRMAN GARNER: I'm not going to give a vote of  
30 confidence off of unknown information. You can.

31 COMMISSIONER WAITS: Okay. I'll make a motion. I move  
32 that we support the purchase for Lander County Sewer & Water  
33 District #2 for 300 water meters and transponders. No, I don't  
34 want to put it -- word it that way. I want to do it with a vote  
35 of confidence. So okay. I move that this Commission support  
36 the idea for the Lander County Sewer & Water District #2 to  
37 purchase 300 water meters and transponders providing there is  
38 money available from the Arsenic --

39 COMMISSIONER MASON: Mitigation project.

40 COMMISSIONER WAITS: -- mitigation project and to come

1 before the board for our final approval.  
2 COMMISSIONER MASON: I'll second that.  
3 CHAIRMAN GARNER: Do we have any public comment?  
4 COUNTY CLERK SULLIVAN: I just have one question. Is this  
5 something that we'd have to advertise or bid because of the  
6 amount on that? We may need to look into that as well?  
7 Absolutely.  
8 COMMISSIONER STIENMETZ: Mm-hm.  
9 COUNTY CLERK SULLIVAN: Just to publish, there would  
10 probably be a publication because it's over a certain amount is  
11 all. So I'll just touch base when it comes back through with  
12 it.  
13 COMMISSIONER WAITS: It's -- it's just a vote of support,  
14 --  
15 COUNTY CLERK SULLIVAN: Right.  
16 COMMISSIONER WAITS: -- not how he would go about it. But  
17 that --  
18 COUNTY CLERK SULLIVAN: Right.  
19 COMMISSIONER WAITS: -- it would come before us again.  
20 COUNTY CLERK SULLIVAN: But just to give you an idea --  
21 COMMISSIONER WAITS: Just to --  
22 COUNTY CLERK SULLIVAN: -- because there will be a little  
23 bit of legal cost --  
24 COMMISSIONER WAITS: Yeah.  
25 COUNTY CLERK SULLIVAN: -- to do a publication as well.  
26 COMMISSIONER WAITS: Have to do all that.  
27 COUNTY CLERK SULLIVAN: Making sure we're all on the same  
28 page is all.  
29 COMMISSIONER WAITS: Right. He just wants to know how the  
30 board feels about --  
31 COUNTY CLERK SULLIVAN: Right.  
32 COMMISSIONER WAITS: -- buying transponders, --  
33 COUNTY CLERK SULLIVAN: Right.  
34 COMMISSIONER WAITS: -- water meters.  
35 COMMISSIONER MASON: Providing there's money left over.  
36 COMMISSIONER WAITS: Right.  
37 CHAIRMAN GARNER: I think that's a matter that should be in  
38 a budget issue, but --  
39 COMMISSIONER STIENMETZ: Right.  
40 CHAIRMAN GARNER: Any other comment?

1 (No comment.)

2 CHAIRMAN GARNER: All those in favor?

3 COMMISSIONER STIENMETZ: I have to say, nay, because I  
4 think it's not the way to do it. That's a -- what do you call  
5 that type of fund? Sewer and water? It's supposed to be  
6 self-sufficient. And I don't know that we can take that. I  
7 mean, unless I know for sure we can do it, I can't until it's  
8 budgeted. I can't go along with it.

9 COMMISSIONER BULLOCK: Nay.

10 CHAIRMAN GARNER: Nay.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER MASON: Aye.

13 COMMISSIONER BULLOCK: Just need more information.

14 COMMISSIONER STIENMETZ: Yeah.

15 LOUIS LANI: Not -- not a problem. We'll be at the end of  
16 this project up hopefully by about the end of this coming month.

17 CHAIRMAN GARNER: Thank you.

18 LOUIS LANI: Everything's coming --

19 COMMISSIONER STIENMETZ: Do all that and get all the  
20 information in hand and come up with it --

21 LOUIS LANI: Everything's coming along real well and  
22 looking good.

23 COMMISSIONER STIENMETZ: -- and then come back to us.

24 LOUIS LANI: Okay. Thank you.

25 COMMISSIONER BULLOCK: Thank you.

26 COMMISSIONER MASON: Bring us some figures.

27 LOUIS LANI: I can do that.

28

29

30 **COMMISSIONERS**

31

32 20) **Discussion for possible action regarding approval/disapproval**  
33 **of the 2014 Annual Operating Plan for Cooperative Fire**  
34 **Protection Agreement between Lander County and the Bureau of**  
35 **Land Management (BLM) for fire suppression and other matters**  
36 **properly related thereto.**

37

38 CHAIRMAN GARNER: Twenty, discussion for possible action  
39 regarding approval/disapproval of the 2014 Annual Operation Plan  
40 for Cooperative -- Cooperation -- Cooperative -- excuse me --

1 Fire Protection Agreement between Lander County and the Bureau  
2 of Land Management for fire suppression and other matters  
3 properly related thereto.

4 Gentlemen.

5 MIKE FETTIC: Afternoon.

6 COMMISSIONERS: Good afternoon.

7 MIKE FETTIC: Mike Fetic, BLM Fire Management Officer for  
8 the Desert Basin Zone.

9 BARRY BURT: And I'm Barry Burt, Assistant Fire Management  
10 Officer for Battle Mountain District of Bureau of Land  
11 Management.

12 MIKE FETTIC: And the AOP, we'd like to re-up for 2014. I  
13 believe that we're in the third year of our Cooperative Fire  
14 Protection Agreement, the master agreement, if you will. And  
15 this annual -- this --

16 COMMISSIONER MASON: This will be the second year, won't  
17 it?

18 CHAIRMAN GARNER: Third.

19 BARRY BURT: I believe this is year three. Last year was  
20 year two.

21 MIKE FETTIC: No, last year was the first year for the  
22 cooperative unit.

23 COMMISSIONER STIENMETZ: Yeah.

24 COMMISSIONER MASON: This will be our second year.

25 BARRY BURT: Yeah, and then -- and the annual operating  
26 plan, obviously it's an annual plan. So we have to re-up that  
27 every year.

28 MIKE FETTIC: And what that consists of is any contact  
29 changes as far as names, numbers, along with frequency changes,  
30 and any cost updates price updates.

31 CHAIRMAN GARNER: Has our -- Nicole, has legal reviewed  
32 this for anything? Changes or anything?

33 NICOLE TING: Yes, it's been reviewed. Or the original one  
34 was actually reviewed.

35 COMMISSIONER BULLOCK: So have you re-evaluated the rates  
36 because you said you'd be done on a yearly rate, yearly  
37 analysis.

38 MIKE FETTIC: They have been updated. They have been  
39 updated for the -- at least 90% of the national contract rate,  
40 which is what the norm is for municipal counties, cities, et

1 cetera, that we deal with. And they are updated up to the most  
2 recent that we have, which I believe is last June.

3 COMMISSIONER BULLOCK: And are you saying we're the same?

4 MIKE FETTIC: There was a couple rates that went up for  
5 some equipment and a couple that went down. So kind of equaled  
6 itself out.

7 COMMISSIONER MASON: How many fires were in -- were  
8 involved in this last year?

9 MIKE FETTIC: Let's see. In Lander County, we did have the  
10 Goat Peak Fire, which was the major one down in Mill Creek. We  
11 had several small fires, I'd say probably to the tune of, just  
12 off the top of my head, probably about ten, maybe fifteen fires  
13 last year something like that.

14 BARRY BURT: Total within the Battle Mountain/BLM District  
15 there were 25 --

16 MIKE FETTIC: Yeah.

17 BARRY BURT: -- fires.

18 MIKE FETTIC: And that --

19 BARRY BURT: -- encompasses Eureka --

20 MIKE FETTIC: Right.

21 BARRY BURT: Austin, Esmeralda.

22 MIKE FETTIC: Esmeralda and Nye counties, Eureka and  
23 Lander.

24 COMMISSIONER BULLOCK: There needs to be a correction on  
25 there. It needs to have Brian Garner as the Chairman of the  
26 Lander County Commissioners.

27 MIKE FETTIC: Okay, we can do that.

28 CHAIRMAN GARNER: Bart, do you have any input? Bart Negro,  
29 Fire Chief.

30 BART NEGRO: No. I think it's pretty much the same as what  
31 we had last year.

32 MIKE FETTIC: Yeah, the only -- the only changes, like I  
33 said were, you know, there were some equipment rates, some went  
34 up slightly for this year and some went down slightly.

35 And -- you know, we updated all the contact information.  
36 This does include the Elko District of Bureau of Land Management  
37 also, since they do -- BLM lands north of Battle Mountain are  
38 actually on the Elko District managed by them. So it  
39 encompasses, captures both districts as well as the county  
40 within the plan. And they -- they have also reviewed it. So --

1 COMMISSIONER BULLOCK: I'll make a motion we approve the  
2 2014 Annual Operating Plan for Cooperative Fire Protection  
3 Agreement between Lander County and the Bureau of Land  
4 Management for fire suppression.  
5 COMMISSIONER STIENMETZ: I'll second the motion.  
6 CHAIRMAN GARNER: Any public comment?  
7 (No comment.)  
8 CHAIRMAN GARNER: All those in favor?  
9 COMMISSIONER STIENMETZ: Aye.  
10 COMMISSIONER BULLOCK: Aye.  
11 COMMISSIONER GARNER: Aye.  
12 COMMISSIONER WAITS: Aye.  
13 COMMISSIONER MASON: Aye.  
14 MIKE FETTIC: Thank you. And I'd like to go on the record  
15 saying we have a great working relationship with Bart and all  
16 the resources as far as fire suppression goes within Lander  
17 County.  
18 BARRY BURT: I will say that same with Mike, so appreciate  
19 it.  
20 COMMISSIONER WAITS: Thank you, gentlemen.  
21 COMMISSIONER STIENMETZ: Thank you.  
22 COMMISSIONER MASON: Thanks, guys.  
23 MIKE FETTIC: And we'll get that edit taken care for you,  
24 Mr. Garner, for you.  
25 COMMISSIONER BULLOCK: Do you want to wait?  
26 COUNTY CLERK SULLIVAN: We've done it like that before. So  
27 I'm good with it if you guys are. That's up to you.  
28 COMMISSIONER BULLOCK: It's all right with me.  
29 COUNTY CLERK SULLIVAN: Because any time we've  
30 (indiscernible) we've just done (indiscernible).  
31 COMMISSIONER BULLOCK: As long as you're recording.  
32 COUNTY CLERK SULLIVAN: Thank you.  
33  
34  
35  
36  
37  
38  
39  
40

1     **SHERIFF**

2  
3     21)   **Discussion for possible action to ratify the Cooperative Law**  
4           **Enforcement Annual Operation Plan between the Lander County**  
5           **Sheriff's Office and the USDA Forest Service for law**  
6           **enforcement support on Forest Service land, and other matters**  
7           **properly related thereto.**  
8

9           CHAIRMAN GARNER: Twenty-one, discussion for possible  
10          action to ratify the Cooperative Law Enforcement Annual  
11          Operation Plan between the Lander County Sheriff's Office and  
12          USDA Forest Service for law enforcement support on Forest  
13          Service land, and other matters properly relating thereto.

14          Anybody here?

15          COMMISSIONER BULLOCK: He's right there. Hey, Bart, let  
16          him go, will you, please?

17          CHAIRMAN GARNER: You're in the hot seat. I don't think  
18          that is.

19          COMMISSIONER BULLOCK: Are you -- you're not representing  
20          the Forest Service on this?

21          MIKE KLUG: On which?

22          COMMISSIONER MASON: This agenda item?

23          MIKE KLUG: No.

24          BART NEGRO: I think they're going to come back later next  
25          month.

26          MIKE KLUG: Yeah. We missed this meeting, so we'll come  
27          back. We'll put in an agenda request and come back and give you  
28          a presentation, overview of the fire program --

29          COMMISSIONER BULLOCK: Okay.

30          MIKE KLUG: -- protection agreement. So we'll see you  
31          then.

32          CHAIRMAN GARNER: This is the agreement for on top of  
33          Austin Summit, I believe, for our deputy down in Austin to man  
34          that camp during the summertime that we get every year.

35          NICOLE TING: Oh, for Zacharias?

36          CHAIRMAN GARNER: Yes, it's the agreement so Zacharias can  
37          do the drive through on that. I don't think he has anything to  
38          do with this.

39          (Off-the-record conversation between court reporter and  
40          Mike Klug to get identifying information.)

1 CHAIRMAN GARNER: Yeah, that's totally different.  
2 COMMISSIONER WAITS: It has all the campgrounds listed --  
3 CHAIRMAN GARNER: Yeah, this is the same.  
4 COMMISSIONER WAITS: -- for southern Lander County.  
5 CHAIRMAN GARNER: Exactly. This is the agreement that we  
6 do for the cop in Austin, whoever it may be, to monitor that  
7 campground and to drive through their housing -- their housing  
8 district down below town.  
9 COMMISSIONER MASON: It's just a rollover; isn't it?  
10 CHAIRMAN GARNER: Yes.  
11 COMMISSIONER BULLOCK: Yeah. Sheriff Unger's already  
12 signed this. So it's just a matter of us approving it.  
13 CHAIRMAN GARNER: Yeah.  
14 COMMISSIONER BULLOCK: Because we don't sign it.  
15 CHAIRMAN GARNER: Yeah.  
16 COMMISSIONER BULLOCK: We just approve it.  
17 CHAIRMAN GARNER: It's the same one we do every year.  
18 COMMISSIONER BULLOCK: I make a motion we ratify the  
19 Cooperative Law Enforcement Annual Operation Plan between Lander  
20 County Sheriff's Office and the USDA Forest Service for law  
21 enforcement support on forest service land.  
22 COMMISSIONER STIENMETZ: I will second the motion.  
23 COMMISSIONER BULLOCK: Any public comment?  
24 (No comment.)  
25 CHAIRMAN GARNER: All those in favor?  
26 COMMISSIONER STIENMETZ: Aye.  
27 COMMISSIONER BULLOCK: Aye.  
28 COMMISSIONER GARNER: Aye.  
29 COMMISSIONER WAITS: Aye.  
30 COMMISSIONER MASON: Aye.

31  
32 **CLERK**

33  
34 22) **Discussion for possible action regarding the Lander County**  
35 **Jury List for 2014 and other matters properly related**  
36 **thereto.**  
37

38 CHAIRMAN GARNER: Twenty-two, discussion for possible  
39 action regarding the Lander County Jury List for 2014 and other  
40 matters properly related thereto.

1 COUNTY CLERK SULLIVAN: Sadie Sullivan, Lander County  
2 Clerk.

3 The list for the jury duty is in your packet. And there's  
4 a thousand that the judge had ordered this time. So in the last  
5 couple years that I've been here, it's been 1800. So we have  
6 lowered the number. And if you have any questions --

7 CHAIRMAN GARNER: Correct that? It's been 1800 in the  
8 past, and they pulled 2,000 this year or 1,000?

9 COUNTY CLERK SULLIVAN: A thousand.

10 CHAIRMAN GARNER: One thousand.

11 COUNTY CLERK SULLIVAN: One thousand.

12 COMMISSIONER WAITS: I'll make a motion the Commission  
13 accept and approve the Lander County Jury List for 2014 for the  
14 thousand persons to serve as the panel of trial jurors for the  
15 Sixth Judicial District Court of Lander County.

16 COMMISSIONER BULLOCK: I'll second.

17 CHAIRMAN GARNER: Any public comment?

18 (No comment.)

19 CHAIRMAN GARNER: All those in favor?

20 COMMISSIONER STIENMETZ: Aye.

21 COMMISSIONER BULLOCK: Aye.

22 CHAIRMAN GARNER: Yay.

23 COMMISSIONER WAITS: Aye.

24 COMMISSIONER MASON: Aye.

25 COUNTY CLERK SULLIVAN: Thank you.

26

27 **COMMISSIONERS**

28

29 23) Discussion for possible action regarding the Nevada Division  
30 of Water Resources FY 2014-2015 budgets for the: a) Antelope  
31 Valley Groundwater Basin; b) Boulder Flat Groundwater Basin;  
32 c) Clovers Area Groundwater Basin; d) Crescent Valley  
33 Groundwater Basin; e) Humboldt River Distribution; f)  
34 Kingston Creek (Big Smoky Creek); g) Lower Reese River Valley  
35 Groundwater Basin; h) Middle Reese River Valley Groundwater  
36 Basin; i) Whirlwind Valley Groundwater Basin; and other  
37 matters properly related thereto.

38

39 CHAIRMAN GARNER: Twenty-three, discussion for possible  
40 action regarding the Nevada Division of Water Resources FY

1 2014-2015 budgets for the: a) Antelope Valley Groundwater Basin;  
2 b) Boulder Flat Groundwater Basin; c) Clovers Area Groundwater  
3 Basin; d) Crescent Valley Groundwater Basin; e) Humboldt River  
4 Distribution; f) Kingston Creek (Big Smoky Valley); g) Lower  
5 Reese River Valley Groundwater Basin; h) Middle Reese River  
6 Valley Groundwater Basin; i) Whirlwind Valley Groundwater Basin;  
7 and other matters properly related thereto.

8 COMMISSIONER WAITS: I have a question. I don't know where  
9 to direct it. So I'm assuming my fellow commissioners will help  
10 me with this.

11 And I reviewed it all, but I understand, especially on the  
12 Humboldt River, that many of these rancher's allotment was --  
13 was really dropped and cut so much because of the drought.

14 CHAIRMAN GARNER: Yes.

15 COMMISSIONER WAITS: So was -- is that reflected in this?

16 CHAIRMAN GARNER: No, this is --

17 COMMISSIONER WAITS: When they did the costs, I mean, has  
18 the state engineer reduced some of these amounts that they pay  
19 for their water allotments?

20 CHAIRMAN GARNER: I think these are all -- this one here --  
21 these are all set. I don't think they --

22 COMMISSIONER STIENMETZ: Yeah, they are the same no matter  
23 what.

24 CHAIRMAN GARNER: I don't think they can raise or reduce  
25 them. I think these are just set.

26 COMMISSIONER WAITS: That's what I wondered. So even  
27 though they've been reduced and a great deal, I understand.  
28 Some of them were reduced to very small percentages of what they  
29 have --

30 CHAIRMAN GARNER: Mm-hm.

31 COMMISSIONER WAITS: -- the right to pull the water, but  
32 they're still paying for the same --

33 CHAIRMAN GARNER: Yeah, but --

34 COMMISSIONER WAITS: -- services because the services are  
35 different from monitoring --

36 CHAIRMAN GARNER: But years of flooding, you can't charge  
37 them for extra.

38 COMMISSIONER WAITS: I just --

39 CHAIRMAN GARNER: That's the way I interrupted it.

40 COMMISSIONER WAITS: I just wondered.

1 CHAIRMAN GARNER: I think it's a set figure throughout the  
2 state. That's the way I interpret it.

3 COMMISSIONER MASON: So this is just a rollover; isn't it?

4 CHAIRMAN GARNER: Yes.

5 COMMISSIONER STIENMETZ: Yep.

6 They add but they never take away.

7 CHAIRMAN GARNER: Mm-hm.

8 COMMISSIONER BULLOCK: I'll make a motion the Commission  
9 accept the Nevada Division of Water Resources fiscal year  
10 2014/2015 budgets for the Antelope Valley Groundwater Basin,  
11 Boulder Flat Groundwater Basin, Clovers Area Groundwater Basin,  
12 Crescent Valley Groundwater Basin, Humboldt River Distribution,  
13 Kingston Creek (Big Smoky Creek), Lower Reese River Valley  
14 Groundwater Basin, Middle Reese River Valley Groundwater Basin,  
15 and Whirlwind Valley Groundwater Basin.

16 COMMISSIONER STIENMETZ: And I'll second the motion.

17 CHAIRMAN GARNER: Any public comment?

18 (No comment.)

19 CHAIRMAN GARNER: All those in favor?

20 COMMISSIONER STIENMETZ: Aye.

21 COMMISSIONER BULLOCK: Aye.

22 CHAIRMAN GARNER: Aye.

23 COMMISSIONER WAITS: Aye.

24 COMMISSIONER MASON: Aye.

25

26 **24) Discussion for possible action regarding approval/disapproval**  
27 **of the American Lands Council annual membership dues, in the**  
28 **amount of \$5,000.00, and other matters properly related**  
29 **thereto.**  
30

31 CHAIRMAN GARNER: Twenty-four, discussion for possible  
32 action regarding approval/disapproval of the American Lands  
33 Council annual membership dues, in the amount of 5,000.

34 COMMISSIONER BULLOCK: Nan, this is budgeted?

35 NAN ANCHO: Yes.

36 CHAIRMAN GARNER: Are you the lands lady?

37 COMMISSIONER WAITS: I certainly could be.

38 I'll make a motion that the Commission budget for the  
39 membership dues for the American Lands Council annual fee of  
40 \$5,000.

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 WAITS: Aye.

7 COMMISSIONER BULLOCK: Aye.

8 COMMISSIONER GARNER: Aye.

9 COMMISSIONER MASON: Aye.

10 CHAIRMAN GARNER: Out of turn.

11

12 25) Discussion for possible action regarding approval or  
13 consideration of Central Nevada Regional Water Authority  
14 (CNRWA) becoming a plaintiff in the legal action of the  
15 complaint filed by White Pine County concerning Southern  
16 Nevada Water Authority (SNWA), and other matters properly  
17 related thereto.

18

19 CHAIRMAN GARNER: Discussion for possible action regarding  
20 approval or consideration of Central Nevada Regional Water  
21 Authority (CNRWA) becoming a plaintiff in the legal action of  
22 the complaint filed by the White Pine County concerning Southern  
23 Nevada Water Authority (SNWA), and other matters properly  
24 related thereto.

25 NICOLE TING: So just a second. Nicole Ting, for the  
26 record.

27 I'd like the Board's commission to be -- decision to be on  
28 the record. If you guys are all in favor of this, I won't take  
29 it into a closed legal meeting. If you guys require more  
30 background on this, I can take this into a closed legal meeting  
31 to discuss certain legalities that will be on the record. But  
32 do you guys need more background on this or is everyone  
33 supportive of --

34 COMMISSIONER BULLOCK: I think as long as we're protecting  
35 our water rights, we're supporting anything that comes about.  
36 So that's my opinion.

37 COMMISSIONER STIENMETZ: Yeah.

38 COMMISSIONER WAITS: I'll give them just a little bit. I  
39 did put some general information in your packets. The Central  
40 Nevada Regional Water Authority, of course, consists of eight

1 counties. And yes, it's to protect all our county water rights.  
2 And of course, that's part of our -- actually -- in our -- in  
3 our federal -- federal land's bill, we do the same thing to  
4 protect our county.

5 We have always supported what they have done. And in 2004,  
6 they went on record to support White Pine, when the Southern  
7 Nevada Water Authority came up to actually try and get the water  
8 from them. They have been successful in three different  
9 lawsuits right now.

10 But the key that they're looking for is when the BLM gave  
11 them approval, then, the Southern Nevada Water Authority,  
12 approval to go across the property. And so they were asking our  
13 authority -- water authority to be a co-plaintiff in this. We  
14 had some information. One -- one of our attorneys, that  
15 represents the Water Authority, wrote a letter -- and that's  
16 part of your packet -- saying he thought each county should at  
17 least vote on that particular and that would help if we became a  
18 co-plaintiff. So that's why it came back to all the counties.

19 We had an emergency meeting and decided we would like to  
20 pursue this. And some of the counties have already voted and  
21 all of them will be taking action by the first part of the  
22 February so that we can proceed. The way the authority feels is  
23 we don't rule by a majority. We rule by consensus. So we  
24 wanted a consensus of every county whether they wanted to  
25 continue or not.

26 The actual attorney who is filing this -- these lawsuits  
27 was on our last meeting, which is a public meeting. He wrote us  
28 a letter, but unfortunately that was confidential. And that's  
29 what our DA, Assistant DA is referring to is if we needed more  
30 information that he wrote in that letter that we certainly could  
31 have a closed meeting and go forward.

32 But I can highlight some of the things he actually said  
33 from that letter that he said in a public meeting and that was  
34 addressing our concerns over what kind of money this could cost  
35 us and our liability. And he assured us that this type of  
36 lawsuit is not the type where we would end up paying for all  
37 attorney fees or anything like that. So we would be limited to  
38 a maximum of a thousand or two thousand at the very most. And  
39 that was one of our big concerns. What if they lost and cost us  
40 this? So that was the big thing I wanted to bring forward to

1 us. And they're also standing by if you have any other  
2 questions, we're welcome to the call them at this time if you  
3 don't agree with this situation to continue --  
4 COMMISSIONER MASON: When that information --  
5 COMMISSIONER WAITS: -- and support that?  
6 COMMISSIONER MASON: Let me ask you a question. When that  
7 attorney gave you that information, was he on record?  
8 COMMISSIONER STIENMETZ: Yes.  
9 COMMISSIONER WAITS: Yes, it was a public meeting.  
10 COMMISSIONER MASON: Okay.  
11 NICOLE TING: Just to follow that up. As of right now,  
12 just the plaintiff attorney's costs are also being absorbed by  
13 just White Pine County. So they're not asking any of the  
14 individual counties to pay any of the legal costs as of right  
15 now.  
16 CHAIRMAN GARNER: Thanks.  
17 COMMISSIONER WAITS: So in the -- so with the idea the  
18 Authority needs our approval of the Board of Commissioners for  
19 every member county, I move that the Lander County approve the  
20 possibility of -- no, I don't want possibility -- approve the  
21 Water Authority's -- Central Nevada Regional Water Authority's  
22 action of becoming a co-plaintiff in the legal action of the  
23 federal complaint filled by the White Pine County concerning  
24 Southern Nevada Water Authority.  
25 COMMISSIONER BULLOCK: Second.  
26 CHAIRMAN GARNER: Any public comment?  
27 (No comment.)  
28 CHAIRMAN GARNER: All those in favor?  
29 COMMISSIONER STIENMETZ: Aye.  
30 COMMISSIONER BULLOCK: Aye.  
31 CHAIRMAN GARNER: Aye.  
32 COMMISSIONER WAITS: Aye.  
33 COMMISSIONER MASON: Aye.  
34 COMMISSIONER WAITS: Thank you.  
35 COMMISSIONER MASON: That was a mouthful, wasn't it?  
36  
37  
38  
39  
40

1 COURTHOUSE/ADMINISTRATION BUILDING PROJECT

2  
3 26) Discussion for possible action regarding status of the Lander  
4 County Courthouse/Administration Building Project and other  
5 matter properly related thereto.  
6

7 CHAIRMAN GARNER: Twenty-six, discussion for possible  
8 action regarding status of the Lander County Courthouse/  
9 Administrative Building Project and other matters properly  
10 related thereto.

11 COUNTY CLERK SULLIVAN: I just had Molly --

12 CHAIRMAN GARNER: Max --

13 COUNTY CLERK SULLIVAN: -- getting him or is he not here?

14 CHAIRMAN GARNER: Yeah. Max is gone. He had to take off  
15 to Vegas. We had problems with valving. I went and looked at  
16 the valving problems underground, and they fixed them. That's  
17 what Jake was talking about earlier.

18 So now they've bumped the pressure up. And today they're  
19 testing several different sites along with the courthouse to  
20 possibly with the potential of the upping the water pressure,  
21 getting rid of the needing for additional piping on the water  
22 for the fire suppression of the courthouse.

23 Other than that, that's everything --

24 COMMISSIONER STIENMETZ: That's all we have.

25 CHAIRMAN GARNER: -- as it stands, and it's moving along.  
26 They're currently going through people's offices trying to  
27 figure out furniture, all that, with the budgets. So, you know,  
28 what we need for furniture.

29 The Sheriff's Department's been in communication with them  
30 for the communications in the hallway for the closed -- closed  
31 circuit TV. And that's all I got for that.

32 Do you have anything else in that, Steve?

33 COMMISSIONER STIENMETZ: No, I don't. That's everything I  
34 understand.

35 COMMISSIONER MASON: I am probing the county engineer to  
36 stay on top of the testing that's going on.

37 COUNTY CLERK SULLIVAN: He said he's just leaving the jail,  
38 if we have any questions.

39 COMMISSIONER STIENMETZ: I don't have any questions for  
40 him? I don't think. They said Max is just leaving the jail and

1 can be here in just a little bit.  
2 CHAIRMAN GARNER: Any comments on that?  
3 (No comment.)  
4 CHAIRMAN GARNER: No action needed.  
5  
6

7 **COMMISSIONERS**

8  
9 **27) Correspondence/reports/potential upcoming agenda items**

10  
11 CHAIRMAN GARNER: Twenty-seven. Correspondence/reports/  
12 potential upcoming agenda items.  
13

14 (The following correspondence was received:

15 1. US Fish & Wildlife Service, Nevada Fish & Wildlife  
16 Office, postcard regarding extension of comment period for  
17 Bi-State Distinct Population Segment of Greater Sage Grouse.

18 2. Dagny Stapleton, Deputy Director of NACO, to Lander  
19 County Commissioners, e-mail regarding medical marijuana  
20 information.

21 3. David Friedman, Nevada Division of Environmental  
22 Protection, to Frank Borba, Frank Borba & Son Custom Chopping,  
23 L.P., letter regarding Request for Release/Spill Information, MM  
24 27.6, US highway 50, Austin, Lander county, NV, Facility ID  
25 #E-000117, Spill Report No. 131223-04.

26 4. Kenneth R. Brown, Western Counties Alliance, to Lander  
27 County Commissioners, e-mail regarding Congress' proposed plan  
28 to cut funding for the payment-in-lieu-of-taxes (PILT) program.)  
29

30 CHAIRMAN GARNER: As per Dean earlier, I think an upcoming  
31 agenda item should be for LEDA, to back up LEDA, a possible  
32 incentive -- incentive package to put on the agenda for  
33 incoming -- I don't know if you'd want to put large or incoming  
34 businesses and -- or --

35 COMMISSIONER STIENMETZ: Yeah, just incoming businesses.  
36 Because you look at each one probably --

37 CHAIRMAN GARNER: Independently?

38 COMMISSIONER STIENMETZ: Yeah.

39 COMMISSIONER BULLOCK: Well, you're still going to have to  
40 look individually, but there needs to be some kind of -- I

1 know -- I know Jan's working on it.  
2 COMMISSIONER STIENMETZ: Yeah.  
3 COMMISSIONER BULLOCK: So I don't know if it needs to be  
4 the next meeting or the one after. It's kind of up to her.  
5 CHAIRMAN GARNER: A potential agenda item.  
6 That's all I've got. Anybody else?  
7 COMMISSIONER WAITS: Yes, I do have a concern regarding the  
8 apparent application that has been filed by Ormat and the  
9 geothermal with the different counties.  
10 I was advised by NACO yesterday that they have filed an  
11 application for the rebate to come before us and that we have 30  
12 days according to the statute to not only respond, but to  
13 respond according to the criteria that's put in the new NRS  
14 701A.365 statute.  
15 I'm concerned with our timeframe here because we don't meet  
16 again until the 13<sup>th</sup> of February. And this is due to the  
17 director by the 15<sup>th</sup> or they automatically are approved.  
18 COMMISSIONER BULLOCK: I guess you better have something  
19 ready to be approved then, hadn't you?  
20 COMMISSIONER WAITS: Does that need a special session? I  
21 don't know.  
22 COMMISSIONER BULLOCK: Why -- why do you need a special  
23 session?  
24 COMMISSIONER WAITS: Well, to put together some type of  
25 direction over how we are going to --  
26 COMMISSIONER BULLOCK: So we need to direct somebody to put  
27 that together is, I guess, my opinion.  
28 COMMISSIONER WAITS: Right. But if we wait till the last  
29 minute, it's too late to put any kind of research or anything on  
30 it.  
31 We don't have any ordinances right now. Some of the  
32 counties have passed ordinances already in compliance. And we  
33 do not. So there's many concerns and some of them are legal.  
34 And if we wait until the 13<sup>th</sup> until our next date to give  
35 our DA any direction at all, I don't think that gives her enough  
36 time.  
37 CHAIRMAN GARNER: Legal?  
38 NICOLE TING: Um -- what's your question?  
39 COMMISSIONER BULLOCK: I guess my opinion is, is it's not  
40 on the agenda.

1 COMMISSIONER WAITS: No, there isn't anything --  
2 COMMISSIONER BULLOCK: Okay.  
3 COMMISSIONER WAITS: -- we can do, but we can set a special  
4 session.  
5 COMMISSIONER BULLOCK: There is something we can do. But  
6 nobody can actually say, go do it. I guess, my suggestion is  
7 somebody needs to be in charge and put the package together and  
8 go do it and have it approved on the meeting on the 13<sup>th</sup>.  
9 But under this agenda, you can't say that.  
10 COMMISSIONER WAITS: We can't do that.  
11 COMMISSIONER BULLOCK: No.  
12 COMMISSIONER WAITS: But under this agenda setting, we can  
13 set an agenda for a special meeting to do that.  
14 COMMISSIONER BULLOCK: If you're going to have a special  
15 meeting, you're already too late this week. You'd have to have  
16 an agenda setting tomorrow to have one on Thursday, maybe, which  
17 I'll be out of town. But anyway -- so you're already up against  
18 the gun. You have to have enough time to have an agenda setting  
19 to post the meeting.  
20 COMMISSIONER WAITS: I understand that. But if we set a  
21 date for a special agenda, that's going to give us certainly  
22 more compliance with this and at least more of a handle on it  
23 than waiting until two days before it's due.  
24 CHAIRMAN GARNER: How long does it take to notify public?  
25 Seven days?  
26 COUNTY CLERK SULLIVAN: We have to have three days.  
27 CHAIRMAN GARNER: Three days.  
28 Are you calling for a special meeting?  
29 COMMISSIONER WAITS: I would like to see this addressed.  
30 If that's the only way we can address it --  
31 CHAIRMAN GARNER: That's the only way we can address it.  
32 COMMISSIONER WAITS: then yes, I think it's important  
33 enough to do that.  
34 CHAIRMAN GARNER: Legal?  
35 NICOLE TING: Well, it's up to you if you want to have the  
36 special session.  
37 CHAIRMAN GARNER: We need to -- we need to -- we need to  
38 direct you to fix it. But we can't do that right now  
39 (mimicking court reporter moving fingers).  
40 NICOLE TING: Okay.

1 CHAIRMAN GARNER: Sadie?  
2 COMMISSIONER STIENMETZ: I want to see how she does  
3 (mimicking court reporter moving fingers).  
4 COUNTY CLERK SULLIVAN: I'm just looking at my calendar to  
5 see where you guys throw some dates out there.  
6 CHAIRMAN GARNER: ASAP. Can we set agenda tomorrow and --  
7 or this afternoon? And you can notify, and we can have --  
8 COUNTY CLERK SULLIVAN: If Donna can type it up. It'd all  
9 be if Donna is available to type it up.  
10 COMMISSIONER BULLOCK: Donna's on vacation.  
11 CHAIRMAN GARNER: She's on --  
12 JOY SWEENEY: Donna's back.  
13 COMMISSIONER BULLOCK: Oh, is she back?  
14 JOY SWEENEY: Yes. Thank God.  
15 COMMISSIONER WAITS: Yeah, Donna's back.  
16 COMMISSIONER BULLOCK: But at the earliest, you can't post  
17 it until tomorrow probably.  
18 CHAIRMAN GARNER: Yeah.  
19 COUNTY CLERK SULLIVAN: And then earliest --  
20 COMMISSIONER BULLOCK: Or at the earliest it would be a  
21 Wednesday.  
22 COUNTY CLERK SULLIVAN: -- for the meeting is next  
23 Thursday.  
24 COMMISSIONER BULLOCK: Or Wednesday.  
25 COUNTY CLERK SULLIVAN: Yeah. Because it's considered  
26 business days.  
27 COMMISSIONER WAITS: Thursday the 30<sup>th</sup>?  
28 CHAIRMAN GARNER: We can't just direct staff to --  
29 COMMISSIONER MASON: Respond?  
30 CHAIRMAN GARNER: -- to respond?  
31 COMMISSIONER MASON: I don't know what why we can't. Why  
32 can't we direct staff to respond to this letter?  
33 NICOLE TING: I'll tell you after the meeting.  
34 COMMISSIONER MASON: I mean, it's --  
35 COMMISSIONER WAITS: Because it's not on the agenda?  
36 COMMISSIONER MASON: A response is required.  
37 NICOLE TING: Are you inquiring as to your administrative  
38 duties as a commissioner?  
39 CHAIRMAN GARNER: No.  
40 NICOLE TING: Or are you --

1 CHAIRMAN GARNER: Yeah. I mean, we can't -- we can't say  
2 anything about it because there's no agenda item.  
3 COMMISSIONER MASON: Well, the letter -- the state letter  
4 requires a response.  
5 CHAIRMAN GARNER: I know, but there's no agenda items so we  
6 can't.  
7 NICOLE TING: What Commissioner Garner is referring to is  
8 you can only address items that have been agendized. It hasn't  
9 been agendized of who or if you're going to address -- direct  
10 staff rather -- to respond to that.  
11 COMMISSIONER WAITS: So the earliest we could have a  
12 special meeting would be on Thursday the 30<sup>th</sup>, right? And Dean,  
13 are you the only one that's missing. Could you call in?  
14 COMMISSIONER BULLOCK: No.  
15 COMMISSIONER WAITS: If we worked around your time frame?  
16 COMMISSIONER BULLOCK: No. I don't even know if I'll have  
17 --  
18 COMMISSIONER STIENMETZ: Phone service.  
19 COMMISSIONER BULLOCK: -- service.  
20 COUNTY CLERK SULLIVAN: Are you available?  
21 COMMISSIONER STIENMETZ: Yes.  
22 CHAIRMAN GARNER: Four of us available. Three of us.  
23 COMMISSIONER WAITS: What's your pleasure?  
24 CHAIRMAN GARNER: This is your baby.  
25 COMMISSIONER WAITS: You're the chair. This isn't my baby.  
26 I'm just bringing it forward.  
27 CHAIRMAN GARNER: We can set agenda tomorrow. That will  
28 put us on the 30<sup>th</sup>. So let's do that.  
29 COUNTY CLERK SULLIVAN: Are you going to let Donna know --  
30 you or Patsy -- on what you want worded or --  
31 CHAIRMAN GARNER: Well, yeah.  
32 COUNTY CLERK SULLIVAN: No, I mean it will be just be  
33 basically --  
34 CHAIRMAN GARNER: One agenda. One item.  
35 COUNTY CLERK SULLIVAN: Yeah. And then you can just -- she  
36 already has that information or let her know what --  
37 COMMISSIONER WAITS: If we set it this afternoon, can we  
38 have it Wednesday?  
39 COMMISSIONER STIENMETZ: No, because you won't get it  
40 posted --

1 COMMISSIONER WAITS: Dean, will you be here Wednesday?  
2 COMMISSIONER STIENMETZ: -- until tomorrow.  
3 CHAIRMAN GARNER: We can't get it posted until tomorrow.  
4 COMMISSIONER WAITS: Why not post it this afternoon?  
5 CHAIRMAN GARNER: Because it's too late. Austin is --  
6 COUNTY CLERK SULLIVAN: It's all on -- it all depends on  
7 Donna, how much she has on her plate is the big thing. If she's  
8 in the middle of something or not, I don't have any idea.  
9 COMMISSIONER BULLOCK: You could post it first thing  
10 tomorrow morning. You can still have it Wednesday.  
11 COUNTY CLERK SULLIVAN: After 9:00 o'clock.  
12 COMMISSIONER BULLOCK: Mm-hm.  
13 CHAIRMAN GARNER: But you need to give her the exact  
14 verbiage you want.  
15 COMMISSIONER BULLOCK: But -- it's not -- I won't be here.  
16 So --  
17 COUNTY CLERK SULLIVAN: For instance, if we post tomorrow  
18 at 9:00, you can have it three days -- business days later after  
19 --  
20 CHAIRMAN GARNER: 9:00.  
21 COUNTY CLERK SULLIVAN: 9:00. 9:05, whatever. So it's  
22 three full business days at the time that we're posting it. So  
23 if she was able to get it to us, you know, by 5:00, and we get  
24 it out before 9:00 in the morning or first thing in the morning,  
25 we'd get it out by 9:00. So, I mean, if you had to bump it to  
26 10:00, 11:00, that way it gives us the morning to post. But  
27 it's three business days.  
28 COMMISSIONER BULLOCK: But there's nothing wrong with  
29 Thursday just to stay legal. See.  
30 COMMISSIONER STIENMETZ: Yeah.  
31 COUNTY CLERK SULLIVAN: Right.  
32 COMMISSIONER BULLOCK: Just to make sure.  
33 COUNTY CLERK SULLIVAN: Yeah, the crunch of time. Thursday  
34 would be the best.  
35 And I may have court on Wednesday. I'm not for sure. I'd  
36 have to look.  
37 CHAIRMAN GARNER: Thursday, 9:00 o'clock.  
38 COMMISSIONER WAITS: Doesn't have to be so early, does it?  
39 CHAIRMAN GARNER: Yep.  
40 COMMISSIONER WAITS: Why?

1 COUNTY CLERK SULLIVAN: Well, and it depends on if Donna  
2 can get it out so the time frames also.  
3 CHAIRMAN GARNER: Tentative with Donna getting it out.  
4 COUNTY CLERK SULLIVAN: Yeah.  
5 COMMISSIONER MASON: Next Thursday at 9:00 a.m.?  
6 CHAIRMAN GARNER: Yes.  
7 COMMISSIONER WAITS: Can we do 10:00?  
8 CHAIRMAN GARNER: 10:00?  
9 COMMISSIONER WAITS: I'm a two-hour drive away.  
10 CHAIRMAN GARNER: Call in.  
11 COMMISSIONER STIENMETZ: You can call in if you want.  
12 CHAIRMAN GARNER: It's on the agenda. You could call in.  
13 COMMISSIONER WAITS: I could, but this is really important.  
14 I don't think I want just the phone.  
15 COUNTY CLERK SULLIVAN: Can we have Max do his item, and  
16 then I'll see --  
17 COMMISSIONER STIENMETZ: Yeah.  
18 COUNTY CLERK SULLIVAN: -- see what --  
19 CHAIRMAN GARNER: Max?  
20 COUNTY CLERK SULLIVAN: -- I'll find out from Donna.  
21 CHAIRMAN GARNER: Oh. We already went past Max, but we can  
22 go back to Max.  
23 COUNTY CLERK SULLIVAN: He'd like you to go back to him.  
24 JUDGE MAX BUNCH: You went past me already?  
25 Sorry. I was at the jail doing a --  
26 CHAIRMAN GARNER: We'll open back up Item 26.

27  
28  
29 **COURTHOUSE/ADMINISTRATION BUILDING PROJECT**

30  
31 **26) Discussion for possible action regarding status of the Lander**  
32 **County Courthouse/Administration Building Project and other**  
33 **matter properly related thereto.**  
34

35 CHAIRMAN GARNER: Discussion for possible action regarding  
36 status of the Lander County Courthouse/Administrative Building  
37 Project and other proper -- matters properly related thereto.

38 MAX BUNCH: Okay. Mr. Chairman, and Commission Members.  
39 Judge Max Bunch, for the record.

40 I don't need this. I'm not sure where the water issues is.

1 I've been kind of left out of the loop on that. So I'm assuming  
2 you guys.

3 COMMISSIONER MASON: They're testing today.

4 MAX BUNCH: Okay. And we had a -- just to keep you  
5 updated, we had a meeting yesterday here. We were -- I was  
6 going to do a Building Committee meeting, but it really didn't  
7 deal with the building. It dealt with the information, the JAVS  
8 system, J-A-V-S system, Jefferson Audio-Visual System. It  
9 was -- it's for the recording and the video in the  
10 Commissioner's chambers and two courtrooms. And some of that  
11 we -- the equipment we're going to be able to utilize both  
12 in the -- trying to keep the costs down utilizing it in the  
13 courtrooms in addition to the commissioner rooms.

14 There's a thing called evidence cart. But we did -- we did  
15 get the projectors and screens in all three rooms, so that we're  
16 not trying to move projectors and screens. The evidence cart is  
17 mostly based on diagrams and different things like that that you  
18 may have to do.

19 We did hook in -- you'll have wireless -- not wireless, but  
20 hidden wires and microphones that sit flat in front of you and  
21 whoever else may be there on the sides. So we'll have the  
22 member -- the board members. And then we've got the two sides,  
23 the way it's lined out. So your Human Resource and Finance and  
24 DA and everybody's there and they have a clear record of it.  
25 And then the podium that people will come up to will have that  
26 also.

27 And -- and guess, does anybody know what the answer is for  
28 the water? Has an answer been given? Or did we --

29 CHAIRMAN GARNER: No. There's several -- several tests  
30 that they're doing today.

31 MAX BUNCH: Okay.

32 CHAIRMAN GARNER: They're doing a flow test. And they're  
33 doing a picot test. And they're doing several tests.

34 MAX BUNCH: Well, I went out there to find somebody and  
35 nobody's there. So --

36 COMMISSIONER BULLOCK: All we know is we're up 20 pounds  
37 from what we were, 20 PSI on our system itself.

38 COMMISSIONER STIENMETZ: That's as high as they can go.

39 COMMISSIONER BULLOCK: But we're up over 20 PSI from what  
40 it was when they tested it last time.

1 MAX BUNCH: I don't know what that calculates to. I don't  
2 --  
3 COMMISSIONER BULLOCK: Hm.  
4 JUDGE MAX BUNCH: I don't know that formula to calculate it  
5 out. So I'm assuming it will get there when we -- if not, then  
6 we'll do one of the alternative plans -- one of the three  
7 options.  
8 CHAIRMAN GARNER: Mm-hm.  
9 COMMISSIONER BULLOCK: I would think we're there as long as  
10 that pressure's up. So --  
11 JUDGE MAX BUNCH: Well, the current water pressure does not  
12 take care of the current building.  
13 COMMISSIONER BULLOCK: That was because it was at 50. We  
14 went up to 72 or 74.  
15 CHAIRMAN GARNER: Two.  
16 JUDGE MAX BUNCH: And I don't know what that calculates out  
17 to gallons per minute.  
18 COMMISSIONER BULLOCK: It's not so much -- well -- with the  
19 pressure, it should calculate out pretty good. I don't know.  
20 JUDGE MAX BUNCH: Okay. So -- which is -- which is fine.  
21 I just know that I haven't -- I know that Mark has been in  
22 contact with the CFA. But Mark hasn't told me anything. I  
23 didn't know that until yesterday that they've been in contact.  
24 So --  
25 COMMISSIONER BULLOCK: I don't know. This morning they  
26 said it was being tested today.  
27 JUDGE MAX BUNCH: Okay. So -- and I think as far as that's  
28 concerned, pretty much the update on the -- on the building.  
29 CHAIRMAN GARNER: Thank you.  
30 COMMISSIONER BULLOCK: Do we have a ground breaking date?  
31 JUDGE MAX BUNCH: There -- there will be a -- they will be  
32 coming back in when we get the construction documents done where  
33 they're still working on reducing the size of the building. We  
34 took it down 7,000 square feet. So they're still working on  
35 squishing that in.  
36 There are some things, as I explained in the last meeting,  
37 with the furniture people going around to the different offices.  
38 And that's going to be taken to the Building Committee for them  
39 to make a recommendation to the Commissioners to see what type  
40 of seating or workstations that we're going to have for the

1 employees.. Different people have different opinions. They  
2 want -- some people want free standing desks. And from what I'm  
3 understanding, these are workstations that have the power  
4 cabling through the -- through the walls or the partitions of  
5 the workstations? So the power's there at the workstation and  
6 not having to go from the floor up. So I don't believe that all  
7 the elected officials are kind of on board with that. So I  
8 think that we'll have to take that to a work session in the  
9 Building Committee meeting and give a recommendation to the  
10 Commissioners to make the final decision.

11 COMMISSIONER BULLOCK: When you have 20 different opinions,  
12 you're not going to get them all to agree. My opinion is  
13 functioning and efficient.

14 JUDGE MAX BUNCH: Well, we're trying to keep it -- we are  
15 trying to keep it the same in the public viewing areas.

16 CHAIRMAN GARNER: Consistent.

17 JUDGE MAX BUNCH: There are some that people see, which is  
18 basically where the employees are. And if the elected official  
19 wants to take their desk, we got no problem with that or  
20 department head or whatever it may be.

21 COMMISSIONER BULLOCK: Bottom line it's going to be better  
22 than it was. And they've got to remember that. I guess is  
23 where I'm coming from. And there comes a point where, hey, this  
24 is what you're getting.

25 JUDGE MAX BUNCH: Yeah. And we're doing a needs list and a  
26 potential wants list that we'll be bringing back to the -- that  
27 we'll be bringing back to the Building Committee. And then I  
28 think the Building Committee then can make a decision. Then  
29 I'll bring that back to the board for their full approval.

30 COMMISSIONER BULLOCK: Wants list will be bigger.

31 JUDGE MAX BUNCH: Actually not bad. I mean, just looking  
32 at some of -- it's not too bad. Everybody's -- I thought I  
33 talked to everybody and being conservative and that. So I think  
34 we're pretty close to where we should be budget-wise. So I'm  
35 hoping. That's not including all the wants. But --

36 CHAIRMAN GARNER: Thanks, Max.

37 COMMISSIONER BULLOCK: Sounds good.

38 JUDGE MAX BUNCH: Thank you.

39 COMMISSIONER STIENMETZ: Thank you, Max.

40 COMMISSIONER WAITS: Thank you.

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**COMMISSIONERS**

**27) Correspondence/reports/potential upcoming agenda items.**

CHAIRMAN GARNER: Back to non-agendized item.

COUNTY CLERK SULLIVAN: I got ahold of Donna. And she said if somebody would let her know how it needs to be worded -- and whatever you guys choose as a time. So Thursday the 30<sup>th</sup>.

CHAIRMAN GARNER: Okay. Do you want to get with her?

COMMISSIONER WAITS: I can do that.

CHAIRMAN GARNER: Immediately following the meeting.

COMMISSIONER MASON: Do you want that letter back?

COMMISSIONER STIENMETZ: 8:00 o'clock?

Look, I get up early. I've been up for four or five hours already.

CHAIRMAN GARNER: 9:00 o'clock, regular time.

COMMISSIONER STIENMETZ: All right.

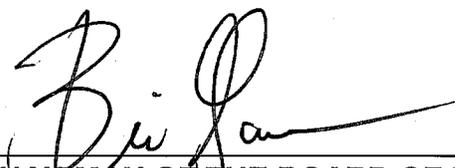
CHAIRMAN GARNER: Public comment?

(No comment.)

**ADJOURNMENT**

COMMISSIONER BULLOCK: Make a motion to adjourn.

COMMISSIONER STIENMETZ: Second.

  
\_\_\_\_\_  
**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.*

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STATE OF NEVADA            )  
  )    ss.  
COUNTY OF LANDER        )

I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY  
CERTIFY THAT I WAS PRESENT IN THE COMMISSION CHAMBERS OF THE  
LANDER COUNTY COURTHOUSE IN THE STATE OF NEVADA, ON THE 23RD  
DAY OF JANUARY 2014, AND REPORTED THE FOREGOING PROCEEDINGS;  
THAT THE SAME IS FULL, TRUE, AND CORRECT AS REFLECTED BY MY  
ORIGINAL MACHINE SHORTHAND NOTES TAKEN AT SAID PLACE AND TIME  
BEFORE THE HONORABLE BOARD OF LANDER COUNTY COMMISSIONERS.

DATED AT BATTLE MOUNTAIN, NEVADA,  
THIS 13 DAY OF FEBRUARY 2014.

  
\_\_\_\_\_  
TIFFANY ELKINGTON, CCR #930