

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 July 10, 2014, at 9:00  
4 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, 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 July 10, 2014, at 9:00 a.m.]  
23

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

27 Nicole, will you lead us in the pledge.  
28  
29

30 **APPROVAL OF AGENDA NOTICE**  
31

32 CHAIRMAN GARNER: Discussion for possible action regarding  
33 approval of the agenda notice.

34 COMMISSIONER STIENMETZ: I'll make a motion to approve the  
35 agenda notice.

36 COMMISSIONER MASON: Second.

37 CHAIRMAN GARNER: Any public comment?

38 (No comment.)

39 CHAIRMAN GARNER: All those in favor?

40 COMMISSIONER MASON: Aye.

1 COMMISSIONER WAITS: Aye.  
2 CHAIRMAN GARNER: Aye.  
3 COMMISSIONER STIENMETZ: Aye.  
4 COMMISSIONER BULLOCK: Aye.  
5  
6

7 **APPROVAL & ACCEPTANCE OF MINUTES**  
8

9 CHAIRMAN GARNER: Discussion for possible action regarding  
10 approval and acceptance of minutes of June two thousand [sic] --  
11 12, '14, regular session minutes.

12 COMMISSIONER WAITS: I make a motion we approve the minutes  
13 from June 12<sup>th</sup>, regular session.

14 COMMISSIONER STIENMETZ: I'll second the motion.

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

17 CHAIRMAN GARNER: All those in favor?

18 COMMISSIONER MASON: Aye.

19 COMMISSIONER BULLOCK: Aye.

20 COMMISSIONER WAITS: Aye.

21 CHAIRMAN GARNER: Aye.

22 COMMISSIONER STIENMETZ: Aye.

23 COMMISSIONER BULLOCK: Aye.

24 COUNTY CLERK SULLIVAN: There's none for --

25 CHAIRMAN GARNER: Yeah, there's none for --  
26  
27

28 **COMMISSIONER REPORTS**  
29

30 CHAIRMAN GARNER: Commissioners reports on meetings,  
31 conferences, and seminars attended.

32 COMMISSIONER MASON: Wait a minute. What about June 26?  
33 Weren't they in there?

34 COMMISSIONER STIENMETZ: We don't have them.

35 CHAIRMAN GARNER: I didn't see them.

36 COMMISSIONER MASON: Oh. Commission reports? Is that  
37 where we are?

38 Last night, the planning commission had its meeting at  
39 6:00 o'clock.

40 They approved one, two -- two items that were on the agenda

1 for home occupancy permits and special-use permit.

2 And then there was a good discussion, lengthy discussion on  
3 the master plans both for sewer/water and road expansions, which  
4 the committee is going to start working on.

5 And that's all I have.

6 COMMISSIONER WAITS: Thank you.

7 On June 27<sup>th</sup>, I did have a NACO meeting in Carson City and  
8 also the Nevada Land Management Task Force meeting.

9 Under the NACO, there's a couple things I -- I wanted to  
10 highlight. I had talked before about the waters of the US and  
11 Clean Water Act and the amended version that the EPA and -- and  
12 Army Corps of Engineers brought forth that would change everything  
13 on what our waterways encompass. They actually have continued the  
14 comment period to October 20<sup>th</sup>.

15 But along with that, this week I received some other  
16 information. The House appropriation bill subcommittee, which met  
17 last week and is putting forth the PILT funding for 2015, and also  
18 they have some wording in there that would block the funding for  
19 the EPA's proposed rule. They met yesterday. I haven't heard  
20 anything on how that came out, but that will go on to the  
21 appropriations committee and then, of course, the House and then  
22 the Senate and so forth. So we don't know what's going to come of  
23 that. But at least everybody's taking it very, very seriously. I  
24 see we did have some comments that were sent in by Eureka that's  
25 part of our -- our correspondence.

26 Also the Reid-Heller bill, the amended one. NACO is going  
27 to do a review of that on July 18<sup>th</sup>. And that will be open if  
28 anyone cares to come in and perhaps attend via telephone  
29 conference.

30 We did have scheduled a public lands use advisory commission  
31 meeting on July 7<sup>th</sup>, but unfortunately there was no quorum for  
32 that one.

33 On the Nevada Land Task Management, we have that on the  
34 agenda, so we'll be reviewing that in a little bit today.

35 Thank you.

36 COMMISSIONER STIENMETZ: I have nothing to report.  
37 Everything I have is on the agenda.

38 COMMISSIONER BULLOCK: On July 2<sup>nd</sup>, I attended the LEDA  
39 meeting. There was some discussion. Of course, they're going  
40 over right now Broad Street and Front Street of Battle Mountain

1 and looking at what properties are available and trying to list  
2 them for companies that are interested in coming in.

3 And so that project is underway.

4 And also they're looking at the gateway project to enhance  
5 specifically those two streets and to make it more appealing.

6 And so that's where LEDA's at at this time.

7 And then on July 8<sup>th</sup>, I attended a meeting at the  
8 administration building on the flood levy maintenance, which is  
9 under inspection again. And that was an ongoing inspection that  
10 took place yesterday. And I haven't heard the results on that.  
11 But we are trying to work with them to get the maintenance part  
12 of the flood levy back up within the standards of what they  
13 expect.

14 And so that's all I have.

15 CHAIRMAN GARNER: I don't have anything.

16  
17  
18 **STAFF REPORTS**

19  
20 CHAIRMAN GARNER: Staff reports on meetings, conferences,  
21 and seminars attended.

22 JIM OLSON: I was at the NACO board meeting with Patsy in  
23 Carson City. It was very interesting, back in, I think it was  
24 June, late June.

25 Since then, we've had the levy meeting, R&J Consultants, and  
26 Summit Engineering, and some people from the Army Corps of  
27 Engineers came out here to look at the levy. It wasn't what we  
28 expected it to be. But it's more of we're getting one step, I  
29 think, closer.

30 It was more of a maintenance review. There -- they came  
31 out and surveyed the levy, GIS, and everything else to assess  
32 the elevations, et cetera, to take it back to Army Corps of  
33 Engineers and hopefully we can get them to give us an approval  
34 and permit to -- to do the upgrades that need to be done so we  
35 can maintain it properly. And Dean was at the meeting as well  
36 and pointed out that we're kind of stuck in a catch-22. We  
37 can't get the permit. We can't get the maintenance to let us  
38 maintain the facility like it's supposed to be. So hopefully  
39 that will move forward.

40 Had a meeting with Angelita [sic] Bigotti and the pool

1 committee to look at the -- the pool. She brought three  
2 different -- four different renderings of what possibilities could  
3 look like. She's going to present this here upcoming next week,  
4 again, with school board and again following with the county  
5 commission here, do the same presentations so we can get approval  
6 on that, get a consensus.

7 Been working on med -- Jake and Jay Fischer at the golf  
8 course just this week -- yesterday or I think it was the day  
9 before yesterday -- to look at the issues they have at the golf  
10 course: watering issues and, you know, well issues, and things  
11 like that and trying to get a comprehensive plan -- first step  
12 in creating a comprehensive plan to address and get it taken  
13 care of and fix it properly so everything works like it's  
14 designed to be.

15 There's a lot of small issues, I think, that are causing  
16 problems. The wells are pumping the water directly from the  
17 wells without a filtration system to filter out the sand and  
18 dirt in the system. And it's getting into the valves and  
19 causing erosion of the valves because of the sand and the dirt  
20 causing the jam, et cetera.

21 The control systems are basically done manually by twisting  
22 a couple of wires together from one valve to the next. It's --  
23 it's pretty archaic.

24 And so we're going to find a way that's cost effective to  
25 address those problems and keep the green quality up the way  
26 it's supposed to be and the grass the way it's supposed to be.

27 Jake had pointed out that the same problems reoccur year  
28 after year in the same spots on the course. So we want to find  
29 out why that's happening and how we can address it.

30 And that's basically it from how I view it for the week.  
31

32  
33 **PAYMENT OF THE BILLS**

34  
35 CHAIRMAN GARNER: Discussion -- discussion for possible  
36 action regarding payment of the bills.

37 JANE BIANCHI: Good morning.

38 COMMISSIONER BULLOCK: For the record, I need to abstain  
39 from check #48723.

40 COMMISSIONER WAITS: And I will be abstaining from check

1 #48833 for travel expenses.  
2 CHAIRMAN GARNER: Nothing to ratify?  
3 Look at you go.  
4

5 **Submitted Expenditures**

6  
7 COMMISSIONER BULLOCK: I'll make a motion that the  
8 commission approve submitted expenditures in the amount of  
9 1,118,867.57 from check #48712 through check #48837.

10 COMMISSIONER STIENMETZ: I will second the motion.

11 CHAIRMAN GARNER: Any public comment?  
12 (No comment.)

13 CHAIRMAN GARNER: All those in favor?

14 COMMISSIONER MASON: Aye.

15 CHAIRMAN GARNER: Aye.

16 COMMISSIONER WAITS: Aye.

17 COMMISSIONER STIENMETZ: Aye.

18 COMMISSIONER BULLOCK: Aye.  
19  
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21 **PAYROLL CHANGE REQUESTS**

22  
23 CHAIRMAN GARNER: Discussion for possible action regarding  
24 payroll change requests.

25 COMMISSIONER BULLOCK: I'll make a motion we ratify the  
26 payroll change requests of employee #1154, employee #1284, and  
27 employee #1342.

28 COMMISSIONER STIENMETZ: I'll second the motion.

29 CHAIRMAN GARNER: Any public comment?  
30 (No comment.)

31 CHAIRMAN GARNER: All those in favor?

32 COMMISSIONER MASON: Aye.

33 COMMISSIONER WAITS: Aye.

34 CHAIRMAN GARNER: Aye.

35 COMMISSIONER STIENMETZ: Aye.

36 COMMISSIONER BULLOCK: Aye.  
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39  
40

1     **PUBLIC COMMENT**

2  
3           CHAIRMAN GARNER:  It's time for public comment for  
4 non-agendized items only.

5           KATHRYN BROWN:  I guess that's me.  I don't know.

6           CHAIRMAN GARNER:  You're here for public comment?

7           KATHRYN BROWN:  I have a comment about the roads on -- on  
8 north Battle Mountain.

9           CHAIRMAN GARNER:  Okay.

10          COUNTY CLERK SULLIVAN:  Could you please state the name for  
11 the record, please.  Your name?

12          KATHRYN BROWN:  Kathryn Brown.

13          COUNTY CLERK SULLIVAN:  Thank you.

14          CHAIRMAN GARNER:  Go ahead.

15          KATHRYN BROWN:  Okay.  I think we're all aware that we're  
16 digging out the sewer on north Battle Mountain.  There's three  
17 roads over there, major roads.  And we're not paving them.

18          Is there a plan to pave them?  Or are we going to leave  
19 them that dusty gravel pit hole mess?

20          CHAIRMAN GARNER:  There is a plan to pave them.  There's  
21 money set aside to pave them.  I don't know where the -- if the  
22 bid's gone out yet.  Has anybody -- the bid hasn't gone out.  
23 But there is -- there is.

24          CODY BLACK:  Yeah.  Cody Black with Shaw Engineering.  We  
25 have the current project going on right now.  And one of two  
26 things will happen.  They'll get paved with Donnie's pavement  
27 program which you're alluding to.  And then if -- if the time  
28 runs out and we can't Donnie's paving project, it is in the  
29 current project to have them patch all of those areas.

30          So either way, before the storms come, before we get any  
31 weather this fall, they'll -- they'll be patched one way or the  
32 other either through the road project with the whole road or  
33 through the sewer project, which is patched -- patching.

34          KATHRYN BROWN:  Okay, well, there's -- there's tons of  
35 gravel over there now on these roads.  And it is such a dust  
36 hazard.  I go from cleaning my -- my central air once a year to  
37 every day.

38          CODY BLACK:  Okay.  We'll talk to the contractor and see if  
39 we can get them to hit it with some more water and talk to them  
40 about maybe some temporary solutions.

1 KATHRYN BROWN: We've got Davis Trucking. And they hit all  
2 three roads over there. So I mean, they are just killing me  
3 with that --

4 CODY BLACK: You're talking about First, Second, and Third,  
5 right?

6 KATHRYN BROWN: First --

7 CODY BLACK: First, Second, and Trescott.

8 KATHRYN BROWN: Yeah --

9 CODY BLACK: Yeah. We'll talk to Hunewill. And we'll  
10 convey that message to them and get a solution in place.

11 KATHRYN BROWN: Okay.

12 CODY BLACK: Okay.

13 CHAIRMAN GARNER: Thanks for your comment.

14 KATHRYN BROWN: But we are planning to pave it?

15 CODY BLACK: Yes, definitely. Yeah. We don't want any  
16 snow or weather to hit the roads the way they are now. They'll  
17 be buttoned up one way or the other.

18 KATHRYN BROWN: Okay. Great. Thank you. That's all I  
19 needed.

20 I'm leaving.

21

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

25 NAN ANCHO: We had one more public comment.

26 CHAIRMAN GARNER: Oh, we did. I didn't see anything.

27 COMMISSIONER STIENMETZ: He didn't raise his hand.

28

29 GARY NOLEN: Good morning. My name is Gary Nolen. I live  
30 out here off of 26<sup>th</sup> and Pinion Pine Way.

31 When we -- the original development plan for that area out  
32 there required a exit road out. And up until this date,  
33 nothing's been done. In the last four years, we've had a real  
34 influx of people out there.

35 And we still have to come in off of 20<sup>th</sup> Street. And I'm  
36 wondering if anything is going to be done about that exit road or  
37 how it stands.

38 COMMISSIONER MASON: I -- the -- I met with the planning  
39 commission last night. And they're getting ready to review the  
40 master plan, which has to be done to -- to open up that up.

1 We know there needs to be another exit. It's just a  
2 question of -- for this committee to get on its -- get on its  
3 horse and get it done.

4 You might want to attend the next planning commission,  
5 which would be the second Wednesday of August.

6 GARY NOLEN: Okay.

7 COMMISSIONER MASON: That's when they meet again. So --  
8 and bring it up.

9 GARY NOLEN: Okay, I sure will.

10 COMMISSIONER MASON: Because that's what they need to hear.

11 GARY NOLEN: Yeah. That's why I came in today. I just was  
12 hoping for the best.

13 COMMISSIONER MASON: Yeah, I think everybody's aware of it.  
14 But, you know, they haven't talked about that exit and entrance  
15 into that area. But I think you're right. I think we need a  
16 back door if nothing else.

17 GARY NOLEN: Yeah, we've needed one for a long time. And  
18 they keep building out. And we still have to come in off of  
19 20<sup>th</sup> Street.

20 COMMISSIONER MASON: I agree. We have a right-of-way where  
21 the water went. But that wouldn't be -- that would just be  
22 maybe a half a block further south from the existing in-road to  
23 the whole area.

24 GARY NOLEN: Yeah, there's two or three ways out there. I  
25 just figured by now, you know, something would have been done.  
26 But I'll come to that meeting and open it up for discussion.

27 COMMISSIONER MASON: That'd be good. That'd be good.

28 GARY NOLEN: Okay.

29 COMMISSIONER MASON: Thank you, very much.

30 GARY NOLEN: Thank you.

31 COMMISSIONER STIENMETZ: Thank you.

32

33

34 **FINANCE**

35

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

39

40 CHAIRMAN GARNER: Now we're ready for one, discussion for

1 possible action regarding budget review, contracts, financial  
2 update, and other matters properly related thereto.

3 NAN ANCHO: Good morning. Nan Ancho, Finance.

4 I don't have very much for you today. Been kind of busy, but  
5 I do want to update you that the new county vehicle has been  
6 ordered. It'll be in here within about six week, and then we can  
7 transfer the other one down to Austin to be used down there.

8 Kim from Drake Rose & Associates was here on Monday and  
9 Tuesday to do a single audit and start the process for the  
10 fiscal year '13/'14. And that will be ongoing until November.  
11 So --

12 And that's all I've got going on right now.

13 And I'll report on the accounts receivable at the next  
14 commission meeting.

15 CHAIRMAN GARNER: Thank you.

16 COMMISSIONER WAITS: Thank you, Nan.

17 COMMISSIONER BULLOCK: Thanks, Nan.

18  
19  
20 **BUILDING**

21  
22 2) **Discussion for possible action regarding operations and**  
23 **projects for the Building Department, and other matters**  
24 **properly related thereto.**

25  
26 CHAIRMAN GARNER: Two, discussion for possible action  
27 regarding operations and projects for the building department,  
28 and other matters properly related thereto.

29 JOE LINDSEY: Good morning.

30 CHAIRMAN GARNER: Good morning.

31 COMMISSIONER STIENMETZ: Good morning.

32 COMMISSIONER WAITS: Good morning, Joe.

33 JOE LINDSEY: Joe Lindsey, with the building department.  
34 June 2014 monthly report.

35 We issued 30 new permits. Had one non-permitted  
36 inspection.

37 Our ongoing projects mainly are AT&T Mobility: Stony  
38 Point, Antelope Valley, Cortez. AT&T's got a whole bunch of  
39 them going on. They're driving us nuts. They're adding and  
40 replacing antennas and upgrading towers.

1           The south county AT&T tower in Austin, we're waiting for  
2 the naval air station approval letter to arrive before  
3 permitting that. I spoke with the naval air station  
4 representative last week. He stated that we should have a  
5 letter in the near future.

6           So we presently have 11 open construction permits in the  
7 south county.

8           We just finalled one of those up. So I think we're down to  
9 ten now. And Ormat geothermal plant phase 2 is still on going.

10          Under our miscellaneous, we've got the Austin visitor's  
11 center. I've not been contacted regarding punch list repairs.  
12 I did hear from someone that a lot of those repairs have been  
13 made; however, I have not be contacted for reinspection. I  
14 understand the obelisk has been installed. The tripping hazard  
15 lights around the obelisk are -- have been removed. And I don't  
16 know what else has been going on. I spoke with our contractor  
17 down there earlier this week.

18          COMMISSIONER WAITS: Yes.

19          JOE LINDSEY: Can you give me an up- --

20          COMMISSIONER WAITS: That's correct.

21          The obelisk was put in, but we're still missing all of the  
22 -- the actual framing documents that go around it. But those  
23 are supposed to be delivered today, I think.

24          Cody might have an update on that for you.

25          CODY BLACK: Yeah. I was planning to get ahold you and  
26 NDOT. We needed a final walk through.

27          JOE LINDSEY: Okay.

28          CODY BLACK: So that was the next step --

29          JOE LINDSEY: Very good.

30          CODY BLACK: -- to make sure I get you as well as the NDOT  
31 construction office and do a final walk through and final  
32 sign-offs.

33          JOE LINDSEY: Very good. Thank you.

34          Kingston clinic is moving forward. The helipad, they're  
35 going to install a helipad. I think the Austin road department  
36 probably went down and installed the base and pad.

37          BERT RAMOS: The padding.

38          JOE LINDSEY: Okay. Okay. So I should have that permitted  
39 hopefully by the end of this week. I don't know -- I'm still  
40 waiting on a little more paperwork on that. Hopefully -- I've

1 been expecting for the last couple of days. So that will be  
2 rolling here real soon.

3 Battle Mountain General Hospital community service building  
4 and helipad will be permitted soon.

5 And again, just going over what Dean and Jim mentioned, we  
6 did meet with the Corps of Engineers and RJH Engineering over the  
7 last couple of days for their inspection.

8 I'm trying to put together a -- kind of a comprehensive  
9 maintenance checklist for our levy. And we're going to start --  
10 I'm going to start including that in my annual budget so we have a  
11 little money for levy maintenance, at least until such time as it  
12 comes up to meet FEMA's requirements.

13 COMMISSIONER MASON: Joe, can you -- are you leaving right  
14 now? Or can you stick around for number 9 agenda? It's Ormat  
15 on the agenda number 9.

16 JOE LINDSEY: Well, I could -- yeah, I could stick around.

17 COMMISSIONER MASON: Or we could talk about it now.

18 JOE LINDSEY: I could stick around for that.

19 COMMISSIONER MASON: Yeah, because that's important. I  
20 don't know how that meeting's going to go, but it could be a  
21 little wiry.

22 JOE LINDSEY: Okay. That's all I've got.

23 COMMISSIONER MASON: Thank you.

24 COMMISSIONER STIENMETZ: All right. Thanks, Joe.

25 JOE LINDSEY: Thank you.

26 COMMISSIONER WAITS: Thank you.

27

28 **SAFETY**

29

30 3) **Discussion for possible action regarding operations and**  
31 **projects of the Lander County Safety Manager, and other**  
32 **matters properly related thereto.**

33

34 CHAIRMAN GARNER: Safety. Discussion for possible action  
35 regarding operations and projects of the Lander County safety  
36 manager, and other matters properly related thereto.

37 KEITH WESTENGARD: Good morning.

38 CHAIRMAN GARNER: Good morning.

39 COMMISSIONER STIENMETZ: Good morning.

40 KEITH WESTENGARD: Keith Westengard, safety manager.

1 A little update for safety LEPC and what our safety  
2 committee's doing.

3 So far this year we've had four recordable accidents, which  
4 is down about 50 percent from last year. We've had no work days  
5 lost. They've all just been initial treatments and then return to  
6 work.

7 As far as -- we -- I'm sure most of you are aware, we did  
8 have an incident at our Well 9 project that resulted in a  
9 fatality of a contractor. OSHA's investigating it. And once  
10 it's made public, I can get you guys a copy of it, if you would  
11 like their investigation.

12 We continue to work on the southern ambulance program. I'm  
13 working with Commissioner Waits on that to try to get a program  
14 in place down there. We did get all volunteers or about five of  
15 the volunteers or six of the volunteers of the fire department  
16 down there, their initial training to drive the ambulance.  
17 They're not necessarily EMTs, but they can drive the ambulance  
18 with an EMT in back for treatment.

19 We're working on a drug testing program to enhance our drug  
20 and alcohol policy within the county and working on that with  
21 the sheriff's department. We're going to receive federal  
22 training so that we can do some of our initial drug testing as  
23 well as our breathalyzer testing for our county employees.

24 As far as LEPC goes, we have received a second grant -- or  
25 tentatively received a secondary grant for communications to  
26 enhance communications for LEPC within the county, which will help  
27 our volunteer fire departments. It's a 30,000-dollar grant for  
28 communications, which will get us mobile radios within the county  
29 for LEPC.

30 And unless you guys have any questions, I think that's all  
31 for the update.

32 COMMISSIONER MASON: The mobile radios, are they pocket  
33 radios or the dash board radios?

34 KEITH WESTENGARD: I'm sorry. They're handheld radios.  
35 They're not mobiles. They don't go in. They're portable hand  
36 talkies -- walkie talkies.

37 COMMISSIONER MASON: I thought we already had those.

38 KEITH WESTENGARD: LEPC doesn't -- did not have that. The  
39 ones that we have are for the sheriff's department and the  
40 volunteer fire departments, limited. So this gets LEPC the

1 ability to be part of that communication.

2 COMMISSIONER MASON: And how much is that going to cost us?

3 KEITH WESTENGARD: The total grant was 30,000. We got  
4 26,000 in communications. And then we got another \$4,000 to  
5 enhance our decontamination.

6 But it doesn't cost the county anything. This is a --

7 COMMISSIONER MASON: All right.

8 KEITH WESTENGARD: -- grant through the state.

9 COMMISSIONER MASON: How many radios are involved?

10 KEITH WESTENGARD: We got 19.

11 COMMISSIONER MASON: Thanks.

12 CHAIRMAN GARNER: I'm good.

13 KEITH WESTENGARD: Okay.

14 COMMISSIONER BULLOCK: Thanks, Keith.

15 COMMISSIONER STIENMETZ: Thanks, Keith.

16 KEITH WESTENGARD: Uh-huh. No problem.

17

18 4) Discussion for possible action regarding approval/disapproval  
19 of the addition of the Sheriff's Office Drug and Alcohol  
20 Policy as part of the Lander County Drug and Alcohol Policy,  
21 as well as adding all Sheriff's Office staff to the  
22 county-wide safety-sensitive position list; and other matters  
23 properly related thereto.  
24

25 CHAIRMAN GARNER: Four, discussion for possible action  
26 regarding approval/disapproval of the addition of the sheriff's  
27 office Drug and Alcohol Policy as part of the Lander County Drug  
28 and Alcohol Policy, as well as adding all sheriff's office staff  
29 to the county-wide safety-sensitive position list; and other  
30 matters properly related thereto.

31 KEITH WESTENGARD: Previously, I came to -- to the  
32 commission with the county Drug and Alcohol Policy, which you  
33 approved.

34 I was questioned as to why the sheriff's department wasn't  
35 part of it. So I did have a meeting with the sheriff and the  
36 undersheriff. They have a policy that they have put in place.  
37 It's more restrictive than our policy -- than our county policy  
38 due to the law enforcement end of it.

39 So what I -- what we decided to do, with your approval, is  
40 include their policy as a section of the countywide drug and

1 alcohol policy. Their policy is much more restrictive. We test  
2 for five drugs in our -- our drug testing. They test for ten or  
3 twelve, I believe.

4 We test 50 percent of our population. They test 75 percent  
5 of their population. And then we want to also make every position  
6 in the sheriff's department safety sensitive. So every position  
7 from the janitor up would be included in the safety-sensitive  
8 positions and subject to random drug testing.

9 So they test more peop- -- more of their population. They  
10 test for more drugs, as well as the entire staff from janitor  
11 up, as part of the safety-sensitive position list. And they'll  
12 take care of that.

13 So with your approval, that's what we're looking at.

14 COMMISSIONER WAITS: I make a motion that we include the  
15 sheriff's office drug and alcohol policy as part of the Lander  
16 County Drug and Alcohol Policy with the addition of all  
17 sheriff's office personnel in Lander County's safety-sensitive  
18 position list.

19 COMMISSIONER MASON: I second that.

20 CHAIRMAN GARNER: Any public comment?

21 (No comment.)

22 CHAIRMAN GARNER: All those in favor?

23 COMMISSIONER MASON: Aye.

24 COMMISSIONER WAITS: Aye.

25 CHAIRMAN GARNER: Aye.

26 COMMISSIONER STIENMETZ: Aye.

27 COMMISSIONER BULLOCK: Aye.

28  
29 **5) Discussion for possible action regarding approval/disapproval**  
30 **of the addition of all Clerk's Office employees as**  
31 **safety-sensitive positions, as it relates to the Lander**  
32 **County Drug and Alcohol Policy; and other matters properly**  
33 **related thereto.**  
34

35 CHAIRMAN GARNER: Discussion for possible action regarding  
36 approval/disapproval of the addition of all clerk's office  
37 employees as safety-sensitive positions, as it relates to the  
38 Lander County Drug and Alcohol Policy; and other matters  
39 properly related thereto.

40 KEITH WESTENGARD: When we presented the safety-sensitive

1 list, we -- I -- I left the clerk's office off. I was  
2 approached by the clerk. They do operate county vehicles on  
3 county time. And so I was asked by the clerk to include them on  
4 our safety-sensitive list due to the fact that they do operate  
5 county vehicles within the county. So it's --

6 DEPUTY DISTRICT ATTORNEY TING: Do you know what -- do you  
7 know what POOL/PACT said about it, Keith?

8 KEITH WESTENGARD: Their -- their stance on that was if --  
9 if they drive a county -- a county vehicle or piece of equipment  
10 on a regular basis, once a week or more --

11 DEPUTY DISTRICT ATTORNEY TING: Okay.

12 KEITH WESTENGARD: -- or once a week being their minimum --  
13 This is from John Bates -- that they could be -- they could be  
14 or should be included on the safety-sensitive position list.

15 DEPUTY DISTRICT ATTORNEY TING: Okay, so POOL/PACT  
16 (indiscernible)?

17 KEITH WESTENGARD: Yes. Yes --

18 DEPUTY DISTRICT ATTORNEY TING: Okay.

19 KEITH WESTENGARD: Absolutely.

20 COMMISSIONER STIENMETZ: I'll make a motion the commission  
21 approve the addition of all the Lander County clerk positions to  
22 the Lander County safety-sensitive position list, making the  
23 clerk's staff part of the random drug and alcohol testing  
24 program.

25 COMMISSIONER MASON: I'll second that.

26 CHAIRMAN GARNER: Any public comment?

27 (No comment.)

28 CHAIRMAN GARNER: All those in favor?

29 COMMISSIONER MASON: Aye.

30 COMMISSIONER WAITS: Aye.

31 COMMISSIONER STIENMETZ: Aye.

32 COMMISSIONER BULLOCK: Aye.

33 CHAIRMAN GARNER: Aye.

34 KEITH WESTENGARD: Okay. So what I'll do is I'll make  
35 those additions. And then I'll get the list -- the updated list  
36 to hu- -- HR. And it will be posted along with our other ones  
37 to make it official. Okay.

38 COMMISSIONER WAITS: Thank you, Keith.

39 KEITH WESTENGARD: Thank you.

40 COMMISSIONER STIENMETZ: Thanks, Keith.

1 ROAD AND BRIDGE SOUTH

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

7 CHAIRMAN GARNER: Six, discussion for possible action  
8 regarding operations and projects for the Road and Bridge South  
9 Department, and other matters properly related thereto.

10 BERT RAMOS: Good morning.

11 COMMISSIONER STIENMETZ: Good morning, Bert.

12 COMMISSIONER BULLOCK: Good morning, Bert.

13 BERT RAMOS: Well, everything's been going good down there.  
14 I met with the Ray Williams on the airport. I think that  
15 will be further ahead on doing some trenching down there.  
16 And everything else has been operating smooth.

17 And we're kind of gearing up hoping that we get approval on  
18 the next item and go from there so we can get the ball rolling  
19 there.  
20

- 21 7) Discussion for possible action regarding award of bid for the  
22 Austin 2014 Road Maintenance Project, PWP LA-2014-241, to  
23 Sierra Nevada Construction, in the amount of \$1,434,260.00  
24 for the base and alternate bids; and other matters properly  
25 related thereto.  
26

27 CHAIRMAN GARNER: Seven, discussion for po- -- possible  
28 action regarding award of the bid for the Austin 2014 Road  
29 Maintenance Project, PWP LA-24 -- 2014-241, to Sierra Nevada  
30 Construction, in the amount of \$1,434,260 for the base and  
31 alternate bids; and other matters properly related thereto.

32 They were low bidder?

33 BERT RAMOS: Yeah, by a long shot too. They were the  
34 lowest bid we've ever had out there for what we're having done.

35 They did do work for us last year. And they did the chip  
36 seal and paving of the dump road and did good work for us. We  
37 didn't have any issues.

38 I want to make you guys aware that A & K is -- or did call  
39 and say they were going to protest for not having a -- it's a  
40 small technicality -- not having --

1 DEPUTY DISTRICT ATTORNEY TING: Five percent list.  
2 BERT RAMOS: What's that?  
3 DEPUTY DISTRICT ATTORNEY TING: Five percent list. Is that  
4 what you were going to say?  
5 BERT RAMOS: Yeah. The -- their five percent list of  
6 subcontractors.  
7 Because none of the other contractors that bid the job -- A  
8 & K is the only one who submitted a subcontractor's list, and --  
9 CODY BLACK: Hey, Bert, do you mind if I jump in? I'm  
10 sorry.  
11 BERT RAMOS: Have at it.  
12 CODY BLACK: Cody Black with Shaw Engineering. I've just  
13 been eyeballing Steve to make sure we're covered on everything  
14 and then so --  
15 Yeah, A & K, they have threatened to protest on the project  
16 based on the subcontractors list. There's two parts -- there's  
17 two ways the NRS allows you to submit subcontractors lists.  
18 Basically part A, it's one list over three percent. Part B is  
19 you submit two lists. We had to do the part A, one list, three  
20 percent and over.  
21 They have a disagreement with how we have it in our  
22 documents. The way we have it in our documents, we've used on  
23 multiple other projects, including projects with federal funding  
24 in Tonopah. And you know, we've been using it for four years  
25 like this. For some reason they think that we're out of  
26 compliance here. I'm not exactly sure why.  
27 And we haven't received the bond to go along with the  
28 protest. So we don't have a protest at this point. And it  
29 looks like they have until tomorrow.  
30 It shouldn't withhold the award because until the protest  
31 really comes in officially, we don't have to stop moving forward  
32 on the contract.  
33 If we do get a protest, S & C is aware. They're here if  
34 you have any questions for them. They're aware that we would  
35 have to withdraw that approval, and we'd have to take action on  
36 the protest and bring it back.  
37 But as far as right now, we have no official protest.  
38 There's no reason to stop. And if we get that tomorrow, we'll  
39 have to bring back retraction of this award and action on the  
40 protest.

1 CHAIRMAN GARNER: This is --  
2 BERT RAMOS: I just want to make you guys aware of all this  
3 before I go on.  
4 CHAIRMAN GARNER: This is A & K out of Fallon?  
5 CODY BLACK: Yes.  
6 COMMISSIONER BULLOCK: I guess my question is: When you  
7 put local streets, what local streets are you doing?  
8 BERT RAMOS: You like that --  
9 COMMISSIONER BULLOCK: Because I thought -- I thought the  
10 agreement --  
11 BERT RAMOS: -- one; do you?  
12 COMMISSIONER BULLOCK: Yeah, I see it snuck in here. I  
13 thought the agreement was we weren't going to do any local  
14 streets until we got the mapping done.  
15 BERT RAMOS: Yes. And that's why -- that's why I just put  
16 local streets, because it's broad. And that way if these  
17 streets aren't really streets, I don't have them put down as  
18 them being the ones we're doing and we can't do them. So I put  
19 local streets, left it as local streets. Because if they don't  
20 turn into streets, then they're -- if the mapping does not  
21 approve them then where am I at if I've got your approval and  
22 they aren't stree- -- even streets?  
23 COMMISSIONER BULLOCK: Well, that's why I said. But the  
24 bid is to go ahead and pave local streets; correct?  
25 BERT RAMOS: Yes. They -- they -- well, that's because the  
26 local streets are still -- there're still local streets that we  
27 can pave. But if I put -- say, if I put Paul Street and then  
28 they come back and say, hey, Paul Street isn't in your county  
29 right-of-way but First Street is, then I can pave First Street  
30 and leave Paul Street alone until we come to an agreement.  
31 COMMISSIONER MASON: Why don't we -- if we approve this, we  
32 could say subject to lot line adjustments.  
33 BERT RAMOS: Yeah.  
34 I guess. I don't -- I don't know if -- can you do that? I  
35 mean, I don't know. I don't think -- it's not really on the --  
36 but that's -- that's my thought process behind this is if -- if I  
37 put a direct street and you guys say, you were approved to pave  
38 Paul Street and not First. And it's --  
39 COMMISSIONER BULLOCK: I understand what you're doing.  
40 BERT RAMOS: Okay.

1 COMMISSIONER BULLOCK: I guess my confusion is: This is a  
2 bid already --  
3 BERT RAMOS: Per square foot.  
4 COMMISSIONER BULLOCK: -- what you're look --  
5 BERT RAMOS: Yes.  
6 COMMISSIONER BULLOCK: Yeah. But if we're not sure, we may  
7 not have the mapping done for another two years. Who knows the  
8 lot line adjustments?  
9 So we're -- this bid is contingent on doing 200,000 square  
10 feet of asphalt on local streets that we may not do for two  
11 years --  
12 BERT RAMOS: And if -- and if that were --  
13 COMMISSIONER BULLOCK: -- depending on these lot line  
14 adjustments.  
15 BERT RAMOS: Yes, and if that were to go south, we could  
16 move that over to the Grass Valley paving because the square  
17 footage price is still stuck.  
18 CHAIRMAN GARNER: What --  
19 BERT RAMOS: The prices that we have here -- they're as  
20 good as you see here in Battle Mountain?  
21 COMMISSIONER BULLOCK: I understand that.  
22 BERT RAMOS: They're -- they're phenomenal.  
23 COMMISSIONER WAITS: So what kind of a timeline are we  
24 under for them to complete this?  
25 BERT RAMOS: To complete -- July 1 of next year.  
26 COMMISSIONER WAITS: So we have all year to do it?  
27 BERT RAMOS: Well, you --  
28 COMMISSIONER WAITS: I mean --  
29 BERT RAMOS: -- you can't pave in the winter. I mean,  
30 there's --  
31 COMMISSIONER WAITS: No, I understand that. But I'm  
32 saying, if -- if we -- if find out the mapping's going to be  
33 delayed and we've awarded this bid, then you said you're going  
34 to take the extra and extend Grass Valley Road a little bit  
35 more? And that would be done by fall. So they're holding their  
36 bid prices to -- what? -- a year from now?  
37 BERT RAMOS: To the square footage, yes.  
38 COMMISSIONER WAITS: Okay, that --  
39 CHAIRMAN GARNER: But --  
40 COMMISSIONER WAITS: -- that was my question. So they

1 actually have --  
2 BERT RAMOS: And --  
3 CHAIRMAN GARNER: But I thought on the Grass Valley Road  
4 we -- we discussed we were only going to do so much.  
5 BERT RAMOS: Yeah, only -- we were only going to do a  
6 million five. And the whole bid is under a million five even if  
7 --  
8 CHAIRMAN GARNER: Mm-hm.  
9 BERT RAMOS: -- even if we didn't do anything in Austin  
10 we'd still be under our budgeted number for what we gave for  
11 Grass Valley.  
12 So we're still -- still below what we got approved for in  
13 the budget for Grass Valley alone even if we took everything,  
14 the local streets --  
15 CHAIRMAN GARNER: I know, I know.  
16 BERT RAMOS: -- and moved them.  
17 COMMISSIONER BULLOCK: But we only agreed on doing so many  
18 one mile or whatever it was of Grass Valley.  
19 COMMISSIONER MASON: Two miles. Wasn't it? Wasn't it two  
20 miles?  
21 BERT RAMOS: Something.  
22 COMMISSIONER MASON: Grass Valley Road?  
23 COMMISSIONER BULLOCK: We just --  
24 BERT RAMOS: Well, no.  
25 COMMISSIONER BULLOCK: We just agreed on 1.5 --  
26 BERT RAMOS: You -- you just --  
27 COMMISSIONER BULLOCK: -- million --  
28 BERT RAMOS: Yeah, you agreed --  
29 COMMISSIONER BULLOCK: -- whatever --  
30 BERT RAMOS: -- on 1.5 million, which would approximately  
31 bring us so far. So it's not --  
32 COMMISSIONER MASON: Oh, okay.  
33 BERT RAMOS: There was no set --  
34 COMMISSIONER BULLOCK: Mm-hm.  
35 BERT RAMOS: -- lineal distance.  
36 And like I say, it's still under the -- under the budgeted  
37 number even if we did all of Austin and what Grass Valley's for.  
38 It's still under the budgeted number for Grass Valley alone, not  
39 including the Austin streets.  
40 COMMISSIONER WAITS: I'll make a motion the commission

1 award the base bid and alternative bid work to Sierra Nevada  
2 Construction, the low bidder who is qualified and properly  
3 licensed to complete the work.

4 COMMISSIONER BULLOCK: I'll second it.  
5 CHAIRMAN GARNER: Any public comment?  
6 (No comment.)  
7 CHAIRMAN GARNER: All those in favor?  
8 COMMISSIONER MASON: Aye.  
9 CHAIRMAN GARNER: Aye.  
10 COMMISSIONER WAITS: Aye.  
11 COMMISSIONER STIENMETZ: Aye.  
12 COMMISSIONER WAITS: Aye.  
13 COMMISSIONER BULLOCK: Aye.  
14 COUNTY CLERK SULLIVAN: Just one moment.  
15 BERT RAMOS: Thank you, gentleman. I appreciate it and Ms.  
16 Patsy.  
17 (Simultaneous cross talk.)  
18 COMMISSIONER MASON: Keep a -- keep us advised on that.  
19 BERT RAMOS: I'll -- I'll -- I'll be updating you as we go.  
20 (Simultaneous cross talk.)  
21 COMMISSIONER MASON: I mean, it's a little technical thing.  
22 But you could just keep us advised on lot lines and how that's  
23 working out.  
24 (Simultaneous cross talk.)  
25 BERT RAMOS: My understanding is from talking to -- I can't  
26 draw a name up.  
27 Anyways, that they're -- they've made progress in the areas I  
28 want to pave. And it sounds like they're going to be complete  
29 shortly.  
30 COMMISSIONER MASON: Good.  
31 BERT RAMOS: That was just from the phone call yesterday.  
32 So --  
33 (Simultaneous cross talk.)  
34 COMMISSIONER MASON: Okay. I'm just saying the lot line  
35 adjustments could complicated it.  
36 BERT RAMOS: They could.  
37 COMMISSIONER MASON: And -- and it would be good to keep us  
38 up to date on -- on how that's going --  
39 (Simultaneous cross talk.)  
40 BERT RAMOS: Oh, I will.

1 COMMISSIONER MASON: -- every two weeks. Good, thanks.  
2 CHAIRMAN GARNER: We can take a -- we can call him right  
3 now and get a comment. We need to --  
4 COUNTY CLERK SULLIVAN: What do you want us to do, Legal?  
5 DEPUTY DISTRICT ATTORNEY TING: We can call.  
6 COUNTY CLERK SULLIVAN: Okay, thanks.  
7 CHAIRMAN GARNER: We have a comment on Item 7.  
8 COUNTY CLERK SULLIVAN: (Telephone call.) Hi. Is Kevin  
9 Atkins available?  
10 Sadie, and we're in the commission meeting in Lander County,  
11 and he would like to be called in.  
12 Hi. Is this Kevin? This is Sadie. And we are at the Lander  
13 County commission meeting. And I'm going to put you on  
14 speakerphone. Kevin Atkins.  
15 CHAIRMAN GARNER: Hi, Kevin. This is Brian with the  
16 commission.  
17 KEVIN ATKINS: Hi, Brian.  
18 CHAIRMAN GARNER: We're into item seven. We're actually --  
19 we just got your message. And we are on the public comment. Is  
20 there something you would like to comment?  
21 KEVIN ATKINS: No, we just wanted to hear the discussion.  
22 CHAIRMAN GARNER: Okay, we're past the discussion.  
23 KEVIN ATKINS: Oh, okay.  
24 CHAIRMAN GARNER: Is there something -- you don't have any  
25 comment?  
26 KEVIN ATKINS: No, I think -- I'm not sure how much of the  
27 correspondence was presented that we sent in on the protest.  
28 CHAIRMAN GARNER: We don't have any correspondence on the  
29 protest.  
30 CODY BLACK: Brian, may I speak? Kevin, this is Cody Black  
31 with Shaw Engineering. We were --  
32 KEVIN ATKINS: Hi, Cody.  
33 CODY BLACK: Yeah. We reviewed with the commissioners. We  
34 went over the -- A & K has discussed a possible protest on the  
35 project. And if we receive a bond to go along with that to make  
36 that protest official, we will have to bring that back to the  
37 commission with an action to withdraw the award to us and see --  
38 and take action on the -- on the -- on the protest.  
39 And we discussed that it was in regards to different  
40 interpretations of NRS 338.141 regarding subcontractors lists.

1 KEVIN ATKINS: Correct.  
2 CODY BLACK: And that -- and we let them know that, you  
3 know, if we get that bond and that protest, we'll have to come  
4 back with two agenda items on the next meeting.  
5 KEVIN ATKINS: Okay. Very good.  
6 CHAIRMAN GARNER: Is that all you have, sir?  
7 KEVIN ATKINS: That's all I have.  
8 CHAIRMAN GARNER: Thank you.  
9 KEVIN ATKINS: Thank you.  
10 CHAIRMAN GARNER: Done? Moving on.

11  
12 8) Discussion for possible action regarding approval/disapproval  
13 for the Road and Bridge South Department to purchase a 2014  
14 John Deere 310SK Backhoe Loader from PAPE Machinery, in an  
15 amount not to exceed \$105,000.00; and other matters properly  
16 related thereto.  
17

18 CHAIRMAN GARNER: Eight, discussion for possible action  
19 regarding approval/disapproval for the Road and Bridge South  
20 Department to purchase a 2014 John Deere 310SK Backhoe Loader  
21 from PAPE Machinery, in an amount not to exceed \$105,000; and  
22 other matters properly related thereto.

23 BERT RAMOS: Okay. We did the -- the piggyback deal that  
24 Donald does same thing where it already -- other counties  
25 already bought the same piece of equipment, but -- so that we  
26 can go -- this is kind of a -- I'm just bringing it before you  
27 guys to get your blessing more or less, because it's already  
28 been approved. But the -- it hasn't been approved in the  
29 commission meeting, if that makes sense.

30 COMMISSIONER WAITS: It's been approved in the budget.

31 BERT RAMOS: Yes. And the -- and the reason I have it not  
32 to exceed 105-, is it's right around 98,000. But we were  
33 jockeying with the warranty. We can extend the warranty and  
34 lower the hours or up the hours and lower the years for the  
35 warranty. And that adjusts anywhere from, you know, a thousand  
36 dollars or so on the total price.

37 And I can go either way. So that's why it's on there.

38 CHAIRMAN GARNER: I would say up the warranty.

39 BERT RAMOS: Yeah. That's --

40 COMMISSIONER BULLOCK: I make a motion the commission

1 approve the request from the Road and Bridge South Department to  
2 purchase a 2014 John Deere 310SK backhoe loader from PAPE  
3 Machinery in an amount not the exceed 105,000.

4 COMMISSIONER STIENMETZ: I'll --

5 COMMISSIONER WAITS: I'll second that motion.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 CHAIRMAN GARNER: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER STIENMETZ: Aye.

13 COMMISSIONER BULLOCK: Aye.

14 CHAIRMAN GARNER: Oops.

15  
16 9) Discussion for possible action regarding approval/disapproval  
17 of the Encroachment Application and Permit for ORNI 39, LLC  
18 to construct an access road and pipelines for Phase 2 of the  
19 Ormat Grass Valley Geothermal Project; and other matters  
20 properly related thereto.  
21

22 CHAIRMAN GARNER: Nine, discussion for possible action  
23 regarding approval/disapproval of the encroachment application  
24 and permit for ORNI 39, LLC, to construct an access road and  
25 pipelines for Phase 2 of the Ormat Grass Valley Geothermal  
26 Project; and other matters properly related thereto.

27 BERT RAMOS: It's the longest I've ever sat in front of you  
28 guys now and -- I don't like it.

29 CHAIRMAN GARNER: You can still sit there. This is still  
30 yours --

31 BERT RAMOS: Yeah. I'm going to give you guys -- I just  
32 got this from Ray Williams. That's why it's not in your packet.  
33 Because all it is, it's just a simple --

34 CHAIRMAN GARNER: We --

35 BERT RAMOS: You may not even want it.

36 CHAIRMAN GARNER: We don't have time to read it so --

37 BERT RAMOS: But bottom line is what it says is that the  
38 road has either been a NDOT road or a county road for the last  
39 52 to 142 years.

40 So if Ray was on the line -- he couldn't be on the line. I

1 think he had -- had to be somewhere today. He could explain to  
2 you a little more in detail of why they got their first permit.  
3 And it was because of this and -- and the public lands deal to  
4 prove that it's not just a BLM right-of-way. It's -- it's more  
5 than that with the -- all the backing that this is.

6 DEPUTY DISTRICT ATTORNEY TING: Also Commissioners, if you  
7 want to approve this, please feel free. If you guy- -- if you  
8 -- before you make a motion to disapprove this, I'd like to go  
9 ahead and call a closed legal meeting to discuss the possible  
10 ramifications of disapproving it.

11 CHAIRMAN GARNER: I call a legal meeting.

12 COMMISSIONER BULLOCK: Yes.

13 COMMISSIONER STIENMETZ: Yep.

14 Sorry about that, guys.

15 COUNTY CLERK SULLIVAN: We'll be calling you back,  
16 Miteshell.

17 MITESHELL LANHAM: Okay.

18 COUNTY CLERK SULLIVAN: Thank you.

19  
20 (Closed legal meeting taken between 9:44 a.m. and 10:00 a.m.)

21  
22 CHAIRMAN GARNER: I call it back out of legal. Call the  
23 meeting back to order.

24 I can't make a motion.

25 COMMISSIONER BULLOCK: No, but -- I just want to put the --  
26 the issues on the record.

27 I have some issues with this just for the fact that if we --  
28 and I've stated this before -- if we have pipeline on both sides  
29 of the road, we are so locked in, it becomes a safety issue, if  
30 for some reason that road gets blocked you can't get across those  
31 pipes. I mean, there's just all kinds of major issues.

32 If we have to maintain the road, where are we going to put  
33 the snow? You've got pipe on both sides of the road. Where are  
34 you going to improve your road? Where are you going to blade  
35 your road? You've got pipes on both sides. There's nowhere to  
36 put the material. You try to go down to bring some up, you  
37 scratch the pipe or bust the pipe.

38 We're going to be back at fault for these pipes being on  
39 both sides of the road.

40 And so I -- I just have a major issue with -- with locking us

1 on in having pipes on both sides of the road.

2 COMMISSIONER WAITS: One of my main concerns, besides all  
3 the things we've talked about before and today, is the way the  
4 ordinance is written and that the -- if they meet the conditions  
5 that the encroachment appears pretty well automatic.

6 The thing that we've discussed is it's not quite the same  
7 because we already have a pipeline on one side of the road. So I  
8 don't feel the encroachment permit necessarily is as clear cut as  
9 it was the first time when we basically wouldn't have a say so.

10 So we're looking to see what the actual conditions are and if  
11 it's apparently not going to meet at least one of the conditions,  
12 which might give us the reason to have them look at it again and  
13 see what type of an alternative might be available.

14 COMMISSIONER MASON: I have an issue too about the -- the  
15 lack of representation from Ormat to this meet- -- to this  
16 board. They dishonor us by not sending anybody, any official to  
17 help us out with this issue.

18 COMMISSIONER STIENMETZ: And I feel just like Dean. Once  
19 we get encroached on both sides, we don't have any way to  
20 maintain our road. If -- if it gets blocked, we don't have  
21 access, because we sure can't go around the pipeline or BLM will  
22 be all over us for that.

23 CHAIRMAN GARNER: Well, I'm -- I'm in the same boat.  
24 Fire, health -- fire, health, and safety comes first --

25 COMMISSIONER STIENMETZ: Right.

26 CHAIRMAN GARNER: -- in the county. We have -- we have  
27 snow, major snow issues. We have wind issue. We have sage  
28 grouse issues. We have a lot of issues out there.

29 That road is the secondary access to obviously Grass  
30 Valley, all the mines, Cortez, that can be an alternative route  
31 out of the Austin area. There's a lot of things that come into  
32 play with it.

33 I believe that there's all the land in the world. And it's  
34 very accessible for them to put their pipeline wherever they  
35 would like being BLM grant them the permit. And that's a total  
36 opportunity that they have.

37 And it wouldn't encroach anything on our roadway.

38 COMMISSIONER BULLOCK: So with that, I make a motion that  
39 we disapprove the encroachment application and permit for ORNI  
40 39, LLC, to construct an access road and pipelines for Phase 2

1 of the Ormat Grass Valley geothermal project.  
2 COMMISSIONER STIENMETZ: And I'll second that motion.  
3 CHAIRMAN GARNER: Any public comment?  
4 (No comment.)  
5 CHAIRMAN GARNER: All those in favor? I wou- --  
6 COMMISSIONER MASON: Aye.  
7 CHAIRMAN GARNER: Can we --  
8 COMMISSIONER STIENMETZ: Do you want to say something else?  
9 CHAIRMAN GARNER: I would just like to put on the record  
10 for sure that we have not had any representation from ORNI in  
11 the last three settings of this discussion.  
12 COMMISSIONER WAITS: I -- I'm voting no.  
13 CHAIRMAN GARNER: All those --  
14 COMMISSIONER STIENMETZ: Aye.  
15 CHAIRMAN GARNER: -- in favor?  
16 COMMISSIONER MASON: Aye.  
17 COMMISSIONER STIENMETZ: Aye.  
18 COMMISSIONER BULLOCK: Aye.  
19 CHAIRMAN GARNER: Aye. All those opposed?  
20 COMMISSIONER WAITS: Aye.  
21 COMMISSIONER STIENMETZ: Thanks, Bert.  
22 COMMISSIONER MASON: Thanks, Joe -- and Bert.  
23 CHAIRMAN GARNER: Joe. You can't sneak out with  
24 (indiscernible) --  
25 JOE LINDSEY: I already called.  
26 UNIDENTIFIED PARTICIPANT: Oh, wow.  
27 CHAIRMAN GARNER: Yeah.  
28 JOE LINDSEY: I called. We'll have somebody over here to  
29 look at it.  
30 CHAIRMAN GARNER: Thanks.  
31 Nice little sneaky he's putting on us.

32

33

34 **ROAD AND BRIDGE NORTH**

35

36 10) **Discussion for possible action regarding operations and**  
37 **projects for the Road and Bridge North Department, and other**  
38 **matters properly related thereto.**

39

40 CHAIRMAN GARNER: Ten, discussion for possible action

1 regarding operations and projects for the Road and Bridge North  
2 Department, and other matters properly related thereto.

3 DONALD NEGRO: Good morning.

4 COMMISSIONER STIENMETZ: Good morning.

5 CHAIRMAN GARNER: Morning.

6 DONALD NEGRO: Donald Negro, Road and Bridge North.

7 Pretty much business as normal with Road and Bridge North.  
8 We're blading roads and hauling. And we've received on our --  
9 '14/'15 budget one of our new blades already. I ordered it on a  
10 Tuesday. They delivered it on Wednesday. Pretty good service.

11 No, it's -- but what I've been dealing with -- and I want  
12 the board to be aware of -- is surplussing some of our  
13 equipment, our bigger equipment. And I've been dealing with --  
14 it's called Cat Auction. It's an Internet auction service. I  
15 don't know if you -- if anybody's aware of it. But what they do  
16 is sell like the heavier equipment, the blades and dozers. And  
17 you know, we're going to have probably three blades to get rid  
18 of here pretty quick. And so -- and going through Cat Auctions,  
19 you -- they go on the Internet, plus the local people can -- can  
20 bid on them. You know, it's on the Internet and everything.  
21 And the reason through the Internet is you get more money for  
22 them. You know, I'm -- you know, if you sold it locally, you  
23 know, you'd -- you'd get the money, but this is -- you're  
24 getting more money.

25 COMMISSIONER WAITS: It's a wider audience?

26 DONALD NEGRO: Huh?

27 COMMISSIONER WAITS: Wider audience?

28 DONALD NEGRO: Wider audience. Yeah, exactly, Patsy. And  
29 what they -- and there's, oh, a hundred of them out there. But  
30 I've been dealing with about three of them. And like, Cat  
31 Auctions, they charge you eight percent. They come through and  
32 do everything for it.

33 So, I'm -- I'm working on that. Just be aware of that. And  
34 I'll keep you advised on that.

35 But, you know, the -- we have a lot of junk. I hate --  
36 little stuff, like, we have a ladder truck and the fire department  
37 and that will probably go to a different -- different service.  
38 But the bigger stuff, to get our money out of it. And there's a  
39 big demand for it, like, in Canada, Alaska, overseas. And they're  
40 getting pretty good money for it. So, you know, we maintain our

1 equipment. So hopefully it will go for a good home and it will  
2 bring good money to us to help pay for our other stuff.

3 Any other questions?

4 Thanks.

5 CHAIRMAN GARNER: Thanks.

6 COMMISSIONER BULLOCK: Thanks Donnie.

7 COMMISSIONER STIENMETZ: Thanks, Donnie.

8 COMMISSIONER WAITS: Thank you, Donnie.

9  
10 CHAIRMAN GARNER: Discussion for action -- possible action  
11 regarding the proposal from Jay Fischer, Reese River Hydrologic,  
12 to conduct a service and ground water inventory --

13 COUNTY CLERK SULLIVAN: You forgot Jake.

14 COMMISSIONER STIENMETZ: You skipped 11.

15 COMMISSIONER WAITS: Eleven?

16 CHAIRMAN GARNER: Did I forget him?

17 COUNTY CLERK SULLIVAN: Yeah. You forgot Jake.

18 JAKE EDGAR: I won't talk.

19 CHAIRMAN GARNER: How could I forget that?

20 JAKE EDGAR: Morning. Jake Edgar, Public Works.

21  
22  
23 **PUBLIC WORKS**

24  
25 **11) Discussion for possible action regarding operations and**  
26 **projects for the Public Works Department, and other matters**  
27 **properly related thereto.**  
28

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

32 (Simultaneous cross talk.)

33 JAKE EDGAR: We'll start with the parks. We had the Fourth  
34 of July. The power worked ready good, if anyone was there and  
35 noticed it. We had one little issue where they melted a cord.  
36 It was their own fault. They didn't have a big enough cord.

37 We dressed up the horseshoe pits before the Fourth. That was  
38 a really good turnout. We had, like, 23 teams.

39 The concert went off well. There was no real major  
40 downfalls except for a few drunk people at the end.

1 But outside of that, everything else was good.  
2 We had free swim day at the pool that went real well. It  
3 was a really, really, really good turnout for the park. And the  
4 park looked good. And the park looked the s- -- looked real  
5 good the next day too.  
6 So kudos to everyone that was involved: Dean, Convention  
7 and Tourism, Arts Presenters. Everybody did a super good job.  
8 So -- and I had a good time so --  
9 Water and sewer. We went through state samples last week  
10 for Well 6. And we'll continue to do that until it's offline,  
11 which I'm hoping is within the next month.  
12 Fixed a water leak on East Gate. Fixed one on Maple Court.  
13 We had a water leak at Borealis Park that we fixed. We have a  
14 water leak on Cove that needs to be fixed.  
15 There were a few plugged sewers here and there that we did,  
16 I think two or three of them.  
17 There will be a little extra overtime with Well 6 right  
18 now. We kind of got to run it by hand during the day while  
19 we're here. And if it doesn't catch up, like on real hot days  
20 when everyone starts using their air conditioners, we got to  
21 send someone back over there at night to maintain it, watch it,  
22 shut it off, turn it back on. So we'll probably see some more  
23 overtime on that.  
24 A couple of guys are doing transponders all over town. We  
25 sent a letter out to the customers stating that if they had an  
26 old transponder or old meter, they're going to get the minimum  
27 bill until we get the new transponder in and to be prepared,  
28 because it's going to go up.  
29 The trailer park, Chukar Hills, I just had a discussion  
30 before the meeting here. He has two brand new transponders.  
31 And it -- he's really not happy. But if it goes through the  
32 meter, they're using it. And I'm trying to explain that to him.  
33 And hopefully that keeps going the way it's going. And when  
34 they're all brand new, they're -- hopefully it all calms down so  
35 --  
36 We're doing about 30 to 40 of those a week. We have about,  
37 I think; 398, somewhere in there, left to do.  
38 We should be done midwinter before next summer, hopefully.  
39 Once that's done, we'll do the revenue study again. And  
40 hopefully that revenue study comes out that we are actually

1 making a lot more than previously thought. And we won't have to  
2 do anymore rate raises for a while. And that's the plan.  
3 That's where we're headed with that.

4 Golf course. We installed a new pump on Well number -- the  
5 hole number nine, the well house on hole number nine. The old  
6 pump was obviously really wore out. When it finally decided to  
7 quit, we put the new one in and our water pressure went to the  
8 moon. So we had to rewire everything to make sure that we could  
9 keep our -- our water pressure within the parameters.

10 We -- we let it go the first night, and we blew a bunch of  
11 pipes. So we've still been working trying to fix all those. We  
12 had one leak on hole five, one on hole eight, one behind the  
13 number nine tee box, and one on men's eight tee box in the back.  
14 But that wasn't anything to do with pressure. That was -- just  
15 got old.

16 The water was off for like four or five days in a row, which  
17 made the course look real brown with the hundred-degree  
18 temperatures. So we got it back up and going. And everything is  
19 now back in normal mode. Everything that was brown is starting to  
20 turn green again.

21 We've went to a new -- a new fertilizer that's a 20/120  
22 green organics, which both Bo Blanchette and Jeff from Sierra  
23 Turf -- the other guy's really not from Sierra Turf -- Bo's not,  
24 but Jeff is. It's a combination of ground up chicken bones and  
25 some other stuff that is more of an organic mix, and it seems to  
26 be working a lot better.

27 So please take a drive out there. I know that you guys  
28 were out at the thing with CORE and got to take a look at the  
29 course and see kind of what condition it was in.

30 I'm a little bit frustrated over it. It's been hard this  
31 year.

32 We've really just been working on water leaks basically. And  
33 we can't seem to get ahead. So something always happens every  
34 week. And it seems like we're back to fixing things.

35 Other than that, what I was thinking about doing, since we  
36 kind of ran into an issue, on the weekend if something happens,  
37 there's no one around. So if no one says anything that's  
38 actually golfing, no one knows until Monday.

39 So you have those three days. If it goes out Friday night,  
40 you're three days without water and I was going to talk to the

1 commission about maybe having one of the girls show up every day  
2 to make sure that -- throughout the weekend or switch it up or do  
3 -- put somebody that can show up to make sure that it actually is  
4 running correctly.

5 COMMISSIONER WAITS: Jake, when you said that the water was  
6 down four or five days, that's been since our last meeting?

7 JAKE EDGAR: Since our last meeting.

8 COMMISSIONER MASON: 26<sup>th</sup>.

9 JAKE EDGAR: What was the day of?

10 CHAIRMAN GARNER: The day of.

11 JAKE EDGAR: Was that Friday?

12 COMMISSIONER BULLOCK: They got it back running that day.

13 JAKE EDGAR: Yeah. So what -- what -- what we did instead  
14 of having a pump all our -- so everyone asks -- just to  
15 reiterate what we're talking about. The pump went out.

16 So before we used to keep a spare pump on hand. And we  
17 quit doing that because Carson Pump said, we'll keep it on the  
18 shelf. It doesn't cost me anything to have them keep it on the  
19 shelf. And then if it does go out, it still takes them a day to  
20 get out here to put it in. There's no one out here who can do  
21 it. The closest one is Winnemucca. They're usually during  
22 haying season. They're booked. We can't get them.

23 So Carson Pump's usually who we deal with. They promised  
24 us they'd come out in two days. And they did that. The pump  
25 went out on Tuesday. And Thursday they were here to put the  
26 pump in the hole. So that por- -- portion of it went really  
27 well.

28 Well, we got the water back on. Obviously, it's a new  
29 pump. The pressure went up. We start blowing lines. So we  
30 had -- then the water was down again. So we had to go rewire,  
31 try to combine a bunch of stations. So that took a while to get  
32 everything back to normal. All -- as soon as we got that back  
33 to normal, then boom another leak happens.

34 So we never did get caught up, basically, until today,  
35 actually. Today is the first day that we've had normalcy in  
36 probably three weeks.

37 So, anyway, that's basically how that went.

38 COMMISSIONER MASON: We have two pumps, right? Are they  
39 both working?

40 JAKE EDGAR: As we speak.

1 COMMISSIONER WAITS: Today.  
2 COMMISSIONER MASON: Are they both refurbished?  
3 CHAIRMAN GARNER: No.  
4 JAKE EDGAR: Number nine is refurb- -- we were going to  
5 refurbish number four, but we actually stole the pump that was  
6 going to go in four and put it in nine.  
7 So he has another one in Carson. I was going to wait till  
8 the budget year rolled over so that I didn't have both of them  
9 coming out of the same deal.  
10 So now we'll go back and put the other pump in to Well 4.  
11 And what we're going to have to do -- but I'm trying to wait  
12 until we get the VFDs, which I'm going to get into in a second  
13 so --  
14 We talked to the Rainbird people about the VFDs. It looks  
15 like they're five weeks out. They were -- they were saying two.  
16 Not gonna happen.  
17 So once the VFDs show up, we should have constant pressure  
18 all the time. It'll work off a pressure transducer, which is  
19 great. We won't have any of the water hammering. But there's  
20 some things that if we do switch some things for the future, we  
21 had to get installed in the panel and that's why it's going to be  
22 five weeks out. So other than that, that's basically it on the  
23 golf course.  
24 We'll continue to do what we're doing. And hopefully it gets  
25 better.  
26 COMMISSIONER MASON: I have a question, Jake, --  
27 JAKE EDGAR: Okay.  
28 COMMISSIONER MASON: -- on the golf course. We have these  
29 two pumps. Let's say they're refurbished and working. But it's  
30 hard on these pumps to go direct; isn't it? Wouldn't it be  
31 better to put in a pond?  
32 JAKE EDGAR: Hm?  
33 COMMISSIONER MASON: Or a tower or something? You know.  
34 JAKE EDGAR: I mean, realistically if you think about it,  
35 Dave, it's been running that way for 25 years, but -- and again,  
36 I'm not a fan of it, but the VFDs should handle whatever  
37 problems we have as far as water hammering and maintenance of  
38 the pump.  
39 COMMISSIONER MASON: Wouldn't -- my question is: Would we  
40 not be better off to have a pond? Even if it's smaller?

1 You know, something where we could store water?  
2 COMMISSIONER STIENMETZ: Uh-uh.  
3 JAKE EDGAR: That. Yeah, it --  
4 COMMISSIONER WAITS: We did have this discussion, Dave, if  
5 you remember.  
6 JAKE EDGAR: There's benefits and pros and cons to all of  
7 it.  
8 So again, what we're doing to alleviate the old pipe  
9 situation is getting a VFD, which is going to have constant  
10 pressure. We won't have to pump the water twice. There's -- I  
11 mean, there's a gamut of things that are pros with the VFD and a  
12 gamut of things that are (indiscernible). Anyway. Do we need a  
13 pond? The answer would be no, or maybe.  
14 COMMISSIONER MASON: That's going to come up again when  
15 you -- when the both wells are -- you're going to do a study on  
16 both wells, right?  
17 JAY FISCHER: Yeah. Jay Fischer with Reese River  
18 Hydrologic.  
19 We -- we still need to test pump one well. We need to  
20 complete the test pumping of the second well to determine our --  
21 our water capacity out there.  
22 As Jake mentioned, we're refurbishing the pumps, looking at  
23 different controls.  
24 And so all that information will help us better quantify what  
25 the value or not value of a pond may be for us in the future.  
26 The pond doesn't help the pumps run any differently or -- or  
27 more efficiently. It creates storage. In case your pump goes  
28 down, you have water in the pond that you can continue to water  
29 with.  
30 COMMISSIONER MASON: Just include it, you know, and then  
31 we'll know.  
32 JAY FISCHER: Yeah.  
33 COMMISSIONER MASON: Even if we don't add any more holes to  
34 the golf course because of water.  
35 JAY FISCHER: Right.  
36 COMMISSIONER MASON: And the other question I have is: Is  
37 that potable water?  
38 JAY FISCHER: It is not.  
39 COMMISSIONER MASON: What, it's arsenic?  
40 JAY FISCHER: Arsenic. Yes.

1 JAKE EDGAR: And some other things.

2 JAY FISCHER: It may not. I -- I -- I don't believe it is.  
3 I haven't looked at the analysis, but probably not.

4 Yeah.

5 COMMISSIONER MASON: Thank you.

6 JAKE EDGAR: That's it for the golf course.

7 I'll go on to projects that we have going on. Well #9, the  
8 pump is set, which is getting closer for me to get some sleep.  
9 The inside plumbing will be done next week. The electrical  
10 units are in the building. There was a few issues with some  
11 anchor -- seismic activity anchor bolt stuff that kind of held  
12 up stuff for a minute, but I think we're all back on track.  
13 The -- the electrical cabinets will get set on the house -- the  
14 house pads today.

15 And probably within the next few days, it will be all be done  
16 as far as the panels go. We're waiting on answers from NV Energy  
17 as to when the transformer is going to show up. That's going to  
18 be probably the biggest hold up. We could run things off of the  
19 generator. But I don't know if it's going to cause some  
20 scheduling issues so we haven't really dove into that yet with  
21 everybody.

22 If NV Energy tries to hold us up, we can use the generator  
23 to operate the pump, get our water test done. We're going to  
24 have to do a full sweep so that will take a quite a bit. We  
25 have to do all the volatile compounds VOCs and SOCs. Anyway,  
26 once we -- once that's done, we're pretty much right there. I  
27 mean, we're getting within the month we'll have -- should have  
28 water in the -- in the pipe and coming to town.

29 So it passed all its pressure tests. They'll flush next  
30 week. So I mean, we're -- we're right there. So hopefully  
31 everything works out great and we get it done within the month and  
32 we have water in town.

33 North Trescott, you heard the lady. I was going to talk  
34 about it. We've had a few complaints over the dust and then a few  
35 of the potholes. We're working on it. We'll continue to work on  
36 it. I'll push the contractor as much as I can to run the water  
37 truck as much as he can.

38 They're almost done over there. They've got about 500 foot  
39 of water line left on Trescott. And then they'll do the two  
40 tie-ins and NDOT right-of-way, which will take most of the time.

1 They'll have one lane down and for a short amount of time. And  
2 once that's -- once the NDOT thing is done, that's the hardest  
3 part of the project. We're pretty much down to doing a few  
4 little water services and some fire hydrants here and there.  
5 And besides that, that part of town will be done. And we'll  
6 move over the alleys. And I'm hoping to have all the alleys out  
7 and done by September so --

8 Other than that, that's what we've got.

9 COMMISSIONER MASON: I have a question. And I think I just  
10 forgot how that works on pump number nine. Does that feed  
11 directly to tanks, the holding tanks, or does it go to the feed  
12 line from eight and seven?

13 JAKE EDGAR: It's right next to the tanks. So you have  
14 a -- what they call a true Y and a T connected together with  
15 three different valves. So where they all join, it goes  
16 straight to the tank right there. So it's all in one spot.

17 COMMISSIONER MASON: Does that create a back pressure to  
18 nine?

19 JAKE EDGAR: No.

20 COMMISSIONER MASON: Okay. Thank you.

21 JAKE EDGAR: Yep.

22 CHAIRMAN GARNER: Good.

23 JAKE EDGAR: Thanks, guys.

24 COMMISSIONER STIENMETZ: Thanks, Jake.

25 CHAIRMAN GARNER: Thanks.

26 We'll take a ten-minute break.

27  
28 (Break from 10:22 a.m. to 10:31 a.m.)

29  
30 CHAIRMAN GARNER: Call back to order the meeting.

31  
32 12) Discussion for possible action regarding the proposal from  
33 Jay Fischer, Reese River Hydrologic, to conduct a surface and  
34 ground water inventory of Basin 59 required by the State of  
35 Nevada in support of the new appropriation (water right  
36 application) recently filed with the Nevada State Engineer  
37 for the Well #9 project, in an amount not to exceed  
38 \$8,000.00; and other matters properly related thereto.

39  
40 CHAIRMAN GARNER: Discussion for possible action regarding

1 the proposal from Jay Fischer, Reese River Hydrologic, to  
2 conduct a surface and ground water inventory of Basin 59  
3 required by the State of Nevada in support of the new  
4 appropriation (water right application) recently filed with the  
5 Nevada State Engineer for the Well #9 project, in an amount not  
6 to exceed \$8,000; and other matters properly related thereto.

7 JAY FISCHER: Hi. I'm Jay Fischer with Reese River  
8 Hydrologic.

9 And this proposal is part of -- is a new requirement by the  
10 State of Nevada for inter- -- for basin surveys of both surface  
11 and ground water resources for new -- new applicati- -- water  
12 right applications that constitute interbasin transfer.

13 And we're in a unique position here in Battle Mountain  
14 where we're pumping from one basin and using water in from an  
15 adjacent basin and therefore requiring this sort of survey.

16 So in your packets is the proposal that I've submitted.

17 As I mentioned, this is relatively new for the state  
18 engineer's office. And to date, they've done five or six such  
19 surveys: Spring Valley, a couple of other places.

20 The state engineer's office has done three or four of these  
21 basin surveys. Private contractors have done about an equal  
22 amount.

23 So I'm -- my proposal to do this work involves basically  
24 three steps: surface inventory of the springs and the rivers  
25 from the Humboldt River as it approaches Battle Mountain to just  
26 past Echo Bay to the south of us; and the surface water  
27 inventory of major contributing springs and rivers in that area,  
28 about five days worth of work in the state engineer's office  
29 researching all the available water right claims on those  
30 surface and ground water rights in that area; and then the task  
31 number three is compilation into a report to be submitted to the  
32 Division of Water Resources, also including their time for  
33 review, because they charge -- charge for their review and any  
34 edits that need to be made to the report.

35 But once that report is submitted and -- and approved, then  
36 the state engineer will act on our water right application that  
37 is currently on file for Well #9 with the state, where it was in  
38 the paper last week and it will be published for three -- three  
39 more additional weeks. But they -- and -- and that's the com-  
40 -- comment period that we're in right now for that application.

1 So before this law, there were no protests, the state  
2 engineer would rule and approve your water right. Now they've  
3 added this additional step for a basin survey. So --

4 And then finally I've included just a couple of the costs  
5 that have been incurred by other people that have had to conduct  
6 this study. State engineer's office on the three or four  
7 surveys that they've conducted at a cost to the applicant of  
8 between 15- and \$20,000. The survey that was done by Las Vegas  
9 Water -- or Las Vegas Water Authority was in the amount of  
10 \$37,000 done by a private contractor.

11 So it obviously depends on the time that it takes, the  
12 number of water -- springs that need to be inventoried, the  
13 number of water rights, but also their travel time for somebody  
14 do it. The advantage for me is my local presence and -- and  
15 immediate availability for this.

16 COMMISSIONER MASON: Can I ask a question here?

17 And -- I just don't understand the two basins. Seven, eight  
18 and nine is our drinking water supply. Is that in a separate  
19 basin other than Battle Mountain? I mean, I don't -- how do you  
20 --

21 JAY FISCHER: It is. And the map's attached, Commissioner  
22 Mason, --

23 COMMISSIONER MASON: Yeah, I'm looking at the back map.

24 JAY FISCHER: -- illustrate that. The basin boundary runs  
25 almost through the middle of our town. So seven, eight and nine  
26 are in Basin 59 and most of Battle Mountain is in Basin 64.

27 COMMISSIONER MASON: So we're transferring drinking water  
28 from one basin into --

29 JAY FISCHER: That is correct. And this reason for that,  
30 this is where we can find the arsenic-free water that we -- that  
31 meets the drinking water standard, but here's where our town is  
32 that -- that we use it, so --

33 COMMISSIONER MASON: And the other question I have is:  
34 When you finish your report, if we approve this, that helps with  
35 water rights for our area?

36 I mean, that's on record with the state?

37 JAY FISCHER: It is. And it will be an inventory that we  
38 can refer to for other water right applications and  
39 water-related issues.

40 COMMISSIONER MASON: How good -- how long is that report

1 good for?

2 JAY FISCHER: It's -- it's per application.

3 So it's -- it's not -- it's good for -- for our water right

4 application here.

5 I think one year. I would say.

6 If somebody came along and filed another water right

7 application, I think they could use this report within a year's

8 time. But after that, they'd likely be required to conduct their

9 own survey and re- -- redo all this work again.

10 COMMISSIONER MASON: You've got to do another 8,000-dollar

11 report every year?

12 JAY FISCHER: No, no, no. This is just a one-time thing

13 for us.

14 COMMISSIONER MASON: Okay.

15 JAY FISCHER: We filed another --

16 COMMISSIONER MASON: But you're filing this report with the

17 state?

18 JAY FISCHER: Yes.

19 COMMISSIONER MASON: All right.

20 JAY FISCHER: Yes.

21 COMMISSIONER MASON: So it's on record?

22 JAY FISCHER: It's on record and -- and no expiration date.

23 It allows us to move forward with our Well #9 app- --

24 application. And that's --

25 COMMISSIONER MASON: Thank you. I got it.

26 JAY FISCHER: -- the point of it.

27 COMMISSIONER WAITS: Actually, I did talk to Senator

28 Goicoechea on this. And -- and we're one of those exceptions

29 that got caught. This wasn't the main reason for it, of course.

30 It was for people moving the water from one basin to another,

31 not already utilizing the water in both basins. So it's one of

32 those catch-22s for us.

33 But I just wanted you have you clarify one thing for me,

34 Jay, if you would. When you said, this goes into the engineer's

35 office and they review it. And then did you say there was a

36 cost, another cost other than yours for them reviewing it or

37 something? Did I --

38 JAY FISCHER: They charge you their time for review.

39 COMMISSIONER WAITS: So in addition to you doing what needs

40 to be done --

1 JAY FISCHER: And that --  
2 COMMISSIONER WAITS: -- legally.  
3 JAY FISCHER: -- cost is included in this proposal, so --  
4 COMMISSIONER WAITS: That's -- that's what I was checking.  
5 You've already got that?  
6 JAY FISCHER: And we were -- yes, I will pay that.  
7 COMMISSIONER WAITS: Right. Thank you. And we are glad  
8 you're here.  
9 COMMISSIONER STIENMETZ: I'll make a motion the commission  
10 approve the proposal from Jay Fischer, Reese River Hydrologic,  
11 to construct -- to conduct a surface and ground water inventory  
12 of Basin 59 required by the State of Nevada in support of the  
13 new application -- water right application recently filed with  
14 the State -- Nevada state engineer for Well #59 project.  
15 COMMISSIONER MASON: No, nine.  
16 COMMISSIONER BULLOCK: Nine.  
17 COMMISSIONER STIENMETZ: Oh, Well #9. Excuse me. Well #9  
18 project in an amount not to exceed \$8,000.  
19 COMMISSIONER WAITS: I'll second that motion.  
20 CHAIRMAN GARNER: Any public comment?  
21 (No comment.)  
22 CHAIRMAN GARNER: All those in favor?  
23 COMMISSIONER MASON: Aye.  
24 COMMISSIONER BULLOCK: Aye.  
25 CHAIRMAN GARNER: Aye.  
26 COMMISSIONER STIENMETZ: Aye.  
27 COMMISSIONER BULLOCK: Aye.  
28 JAY FISCHER: Thank you, very much.  
29 COMMISSIONER BULLOCK: Thank you.  
30 COMMISSIONER STIENMETZ: Thanks, Jay.  
31 JAKE EDGAR: We'll see you guys.

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1 SENIOR CENTER

2  
3 13) Discussion for possible action regarding ratification and  
4 acceptance of supplemental Grant Award No. 09-000-57-NX-14,  
5 Nevada Aging and Disability Services Division, for the  
6 Nutrition Services Incentive program in the amount of  
7 \$3,570.00, with no required match; and other matters properly  
8 related thereto.  
9

10 CHAIRMAN GARNER: Thirteen, discussion for possible action  
11 regarding ratification and acceptance of supplemental Grant  
12 Award Number 09 -- 09-000-57-NX-14, Nevada Aging and Disability  
13 Services Division, for the Nutritional Service Incentive program  
14 in the amount of \$3570, with no required match; and other  
15 matters properly related thereto.

16 COMMISSIONER STIENMETZ: Is this something we do all the --  
17 I make a motion that the commission ratify and accept the  
18 supplemental grant award number 09-00-57-NX-14 Nevada Aging and  
19 Disabilities Services Division for the nutrition service  
20 incident program -- incentive program in the amount of \$3,570  
21 with no match -- with no required match.

22 COMMISSIONER BULLOCK: Second.

23 CHAIRMAN GARNER: Any public comment?

24 COMMISSIONER MASON: I have a question: Has that check  
25 already been received?

26 NAN ANCHO: Not that I'm aware of.

27 COMMISSIONER MASON: When do you expect to see it?

28 NAN ANCHO: After it's approved?

29 COMMISSIONER WAITS: Just as a -- a clarification. And I  
30 wasn't sure if I heard it right on the 09-000. I thought you  
31 just had two zeroes.

32 COMMISSIONER STIENMETZ: No, I said two zer- -- No, I said  
33 three zeroes.

34 COMMISSIONER WAITS: I just wanted to clarify it if we did.

35 CHAIRMAN GARNER: All those in favor?

36 COMMISSIONER MASON: Aye.

37 COMMISSIONER WAITS: Aye.

38 CHAIRMAN GARNER: Aye.

39 COMMISSIONER STIENMETZ: Aye.

40 COMMISSIONER BULLOCK: Aye.

1     EXECUTIVE DIRECTOR

2  
3     14) Discussion for possible action regarding the presentation and  
4     proposal submitted by Craig Eschrich, IPV Energy Heavy  
5     Industries Corporation, to create public-private partnerships  
6     through Special Purpose Companies (SPC) to fund the purchase,  
7     installation and operation of a solar system for Lander  
8     county at select county facilities; and other matters  
9     properly related thereto.

10  
11           CHAIRMAN GARNER: Fourteen, discussion for possible action  
12     regarding the presentation and proposal submitted by Craig  
13     Eschrich, IPV Energy Health [sic] Industries Corporation, to  
14     create public-private partnerships through Special Purpose  
15     Companies (SPC) to fund the purchase, installation, and  
16     operation of a solar system for Lander County at select Lander  
17     County facilities; and other matters properly related thereto.

18           JIM OLSON: They were unable to make it today.

19           COMMISSIONER BULLOCK: Motion to defer.

20           COMMISSIONER STIENMETZ: Second.

21  
22  
23     COMMISSIONERS

24  
25     15) Discussion for possible action regarding procedures to be  
26     implemented for all Lander County contracts as it relates to  
27     renewal or rollover; and other matters properly related  
28     thereto.

29  
30           CHAIRMAN GARNER: Fifteen, discussion for possible action  
31     regarding procedures to be implemented for all Lander County  
32     contracts as it relates to renewal or rollover; and other  
33     matters properly related thereto.

34           Who put this on?

35           COMMISSIONER BULLOCK: Well, it came out of last --

36           COMMISSIONER MASON: Yeah.

37           CHAIRMAN GARNER: -- the last meeting, the fact that nobody  
38     seems to know the contracts have a clause in them that says that  
39     they rollover unless -- I don't know what the deal is -- but  
40     anyway, we needed somebody to look into that and make sure.

1 DEPUTY DISTRICT ATTORNEY TING: So --  
2 COMMISSIONER BULLOCK: We need a policy.  
3 DEPUTY DISTRICT ATTORNEY TING: So the -- how the current  
4 contracts are written, they do automatically renew.  
5 COMMISSIONER MASON: Unless there's a contingent?  
6 DEPUTY DISTRICT ATTORNEY TING: Unless one side or the  
7 other submits their -- their termination notice.  
8 COMMISSIONER GARNER: But that's not in the contracts.  
9 COMMISSIONER WAITS: If we're automatically renewing, then  
10 that doesn't always give us an opportunity to go out for bid.  
11 COMMISSIONER STIENMETZ: Right.  
12 COMMISSIONER BULLOCK: Correct.  
13 COMMISSIONER WAITS: And that's what we're talking about,  
14 --  
15 CHAIRMAN GARNER: Mm-hm.  
16 COMMISSIONER WAITS: -- whether we want to take that clause  
17 out or --  
18 COMMISSIONER MASON: We were also --  
19 COMMISSIONER WAITS: -- whether we just --  
20 COMMISSIONER MASON: Excuse me. We were also talking about  
21 extending to that to a two-year term; wasn't it?  
22 COMMISSIONER WAITS: That's about --  
23 COMMISSIONER BULLOCK: It's all part of the discussion.  
24 CHAIRMAN GARNER: Two -- I'm good with two years, but I  
25 think all contracts should be looked at in -- on a renewal, not  
26 just an automatic.  
27 COMMISSIONER STIENMETZ: I agree with that.  
28 COMMISSIONER WAITS: I agree. They shouldn't always be  
29 automatic. But on the other hand, it takes a lot more to go out  
30 every single time. So if we go with a longer period of time,  
31 with a two-year contract, it will save us a little bit in  
32 betweentime.  
33 CHAIRMAN GARNER: But sometimes one year's not enough to  
34 get your feet completely wet.  
35 COMMISSIONER STIENMETZ: Yeah.  
36 COMMISSIONER MASON: And two years, you know, you know if  
37 it's a good thing or it's a bad thing.  
38 COMMISSIONER BULLOCK: Well, I think what we're getting  
39 caught here is by the time that we know that there's a renewal,  
40 it's already --

1 COMMISSIONER STIENMETZ: Yeah.  
2 COMMISSIONER BULLOCK: -- automatically renewed.  
3 CHAIRMAN GARNER: Exactly.  
4 COMMISSIONER WAITS: We already have one on our agenda  
5 coming up.  
6 COMMISSIONER BULLOCK: Well, I don't necessarily have a  
7 problem with the automatics if we know four months before it's  
8 automatically going to renew that it's on here that if we want  
9 to, you know, to give them their 30-day notice and stuff. So  
10 you know, that -- that's the whole deal. We're finding out  
11 they're renewed after they've already renewed. We just need  
12 some kind of a policy and notification or, you know, we can do  
13 it however.  
14 My point is, is there's a lot of contracts. And if we want  
15 the tie ourselves up in these meetings redoing all these contracts  
16 all the time, that's just more agenda items and more in these  
17 meetings.  
18 CHAIRMAN GARNER: Well, there -- and there should be  
19 something in -- that -- in the commission office within I don't  
20 know -- Jim's -- that we -- we have a list of all of them. We  
21 have a list of renewals, and we have notification to the  
22 commissioners when it is renewed. And if -- and if so, he  
23 automatically puts it out. We don't have to ratify this stuff  
24 all the time.  
25 COMMISSIONER BULLOCK: That list already exists.  
26 NAN ANCHO: There is a list of contracts, yes.  
27 COMMISSIONER BULLOCK: Yeah, and it's been in our packets  
28 more than once.  
29 NAN ANCHO: No, that list is --  
30 CHAIRMAN GARNER: But not the --  
31 NAN ANCHO: -- just the ones --  
32 CHAIRMAN GARNER: -- that's just --  
33 NAN ANCHO: -- that are within the six months. That's not  
34 the --  
35 CHAIRMAN GARNER: Exactly.  
36 NAN ANCHO: -- complete list of contracts.  
37 COMMISSIONER BULLOCK: Yeah, but that's my point though,  
38 they're coming up in six months. All contracts should be on  
39 there. We should be aware.  
40 You know, I mean, whether we have Jim the pro- -- part of

1 the thing is too is some of these things are automatic renewals.  
2 So they -- should they be reassigned even though they're  
3 automatic renewals?

4 JIM OLSON: We should be aware of it in advance, --

5 CHAIRMAN GARNER: Yeah.

6 JIM OLSON: -- like you said, if it's coming up six months  
7 in advance and could set it up in the schedule to automatically  
8 flag up.

9 NAN ANCHO: Well, that's where you would come in to make  
10 sure you're looking at these before they automatically renew so  
11 we have the opportunity to discuss them if we want them to  
12 renew.

13 CHAIRMAN GARNER: Yeah.

14 JIM OLSON: That's what I'm saying, I can set it up so it  
15 will flag six months before the due date. And I'll get a flag  
16 six months before and say, let's look at this and pull it out  
17 and address it.

18 CHAIRMAN GARNER: The --

19 COMMISSIONER MASON: Or not.

20 CHAIRMAN GARNER: The ATM machine is a perfect example. We  
21 kept -- I mean, we were so far behind on the cart on that, it  
22 just kept hitting. And we didn't know it. And then they  
23 weren't paying. And we didn't know that. And --

24 COMMISSIONER BULLOCK: So --

25 COMMISSIONER WAITS: We're not even sure they would like to  
26 renew when it comes up.

27 CHAIRMAN GARNER: Exactly.

28 COMMISSIONER STIENMETZ: Yeah.

29 CHAIRMAN GARNER: We need to put out a letter: You're six  
30 months within so and so. Are you -- do you intend to put -- you  
31 know, to renew? Whatever. That's exactly right.

32 Some people -- if the tower communications and stuff, if they  
33 had gone a different route, they might not want to renew their  
34 tower or whatever the contract --

35 COMMISSIONER STIENMETZ: Mm-hm.

36 CHAIRMAN GARNER: -- might be.

37 So that -- that -- that's what we're -- it needs to be a  
38 policy with all these things just a renewal policy with those few  
39 things outlined in it.

40 JIM OLSON: We will kick it out, and we can review it every

1 six months, I mean, six months prior to the -- to the renewal  
2 date.

3 COMMISSIONER STIENMETZ: Right.

4 COMMISSIONER BULLOCK: Well, yeah, like I said, we should  
5 review it every month but only the ones within six months of --

6 JIM OLSON: Right.

7 COMMISSIONER BULLOCK: -- the renewal. I mean, because  
8 there's different dates. I know we have a lot July 1<sup>st</sup> that  
9 come up. But there are those that different times and so --

10 I mean, we've been caught twice this year already on  
11 contracts that already automatically renewed, but then we had a  
12 question. But we're too late.

13 JIM OLSON: I'll set it up so we'll have that system.

14 COMMISSIONER MASON: Yeah. Take into account some of these  
15 contracts are seasonal. And they -- we need that time.

16 JIM OLSON: Like the mosquito abatement, --

17 CHAIRMAN GARNER: Mm-hm.

18 COMMISSIONER BULLOCK: Mm-hm.

19 JIM OLSON: -- as an example.

20 COMMISSIONER WAITS: Well, the other thing is from -- from  
21 pack [sic] history, we're finding that we don't always have  
22 other people that want to bid it.

23 Even though I think it's prudent we go out occasionally, it  
24 may not necessarily be every two years just because the contract  
25 comes due.

26 So there's several things that enter into this. And -- and  
27 I'm looking to an executive director to help us out with that.  
28 I really am.

29 JIM OLSON: I think it's time to set up -- we sent a letter  
30 asking if they want to renew and if they're interested in  
31 continuing with the contract.

32 Or if we've had issues with the contract, then we know we  
33 have a chance to give them a 30-day notice --

34 COMMISSIONER STIENMETZ: Yeah.

35 JIM OLSON: -- well in advance.

36 COMMISSIONER BULLOCK: Well, yeah. And that's the thing,  
37 we need more than a 30-day notice, because if we've got to put  
38 it back out for bid,

39 JIM OLSON: (Indiscernible cross talk.)

40 COMMISSIONER BULLOCK: -- basically we need to give them,

1 like, a four-month notice. And then --  
2 JIM OLSON: Yep.  
3 COMMISSIONER BULLOCK: -- you've got to put it out for bid,  
4 and it's --  
5 JIM OLSON: (Indiscernible cross talk.)  
6 COMMISSIONER BULLOCK: -- just a process.  
7 JIM OLSON: If we've got a six-month window, it gives us  
8 the opportunity to do that. So I just set it up so it flags at  
9 6 months and then we can make a decision what we want to -- send  
10 out a letter and see if they want to renew or if we want to  
11 terminate it, eliminate the contract. And we'll have to plenty  
12 of time to implement all that. And everybody --  
13 CHAIRMAN GARNER: Well, it gives you time to get it in  
14 newspaper also.  
15 JIM OLSON: Yeah.  
16 CHAIRMAN GARNER: -- to where -- to make the public aware  
17 of it.  
18 JIM OLSON: So we can follow the guidelines. And I'll work  
19 the DAs office and make sure we have all that in compliance.  
20  
21 **16) Discussion for possible action regarding approval/disapproval**  
22 **of the Agreement between Lander County and Desmond Skeath,**  
23 **dba D.S. Construction, for maintenance and repair services to**  
24 **buildings and facilities owned by Lander County in Austin,**  
25 **Nevada; and other matters properly related thereto.**  
26  
27 CHAIRMAN GARNER: Sixteen, discussion for possible action  
28 regarding approval/disapproval of the agreement between Lander  
29 County and Desmond Skeath, dba D.S. Construction, for  
30 maintenance and repairs to buildings and facilities owned by  
31 Lander County in Austin, Nevada; and other matters properly  
32 related thereto.  
33 COMMISSIONER WAITS: This was on the last agenda where we  
34 said we were just going to be amending his contract to add a  
35 couple of things: the courthouse and visitor's center; correct?  
36 CHAIRMAN GARNER: Yeah.  
37 COMMISSIONER WAITS: So -- this is just amended until --  
38 what was it? -- November? October?  
39 NAN ANCHO: October 31<sup>st</sup>.  
40 COMMISSIONER WAITS: October.

1 I'll make a motion that we approve the agreement between  
2 Lander County and Desmond Skeath, dba D.S. Construction, for  
3 maintenance and repair services to buildings and facilities owned  
4 by Lander County in Austin, Nevada.

5 COMMISSIONER BULLOCK: Second.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 COMMISSIONER WAITS: Aye.

11 COMMISSIONER STIENMETZ: Aye.

12 CHAIRMAN GARNER: Aye.

13 COMMISSIONER BULLOCK: Aye.

14 COMMISSIONER WAITS: So this is one that would be on the  
15 list then --

16 CHAIRMAN GARNER: Mm-hm.

17 COMMISSIONER WAITS: -- for going out to bid, Jim.

18 JIM OLSON: Yes.

19 COMMISSIONER WAITS: Okay. So we have to do that ahead of  
20 time.

21 CHAIRMAN GARNER: Soon.

22 JIM OLSON: Probably one of the first ones we put on the  
23 list.

24  
25 **17) Discussion for possible action regarding the status of the**  
26 **Austin Roping Club contract, and other matters properly**  
27 **related thereto.**  
28

29 CHAIRMAN GARNER: Discussion for possible action regarding  
30 the status of the Austin Roping Club contract, and other matters  
31 properly related -- related thereto.

32 COMMISSIONER WAITS: Actually, I pulled this out last --  
33 was it last year? A year ago last July? Because I didn't have  
34 any proof of insurance and proof of a 501C. And I think Bert,  
35 you were our vice president. Would you like to -- for the  
36 roping club, would you like to step up for us, please.

37 COMMISSIONER MASON: Step up to the plate, Bert.

38 COMMISSIONER WAITS: Yes. And there were several things --  
39 several issues that were going on with the roping club. And  
40 perhaps you can bring us up to date where you are and you're

1 still meeting and viable and --  
2 BERT RAMOS: Yeah.  
3 In the last month, there's been probably more progress than  
4 there has in the last five years. So -- I don't know what else  
5 to say. I can't really speak on behalf of the roping club as to  
6 what should happen because I'm only one. But --  
7 CHAIRMAN GARNER: Do you guys have insurance?  
8 BERT RAMOS: Not real sure.  
9 COMMISSIONER WAITS: Yes. I can address that. Actually,  
10 your secretary brought it in to me. I did forward it on to our  
11 county offices. It's the first time that I have seen that.  
12 And so you do have insurance.  
13 And she also tells me you definitely are still a 501C  
14 incorporated. And I asked her to -- per the contract that's  
15 required -- to send us the information on that.  
16 So the only other thing we have is your bylaws, that  
17 apparently have been changed, and you're revising those. So  
18 those need to come before us to ratify. That's part of your  
19 contract too.  
20 BERT RAMOS: Okay.  
21 Sissy GALLEGOS: Commissioner Pats- -- Commissioner Waits?  
22 CHAIRMAN GARNER: Go ahead.  
23 COMMISSIONER WAITS: Yes.  
24 Sissy GALLEGOS: This is Sissie Gallegos, secretary of the  
25 Austin Roping Club.  
26 I talked to the Secretary of State and stuff. And you'll  
27 have your paperwork next week.  
28 We changed some things on it to do with the -- the concession  
29 stand to not sell the stuff down there and maybe invite the Lion's  
30 Club and stuff, you know, to come down if we have an event and to  
31 use that for the county.  
32 She said that we can get the papers to you next week. And  
33 everything will be up to date with the state and our 501C.  
34 COMMISSIONER WAITS: Thank you, Sissie.  
35 COMMISSIONER BULLOCK: Let me get this straight. The  
36 roping club is still interested in leasing or general consensus?  
37 BERT RAMOS: It's been a while since we've had a meeting,  
38 so -- but I believe so.  
39 COMMISSIONER BULLOCK: Because there was some discussion,  
40 you know, if it worked to have an advisory board be over it.

1 And the Austin Roping Club is just like everybody else that uses  
2 the arena, which is what's done at the Battle Mountain.  
3 There's an -- a board that is, you know, by the county, an  
4 advisory board. And, of course, they're the ones responsible.  
5 So -- because right now there is no current lease.  
6 I mean, technically the Austin Roping Club has no more rights  
7 to that arena than anybody else right now, is where we stand. So  
8 I'm not opposed to the lease. It's just we got to come to a  
9 determination that either there needs to be an agreement or decide  
10 which way we're going.  
11 COMMISSIONER WAITS: Well, the two items that were in  
12 question have been met. So if it's your intention and perhaps  
13 Sissie, as secretary, you can speak up and say is that something  
14 you'd like us to do is continue on with your contract and  
15 approve that?  
16 Sissy Gallegos: Yes.  
17 COMMISSIONER BULLOCK: Okay. But there is no continuation.  
18 Right now there is no contract, is what I'm trying --  
19 COMMISSIONER WAITS: Right.  
20 COMMISSIONER BULLOCK: There is no lease. There is  
21 nothing. This expired year ago. I'm pretty sure that one  
22 didn't re- -- re- -- re-up itself. I can't find --  
23 COMMISSIONER WAITS: It was not automatic. We pulled it  
24 out.  
25 COMMISSIONER BULLOCK: No, it's not an automatic. So  
26 technically nobody has that lease on that right now, and so we  
27 need to address that. And I guess what I'm saying is that if  
28 the roping club is interested, they really need to send a letter  
29 of intent or something. Otherwise we -- or we need to look at a  
30 board or some other organization to run this.  
31 COMMISSIONER WAITS: Well, before we had the contract and  
32 the lease agreement. So if that's something they would like to  
33 continue with, then we can agendaize for the next one when we  
34 receive that.  
35 CHAIRMAN GARNER: Okay. Thanks, Bert.  
36 COMMISSIONER BULLOCK: Thank you.  
37 COMMISSIONER STIENMETZ: Thank you.  
38 COMMISSIONER MASON: Thanks, Bert.  
39  
40

1 18) Discussion for possible action regarding approval/disapproval  
2 to propose and set for public hearing Ordinance No. 2014-01,  
3 an ordinance amending Section 1.08.070(C)(1) and (2) of the  
4 Lander County Code to update the term of office of members of  
5 county advisory boards from one (1) year to two (2) years;  
6 and other matters properly related thereto.  
7

8 CHAIRMAN GARNER: Discussion for possible action regarding  
9 approval/disapproval to propose and set for public hearing  
10 Ordinance Number 2014-01, an ordinance amending Section  
11 1.08.070(C)(1) and (2) of the Lander County Code to update the  
12 term of office of members of the county advisory boards from one  
13 to two years; and other matters properly related thereto.

14 DEPUTY DISTRICT ATTORNEY TING: This is the ordinance that  
15 I drafted by the request of the commissioners. As you can see,  
16 it changes advisory board terms from one year to two years.

17 CHAIRMAN GARNER: Cool.

18 COMMISSIONER BULLOCK: I make a motion the commission  
19 approve to set for -- to propose and set for public hearing  
20 ordinance number 2014-01, an ordinance amending Section 1.08.070  
21 (1) [sic] --(C)-- (i) [sic] and (2) of the Lander County code to  
22 update the term of -- Is that one and two? -- of the Lander  
23 County code to update the term of office of members of county  
24 advisory boards from one year to two years.

25 COMMISSIONER WAITS: I'll second that motion.

26 CHAIRMAN GARNER: Any public comment?

27 (No comment.)

28 CHAIRMAN GARNER: All those in favor?

29 COMMISSIONER MASON: Aye.

30 CHAIRMAN GARNER: Aye.

31 COMMISSIONER WAITS: Aye.

32 COMMISSIONER STIENMETZ: Aye.

33 COMMISSIONER BULLOCK: Aye.  
34  
35  
36  
37  
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40

1 19) Discussion for possible action regarding approval/disapproval  
2 of the Agreement between Lander County and the Battle  
3 Mountain Stock Car Racing Association Board for lease of a  
4 parcel of property located in Sections 26 and 35, T31N, R45E,  
5 MDB&M, Lander County, for the purpose of maintaining a  
6 non-profit dirt stock car race track; and other matters  
7 properly related thereto.  
8

9 CHAIRMAN GARNER: Discussion for -- nineteen, discussion  
10 for possible action regarding approval/disapproval of the  
11 Agreement between Lander County and the Battle Mountain Stock  
12 Car Racing Association Board for lease of a parcel of property  
13 located in Sections 26 and 35, T31N, R45E, MDB&E -- M, Lander  
14 County, for the purpose of maintaining a non-profit dirt stock  
15 car race track; and other matters properly related thereto.

16 ANGIE GONZALES: Hi. I'm Angie Gonzales, Battle Mountain  
17 Raceway. I was told to come and renew my license.

18 I faxed over to Donna the copy of the insurance to prove that  
19 we had insurance. So you guys should have that.

20 CHAIRMAN GARNER: We do.

21 ANGIE GONZALES: I already paid the lease, but I keep -- I  
22 don't know what's going on. I don't know who to go to or where  
23 I'm supposed to go to, but I went to the DAs office here and  
24 gave them a check. And then the next month I got a thing saying  
25 I need to pay.

26 So that's why I sent you guys a copy of the check. It's  
27 been cashed, front and back. It's been paid since February.

28 COMMISSIONER BULLOCK: Why would the check go to the DA's  
29 office?

30 ANGIE GONZALES: That's where I go all the time to renew  
31 the license, the lease. So I'm assuming that's where I was  
32 supposed to go.

33 Just trying to --

34 CHAIRMAN GARNER: Okay.

35 ANGIE GONZALES: -- keep up with my bookwork.

36 CHAIRMAN GARNER: Can you track that, Jim, and fix that?

37 ANGIE GONZALES: She's got the copy right there of the  
38 check. I made sure I went this morning and got it. So that I  
39 -- and here it says it's due in June, but I never received  
40 anything. So I thought I was done once I paid the lease.

1 CHAIRMAN GARNER: Yeah.  
2 ANGIE GONZALES: So I have a lease here. I don't know.  
3 CHAIRMAN GARNER: Yeah, the check's cashed, so --  
4 COUNTY CLERK SULLIVAN: (Indiscernible) cashed February, so  
5 --  
6 ANGIE GONZALES: So when the check is cashed, it means the  
7 lease is up, or it's good, right? I mean.  
8 CHAIRMAN GARNER: Well, we need a few more things.  
9 COMMISSIONER BULLOCK: The lease --  
10 ANGIE GONZALES: Well, I check my mail --  
11 COMMISSIONER BULLOCK: The lease --  
12 ANGIE GONZALES: -- a lot.  
13 COMMISSIONER BULLOCK: I know there's a check, but lease  
14 has to be signed --  
15 ANGIE GONZALES: Right.  
16 COMMISSIONER BULLOCK: -- by both parties also.  
17 CHAIRMAN GARNER: Yeah.  
18 ANGIE GONZALES: Usually at the beginning of the year and I  
19 never received anything, so I just figured okay.  
20 CHAIRMAN GARNER: Well, this check was 2/24/14.  
21 ANGIE GONZALES: Mm-hm.  
22 February.  
23 CHAIRMAN GARNER: For last year's? Lease? That's for --  
24 ANGIE GONZALES: For -- for this year's.  
25 CHAIRMAN GARNER: -- this year's?  
26 ANGIE GONZALES: I go in every year and pay it at --  
27 CHAIRMAN GARNER: Yeah.  
28 ANGIE GONZALES: -- the beginning of the month. I try  
29 February, March, before our season starts.  
30 COMMISSIONER BULLOCK: I make a motion to approve the  
31 agreement between Lander County and the Battle Mountain Stock  
32 Car Racing Association Board for lease of a parcel of property  
33 -- property located in Sections 26 and 35, T31N, R30 -- 45E,  
34 MDB&M Lander County for the purpose of maintaining a non-profit  
35 dirt stock car racetrack and authorize the chair to sign.  
36 COMMISSIONER STIENMETZ: I'll second the motion.  
37 CHAIRMAN GARNER: Any public comment?  
38 (No comment.)  
39 CHAIRMAN GARNER: All those in favor?  
40 COMMISSIONER MASON: Aye.

1 COMMISSIONER STIENMETZ: Aye.

2 COMMISSIONER WAITS: Aye.

3 COMMISSIONER BULLOCK: Aye.

4 ANGIE GONZALES: And also I want to say thank you and you  
5 for helping out the track for Frankie's memorial race. You guys  
6 were awesome. The track appreciates it too.

7 COMMISSIONER BULLOCK: Sure.

8 ANGIE GONZALES: It was awesome, a lot of work.

9 Do I sign it and give it to you, and I'm done?

10 COUNTY CLERK SULLIVAN: If you could sign it right here,  
11 that would be great.

12 ANGIE GONZALES: Okay.

13

14 20) Discussion for possible action regarding review of the Valley  
15 TV Repair and Maintenance Agreement between Lander County and  
16 Valley TV and Communication of Fallon, Nevada, for Austin  
17 broadcast television services; and other matters properly  
18 related thereto.

19

20 CHAIRMAN GARNER: Twenty, discussion for possible action  
21 regarding review of the Valley TV Repair and Maintenance  
22 Agreement between Lander County and Valley TV and Communication  
23 of Fallon, Nevada, for Austin broadcast television service; and  
24 other matters properly related thereto.

25 COMMISSIONER WAITS: Here's one that we talked about that  
26 is automatically renewing. And we went, wow, we should have  
27 caught this to go out for bid.

28 So I did have the DA review our -- our current -- it's a  
29 maintenance agreement that we have with them.

30 And we still can, if you -- if you would like to go out to  
31 bid on this, we can give a 30-day notice of termination at any  
32 time. So we could go out for bid to see if we have any bidders  
33 and if we want to compare that at all. And then if we decide to  
34 go with somebody new, we can give them the 30-day notice and come  
35 out of it. It's just prudent to take a look that's all.

36 CHAIRMAN GARNER: Mm-hm.

37 COMMISSIONER WAITS: I did advise Norm Powell, the owner,  
38 that we did have it on the agenda. And he said that was fine.  
39 He would continue in any manner that we preferred or if we  
40 wanted somebody else. So he said, I don't need to be there. I

1 said no, you don't need to be. But he would like to continue  
2 with it if it's our choice. So -- however, we feel we would  
3 like do this.

4 I just want to bring forward that this one last year was  
5 increased. He's upped the per trip charge now at \$400 every  
6 time he comes in from Fallon whenever we have a problem. And  
7 it's a two-hour minimum at \$60. So it's \$520 --

8 CHAIRMAN GARNER: Just to get him there.

9 COMMISSIONER WAITS: -- for him to come up and check  
10 anything out, anytime we have a problem. And I -- I truly don't  
11 know without looking whether anybody else would consider this  
12 and whether he's in the ballpark or not. So --

13 COMMISSIONER MASON: Let me ask you a question: Is the  
14 service good?

15 COMMISSIONER WAITS: Yes. The contract says he'll be here  
16 within 72 hours when we call him. And he is.

17 COMMISSIONER MASON: He's on time, huh? He's on time.  
18 Okay.

19 So do you think the -- the amount per trip is unfair? Or do  
20 you just want to snoop around and see if you can get a better  
21 deal?

22 COMMISSIONER WAITS: I can't comment whether it's unfair,  
23 because I truly don't know. As I said, if someone else would  
24 like to bid it and what the cost might be.

25 But since we're in charge of the county finances, I think,  
26 it's our fiduciary responsibility to go out to bid once in a  
27 while. And apparently, it's been some time before we've ever  
28 done this.

29 COMMISSIONER BULLOCK: I don't know that we have to  
30 terminate the agreement to go out to bid; do we?

31 COMMISSIONER WAITS: No.

32 CHAIRMAN GARNER: No.

33 COMMISSIONER BULLOCK: We can go out to bid and then  
34 terminate it if we --

35 COMMISSIONER STIENMETZ: Yeah.

36 COMMISSIONER BULLOCK: -- don't like the --

37 CHAIRMAN GARNER: Yeah.

38 COMMISSIONER BULLOCK: -- services.

39 DEPUTY DISTRICT ATTORNEY TING: That's correct.

40 COMMISSIONER WAITS: Right. That's my understanding.

1 COMMISSIONER BULLOCK: So have you got a motion?

2 COMMISSIONER WAITS: Sure.

3 I make a motion that the commissioners go out to bid for the  
4 TV repair and maintenance agreement for the Austin stations.

5 COMMISSIONER BULLOCK: I'll second.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor? Aye.

9 COMMISSIONER WAITS: Aye.

10 COMMISSIONER MASON: Aye.

11 COMMISSIONER STIENMETZ: Aye.

12 COMMISSIONER BULLOCK: Aye.

13

14 21) Discussion for possible action regarding review of the final  
15 report by the Nevada Land Management Task Force and their  
16 recommendation to the Nevada Legislature's Public Lands  
17 Committee, per AB 227; and other matters properly related  
18 thereto.

19

20 CHAIRMAN GARNER: Twenty-one, Discussion for possible  
21 action regarding review of the final report by the Nevada Lands  
22 Management Task Force and their recommendation to the Nevada  
23 Legislature's Public Lands Committee, per AB 227; and other  
24 matters properly related thereto.

25 COMMISSIONER WAITS: Thank you. We are running on the very  
26 end of a whole year of examinations of Nevada taking back its  
27 public lands.

28 In our last meeting with the task force, they brought forth  
29 the resolutions. And we went over these. We have made a couple  
30 corrections on a couple of words here and there.

31 But basically it is generally what we brought forth before.  
32 There are identifications over how we're going to do this in  
33 phases.

34 And we recommended that we actually do the whole bill draft  
35 to present to the state legislature on public lands for them to  
36 bring forth before our 78th legislature next year.

37 So this is coming back to all the counties. And it's on  
38 our agenda actually to just -- to support the task force report.

39 And then our next meeting is July 18<sup>th</sup> when it will be  
40 finalized at the task force. So it won't come before the

1 commissioners again.

2 Now is our opportunity for the public to make any  
3 additional comments that will go in and for any of my fellow  
4 commissioners to make any of their comments that would be on the  
5 record to go forward if any of you would like to do that.

6 JAY FISCHER: Jay Fischer. How do we do that? How do we  
7 submit comments to --

8 COMMISSIONER WAITS: Right now.

9 JAY FISCHER: Right now?

10 COMMISSIONER MASON: Right now.

11 COMMISSIONER WAITS: Right now. Please step forward.

12 JAY FISCHER: Well, without seeing the progress you've  
13 made, it's kind of hard to make any qualitative type of comment.  
14 But I would suggest that I would be in favor of some portion of  
15 public land being taken over by the -- by the state in a phased  
16 approach over time.

17 In a previous meeting, you had discussed -- and one of the --  
18 your fellow board members, I think, gave the commission a  
19 presentation of the cost analysis or justification that could be  
20 realized by the state by taking these lands over.

21 And there was a \$5 million-dollar option or a 5 million acre  
22 option, I believe, and a takeover all the land option and here are  
23 the financial results.

24 So my comment would be on a phased approach over time of  
25 state acquisition of federal land.

26 COMMISSIONER WAITS: Thank you. And that is exactly what  
27 they're asking for --

28 JAY FISCHER: Okay.

29 COMMISSIONER WAITS: -- is the phased approach.

30 COMMISSIONER BULLOCK: Good job.

31 COMMISSIONER STIENMETZ: I make a mo- -- I say the  
32 commission make a motion supporting the lands management task  
33 force report for AB 227.

34 COMMISSIONER MASON: I'll second that.

35 CHAIRMAN GARNER: Any public comment?

36 COMMISSIONER WAITS: Thank you.

37 CHAIRMAN GARNER: All those in favor?

38 COMMISSIONER MASON: Aye.

39 CHAIRMAN GARNER: Aye.

40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER STIENMETZ: Aye.

2 COMMISSIONER BULLOCK: Aye.

3  
4 22) Discussion for possible action regarding acceptance/  
5 non-acceptance of renewal of airport liability insurance  
6 policies for the Austin, Battle Mountain and Kingston  
7 Airports for the period of July 1, 2014, through June 30,  
8 2015; approval for payment of the premium in the amount of  
9 \$4,023.00 from FY 2014-2015 funds; and other matters  
10 properly related thereto.  
11

12 CHAIRMAN GARNER: Twenty-two, discussion for possible  
13 action regarding acceptance/non-acceptance of renewal of airport  
14 liability insurance policies for the Austin, Battle Mountain,  
15 and Kingston Airports for the period of July 1, 2014, through  
16 July 30<sup>th</sup>, 2015; approval for payment of the premium in the  
17 amount of \$4,023 from FY 2014/'15 funds; and other matters  
18 properly related thereto.

19 Please state your name for the record.

20 SUSIE DAVIS: Susie Davis from Hanica insurance.

21 We were here last week for the county renewal. But the  
22 county does not -- the county policy excludes any airport  
23 exposures. So the county has a separate policy. It used to be  
24 in Reno. The Reno agency called me, said it's too small of a  
25 town. They don't want it anymore. They were going to send it  
26 to a service center. So we got it transferred to Hanica. But  
27 it got missed at the last meeting. So -- I mean, this is  
28 pennies compared to -- this is \$4,022 for the \$3 million dollars  
29 for the airport liability, same dates July of '14 to July 1<sup>st</sup> of  
30 '15. So --

31 Next year, we'll be here for one meeting and that will all  
32 be together. So this just got skipped, because it was  
33 transferred over to my agency.

34 COMMISSIONER BULLOCK: I just have a question: Is Kingston  
35 part of the county or part of the town? The airport?

36 Is it our responsibility or it is the Kingston town board's  
37 responsibility for this airport?

38 SUSIE DAVIS: For the airport? I can check.

39 COMMISSIONER GARNER: I think that's more on us where that  
40 lands with that board -- that board.

1 The question -- same questions we got.  
2 COMMISSIONER BULLOCK: I mean, for now --  
3 CHAIRMAN GARNER: Yeah.  
4 COMMISSIONER BULLOCK: -- I'm totally in agreement with  
5 approving this. But I think it's something we need to look at  
6 because --  
7 SUSIE DAVIS: To see if Kingston is Lander County's  
8 responsibility?  
9 COMMISSIONER BULLOCK: No, no. The airport itself. Yeah.  
10 SUSIE DAVIS: Okay.  
11 CHAIRMAN GARNER: Because they have their own town board.  
12 Do you -- do you do their town board?  
13 SUSIE DAVIS: Well, Austin is in there. I don't know about  
14 the -- I'm not sure.  
15 COMMISSIONER BULLOCK: Well, Austin doesn't have a town  
16 board --  
17 CHAIRMAN GARNER: Yeah.  
18 SUSIE DAVIS: Yeah.  
19 COMMISSIONER BULLOCK: -- per se. So --  
20 I make a motion we accept renewal of the airport liability  
21 insurance policies for the Austin, Battle Mountain, and Kingston  
22 airports for the period of July 1st 2014 through June 30<sup>th</sup>, 2015  
23 and approval for payment of the premium in the amount of \$4,023  
24 for fiscal year from 2014-2015 funds.  
25 COMMISSIONER MASON: I'll second that.  
26 CHAIRMAN GARNER: Any public comment?  
27 (No comment.)  
28 CHAIRMAN GARNER: All those in favor?  
29 COMMISSIONER MASON: Aye.  
30 CHAIRMAN GARNER: Aye.  
31 COMMISSIONER WAITS: Aye.  
32 COMMISSIONER STIENMETZ: Aye.  
33 COMMISSIONER BULLOCK: Aye.  
34 CHAIRMAN GARNER: Thanks, Susie.  
35 COMMISSIONER BULLOCK: Thank you.  
36 SUSIE DAVIS: Thank you. And I'll find out. Who do you  
37 want me to let know? Does it matter?  
38 COMMISSIONER BULLOCK: Jim.  
39 JIM OLSON: Yeah.  
40 SUSIE DAVIS: Okay. I'll let you know. Thanks.

1 See you.

2

3 23) Discussion for possible action regarding the Humboldt River  
4 Basin Water Authority's (HRBWA's) recommendation and request  
5 to appoint a mining representative to a currently vacant  
6 membership on the HRBWA; and other matters properly related  
7 thereto.

8

9 CHAIRMAN GARNER: Discussion for possible action regarding  
10 the Humboldt River Basin Waters Authority's (HRBWA's)  
11 recommendation and request to appoint a mining representative to  
12 a current vacant membership on the HRBWA; and other matters  
13 properly related thereto.

14 COMMISSIONER STIENMETZ: I asked this to be on here. Jeff  
15 White and Steve Skidmore apologized for not being able to be  
16 here today, but they had a meetings with the NDEP already  
17 scheduled. So they couldn't get out of it. But basically, they  
18 would be non-voting members, but they would be able to sit in on  
19 it so they're kept up to date on what's going on with the  
20 Humboldt River Basin. And it's just something they did rather  
21 than make them set up their own thing and pay for it, we have a  
22 vacant seat. And I just offered it to them if these guys  
23 approve to do that so they can set there. They don't vote, but  
24 they can speak their mind.

25 COMMISSIONER WAITS: Are there --

26 COMMISSIONER MASON: Who -- you're on that committee?

27 COMMISSIONER STIENMETZ: Right.

28 COMMISSIONER MASON: And you report to us, right?

29 COMMISSIONER STIENMETZ: Right.

30 COMMISSIONER MASON: Okay. So if these guys show up or  
31 don't show up, you'll know it.

32 COMMISSIONER STIENMETZ: Right. And they'll be get -- this  
33 way they'll get a regular agenda notices and everything like  
34 that, so that they can show up for them.

35 COMMISSIONER MASON: And you think it's important that they  
36 be --

37 COMMISSIONER STIENMETZ: Right. Because --

38 COMMISSIONER MASON: -- mine representatives?

39 COMMISSIONER STIENMETZ: -- we've had lots of problems with  
40 things going on. And I mean, there was some heated arguments

1 over us -- over some of the applications being disputed or  
2 because of the -- just a difference in agreement on what was  
3 going on. I mean, once they explained what was going on, then  
4 we didn't have the problem with it. But it's just an idea just  
5 to keep us -- keep the mining companies --

6 CHAIRMAN GARNER: In the loop?

7 COMMISSIONER STIENMETZ: -- in the loop --

8 CHAIRMAN GARNER: It's a good idea.

9 COMMISSIONER STIENMETZ: -- of what's going on with  
10 Humboldt River.

11 COMMISSIONER WAITS: So this -- these are the first mining  
12 representatives that will be open --

13 COMMISSIONER STIENMETZ: We have -- we have a meeting.  
14 Every meeting we have, we start ours at -- at 10:00 o'clock.  
15 And there's group of us and I'm one of them -- it's not  
16 everybody that's in the Humboldt River Basin -- that meet with  
17 the mining association. They come at 8:00 o'clock and we talk  
18 with them too. But this way they would be in on the full  
19 meeting.

20 And it's just more communication is what we're after.

21 COMMISSIONER BULLOCK: I understand where this is going as  
22 far as having a mining representative there. But are they not  
23 welcome to be there every meeting anyway?

24 COMMISSIONER STIENMETZ: Yeah, they are. But this puts  
25 them --

26 COMMISSIONER MASON: Makes it official.

27 COMMISSIONER BULLOCK: Yeah. And I understand that, but if  
28 that's the case, do we need not need to invite any fertilizer  
29 company, any rancher, any farmer.

30 COMMISSIONER WAITS: Geothermal.

31 COMMISSIONER BULLOCK: I mean, you're setting a precedent  
32 by letting some specific industry be a part, even though they're  
33 not voting, to -- to be there versus other industries. So I  
34 guess that's my concern a little bit here.

35 Because then it can be construed that we're showing  
36 favoritism to the mining industry by putting them there.

37 COMMISSIONER WAITS: On those same lines, that was one of  
38 my thoughts. But I -- I don't know what your list is of who  
39 actually sits on that board. And I'm wondering whether it's  
40 okay for us to appoint that person under Lander County or

1 whether you might revise your bylaws to let one actually be  
2 invited.

3 COMMISSIONER STIENMETZ: We basically have a representative  
4 from all the counties that the Humboldt River -- there's from  
5 every county -- there's a representative on it.

6 COMMISSIONER WAITS: So that would be the first private?

7 COMMISSIONER STIENMETZ: Right.

8 COMMISSIONER MASON: What -- let me ask you a question,  
9 Steve. You brought this up before the board; did you not?

10 COMMISSIONER STIENMETZ: Yeah. And they asked me to  
11 present it to us because before we could do it, our commission  
12 board had to approve them setting that slot that we have that's  
13 vacant.

14 COMMISSIONER MASON: Okay, are all the other  
15 representatives doing the same thing with their county boards?

16 COMMISSIONER STIENMETZ: No, they're approved of their  
17 county boards, but they're not asking their boards to allow  
18 somebody to be in on their board. Because then you'd wind up  
19 with five representatives from the mining.

20 COMMISSIONER BULLOCK: I'm not saying it's bad, I just --  
21 I've got some hesitation here.

22 COMMISSIONER WAITS: Well, if we can use one of our seats  
23 for private enterprise, then so can all the other counties. And  
24 I guess my concern is actually of the bylaws or what your  
25 authority is under the Humboldt River Basin to actually appoint  
26 someone in the private enterprise.

27 Do we have an alternate right now? We do not?

28 COMMISSIONER BULLOCK: Mm-hm.

29 COMMISSIONER MASON: Me.

30 COMMISSIONER STIENMETZ: Dave.

31 COMMISSIONER WAITS: Would that replace --

32 COMMISSIONER BULLOCK: Dave.

33 COMMISSIONER STIENMETZ: Dave? No.

34 COMMISSIONER MASON: No, no. It's not --

35 COMMISSIONER STIENMETZ: We have a vacant seat. We can put  
36 -- send two people to there.

37 COMMISSIONER MASON: They just think it's important to have  
38 a mining engineer --

39 COMMISSIONER STIENMETZ: Or a mining person there --

40 COMMISSIONER MASON: Mining --

1 COMMISSIONER WAITS: I understand --  
2 COMMISSIONER MASON: person.  
3 COMMISSIONER WAITS: -- that. Yeah.  
4 COMMISSIONER STIENMETZ: Talk to us. So we --  
5 COMMISSIONER WAITS: It's the same as --  
6 COMMISSIONER STIENMETZ: -- know what's going on.  
7 COMMISSIONER WAITS: -- the Central Nevada Regional Water  
8 Authority where you can have additional --  
9 COMMISSIONER STIENMETZ: Because we have Humboldt -- the  
10 water district has people on there too. It's not just -- just  
11 the counties, but the irrigation district has people on it.  
12 COMMISSIONER MASON: Nicole, you got an opinion on that?  
13 DEPUTY DISTRICT ATTORNEY TING: Do I have an opinion? I  
14 haven't reviewed the Humboldt -- the water basin's bylaws. I --  
15 COMMISSIONER MASON: I don't really have a problem with it.  
16 COMMISSIONER WAITS: I'd like to look -- have it looked  
17 into just a little bit further. I'd like to have you review it.  
18 And perhaps we can check directly --  
19 COMMISSIONER STIENMETZ: Okay.  
20 COMMISSIONER WAITS: -- with your executive director or  
21 someone there before we automatically do it.  
22 I'll make a motion we defer this to the next meeting.  
23 COMMISSIONER STIENMETZ: All right. And I will contact --  
24 COMMISSIONER MASON: I'll second that.  
25 CHAIRMAN GARNER: Any public comment?  
26 (No comment.)  
27 CHAIRMAN GARNER: All those in favor.  
28 COMMISSIONER MASON: Aye.  
29 CHAIRMAN GARNER: Aye.  
30 COMMISSIONER WAITS: Aye.  
31 COMMISSIONER STIENMETZ: Aye.  
32 COMMISSIONER BULLOCK: Aye.  
33  
34 24) Discussion for possible action regarding approval/disapproval  
35 of a letter to petition the Secretary of the Interior to  
36 delist the common raven from the Migratory Bird Treaty Act;  
37 and other matters properly related thereto.  
38  
39 CHAIRMAN GARNER: Twenty-four, discussion for possible  
40 action regarding approval/disapproval of a letter to petition

1 the Secretary of Interior to delist the common raven from the  
2 Migratory Bird Treaty Act; and other matters properly related  
3 thereto.

4 COMMISSIONER BULLOCK: I asked to have this put on because  
5 Eureka County put this same letter, addressed it, and I think we  
6 pretty much copied theirs; didn't we?

7 DEPUTY DISTRICT ATTORNEY TING: Yeah.

8 COMMISSIONER BULLOCK: I just think need to support the  
9 other, you know, not only the other counties but ourselves in --  
10 in trying to do something with the ravens that's causing us a  
11 lot of problems of course with the sage grouse habitat. So I  
12 just felt we needed to send this letter of support to those  
13 around us.

14 DEPUTY DISTRICT ATTORNEY TING: Yeah, I just added that --  
15 that introductory paragraph --

16 COMMISSIONER BULLOCK: Mm-hm.

17 DEPUTY DISTRICT ATTORNEY TING: -- that said we join with  
18 Eureka -- Eureka's position --

19 COMMISSIONER BULLOCK: Mm-hm.

20 DEPUTY DISTRICT ATTORNEY TING: -- and restated their  
21 reasons.

22 COMMISSIONER WAITS: I totally agree. It's certainly one  
23 of our real problems with the sage grouse. And while we're  
24 working on that, why they can't delist it.

25 COMMISSIONER BULLOCK: So with that, I'll make a motion to  
26 approve the letter to petition the Secretary of the Interior to  
27 delist the common raven from the Migratory -- Migratory Bird  
28 Treaty Act and authorize the chair to sign.

29 COMMISSIONER STIENMETZ: I'll second the motion.

30 CHAIRMAN GARNER: Any public comment?

31 (No comment.)

32 CHAIRMAN GARNER: All those in favor?

33 COMMISSIONER MASON: Aye.

34 CHAIRMAN GARNER: Aye.

35 COMMISSIONER WAITS: Aye.

36 COMMISSIONER STIENMETZ: Aye.

37 COMMISSIONER BULLOCK: Aye.

38

39

40

1 25) Discussion for possible action regarding update by Eddyann  
2 Filippini, Chiara Ranch Co-Owner, on current Bureau of Land  
3 Management (BLM) issues and the economic impact of AUM losses  
4 to the Argenta Allotment Permittees; and other matters  
5 properly related thereto.  
6

7 CHAIRMAN GARNER: Discussion for possible action regarding  
8 update by Eddyann Filippini, Chiara --

9 JEFF WILLIAMS: Mr. Chair.

10 I'm old, and I don't hear very well. If you'd speak into  
11 your microphone, I'd be -- hear the agenda items. I'd sure  
12 appreciate it.

13 COMMISSIONER BULLOCK: These are not microphones for in  
14 here.

15 JEFF WILLIAMS: Okay.

16 COMMISSIONER BULLOCK: They're just recording.

17 JEFF WILLIAMS: Okay.

18 EDDYANN FILIPPINI: Okay.

19 JEFF WILLIAMS: If you'd speak up --

20 CHAIRMAN GARNER: Discussion for possible action regarding  
21 update by Eddyann Filippini, Chiara Ranch Co-Owner, on business  
22 Bureau -- on current Bureau of Land Management (BLM) issues and  
23 the economic impact of AUM loss to the Argenta Allotment  
24 permittees; and other matters properly related thereto.

25 EDDYANN FILIPPINI: Yes. I'm Eddyann Filippini and joining  
26 me today is Jeff Williams, Elko County commissioner. He's here  
27 to support us.

28 And so --

29 COMMISSIONER WAITS: Come on up.

30 EDDYANN FILIPPINI: -- if he could join me here, I'd  
31 appreciate that.

32 JEFF WILLIAMS: Thank you.

33 EDDYANN FILIPPINI: First of all, I'd like to thank this  
34 commission and Elko County commission for all of their support  
35 that they've given us concerning the Argenta allotments as far  
36 as being able to turn cattle out and our issues with the BLM.

37 If we hadn't have had the grass tour in May and Steve and  
38 Brian went in and -- with us to do some agreements and some  
39 negotiations, as well as the petition to remove Doug Furtado  
40 from the Battle Mountain district as the district manager, and

1 our cowboy express that went to Carson City to deliver the  
2 petitions to Governor Sandoval -- we did that on May 30<sup>th</sup> -- we  
3 wouldn't have turned out cows on the Argenta allotment.

4 There was pressure from Washington, D.C. and pressure from  
5 the state office. They came out and went with us, toured. And  
6 we got to turn our cows out. So I want to thank you.

7 And I want to thank the Elko County commission.

8 JEFF WILLIAMS: Thank you.

9 EDDYANN FILIPPINI: -- Ira Hansen, John Ellison, John  
10 Carpenter. There's several people that have been supporting us  
11 and still are.

12 And I would ask for your continued support, because it's not  
13 over.

14 And I had some -- I just want to bring you up to speed that  
15 the petition to remove Furtado from district manager from the  
16 Battle Mountain BLM is still active. We're setting up a grass  
17 camp. It's called cowboy grass camp across from the BLM. You've  
18 noticed some activity there. There will be a teepees, tents.  
19 There'll be an information center. The petition will be there.

20 We've had ranchers and farmers from around this county and  
21 our adjoining counties that have offered to come and help us do  
22 our work to ride, to move them off places that the BLM doesn't  
23 want them, help us farm because we are so far behind on  
24 everything. And we really appreciate that.

25 I wanted to put a -- sort of an economic face to all the  
26 numbers that -- I've got some numbers, and I have some -- Jake  
27 Tibbitts prepared this. He's the Eureka County natural resource  
28 manager. He prepared this. And I made copies for all of you. So  
29 I'd like to have you all have one. Who do I give it to?

30 Anyways.

31 In 2001, Resource Concepts in Carson City did a report. The  
32 product of the report was the Nevada grazing -- it says, districts  
33 report on economic analysis for federal lands in Nevada.

34 This was done in 2001. And it's the loss to the producer  
35 per AUM and the indirect impact.

36 At that time, it was \$53.46. With inflation, that has  
37 gone, 2014, the number is 79.92 -- \$79.92.

38 And the range maga- -- range magazine has estimated that the  
39 value just to the producer alone is \$75 an AUM.

40 Amy Lueders, at the end of the May, came out with public

1 comment. And she's the state director for the BLM -- came out  
2 that there was 400,000 non-use AUMs in Nevada for 2014. Times  
3 that times \$80, that's \$32 million. That's 20% of the AUMs in  
4 Nevada.

5 I called the Battle Mountain district, talked to Adam  
6 Cochran, and got a number for the Battle Mountain district.  
7 Battle Mountain district encompasses Lander, Eureka, Nye,  
8 Esmeralda. The number for non-use AUMs in 2014 was 151,807.  
9 Times 80 bucks -- well, I went 79.92 it's 12 million 132 -- it's  
10 12,132,415.44. That's the money -- and that's -- this is just  
11 July.

12 And I want to put a personal face on it for Badger Ranch,  
13 Herrera Ranch, Dan and Eddyann Filippini. We've taken over 875 --  
14 8,750 AUMs non-use this year. These two allotments are completely  
15 shut down. And this one we had to take over 500 -- 500 AUMs  
16 non-use. That comes to six hundred and -- six hundred thousand --  
17 eighty-five thousand, six hundred dollars. So we're the face of  
18 one of the producers.

19 And I really, really, really, really would hope that this --  
20 this commission would continue supporting the ranchers. Because  
21 tyranny's here and it's not stopping. They continue to lie to us.  
22 They're -- they haven't stopped. They haven't stopped their  
23 devious ways. So I would hope that you would, as a commission,  
24 would support your residents in Lander County and your neighboring  
25 counties and to -- conti- -- continue to do so.

26 And if there's any questions, I'd love to answer them.

27 CHAIRMAN GARNER: I have a question.

28 EDDYANN FILIPPINI: Yes, Brian.

29 CHAIRMAN GARNER: How did the -- I know the thing was  
30 scheduled for yesterday. How did that turn out?

31 EDDYANN FILIPPINI: The monitoring?

32 CHAIRMAN GARNER: The monitoring.

33 EDDYANN FILIPPINI: They called us Monday to schedule the  
34 monitoring for all of the location sites. They gave us less  
35 than 48 hours to get our range consultants.

36 Our range consultant, Jack Alexander, Synergy Resources, came  
37 from Bozeman, Montana. He flew to Salt Lake and drove here. And  
38 I was told by Michael -- Michael Vermeys by face-to-face, e-mail,  
39 and a phone message. I said he can't be here until late morning,  
40 tomorrow morning at -- because they were going to meet at 7:00.

1 And he said, no problem, Eddyann. We'll meet him at the  
2 campground at Mill Creek between 12:00 and 1:00. Jack showed up  
3 there. And they'd already done their monitoring. They'd already  
4 gone out without him.  
5 So they just keep lying. And they just keep poking the  
6 stick.  
7 So he did the monitoring and left. But that, you know, we  
8 paid for a plane ticket and a -- to get him here. Doesn't seem to  
9 really matter very much.  
10 And they're out monitoring today again.  
11 CHAIRMAN GARNER: Was the monitoring good or there's no --  
12 EDDYANN FILIPPINI: I have no idea.  
13 CHAIRMAN GARNER: -- no report yet? Okay.  
14 EDDYANN FILIPPINI: No.  
15 CHAIRMAN GARNER: So that was --  
16 EDDYANN FILIPPINI: I would think that probably. I don't  
17 know. We'll have to wait and see. But Bob and Melanie, Bob  
18 Swaggart and Melanie, they did the same thing. They were in  
19 Idaho, and they had to reschedule everything, because we're not  
20 their only clients.  
21 CHAIRMAN GARNER: So how many cows do you still have?  
22 EDDYANN FILIPPINI: We have 250 out at Argenta.  
23 COMMISSIONER BULLOCK: And you used to have 9,000?  
24 EDDYANN FILIPPINI: I used to have -- we used to have 900  
25 out here.  
26 And they're on pastures -- privately boughten pastures.  
27 COMMISSIONER BULLOCK: Yeah.  
28 EDDYANN FILIPPINI: Yeah, and this is still in appeal,  
29 these two allotments.  
30 And that's the other issue we want to keep beating in is  
31 North Buffalo is 97 percent private. There's over 3,000 AUMs  
32 there, 97 percent private. We control the water. Copper Canyon  
33 is over 50 percent private. We have the water. Argenta is 56  
34 percent private. And all the waters are owned. They're  
35 privately owned. So that we have a government agency that can  
36 come in here and tell us we can and cannot do on private ground.  
37 Well property is going up and tyranny is going down. And  
38 it's here.  
39 So thank you.  
40 COMMISSIONER BULLOCK: No, I understand. I can't speak for

1 all of them. You have my support, whatev- --  
2 EDDYANN FILIPPINI: Well, I just want --  
3 COMMISSIONER STIENMETZ: You have mine.  
4 EDDYANN FILIPPINI: -- you guys to be updated of what's  
5 going on --  
6 COMMISSIONER BULLOCK: You know, I appreciate that.  
7 EDDYANN FILIPPINI: -- because we're not stopping.  
8 COMMISSIONER STIENMETZ: No, I appreciate it.  
9 EDDYANN FILIPPINI: We're not stopping.  
10 COMMISSIONER STIENMETZ: You know where I stand.  
11 EDDYANN FILIPPINI: We do, and I appreciate that. But I  
12 just wanted to update you on what's going on and that we're not  
13 alone because we have other counties that are -- they're on  
14 board with us.  
15 COMMISSIONER STIENMETZ: Mm-hm.  
16 COMMISSIONER MASON: I -- I have a comment I want to make  
17 to you and that's -- I've known this for some time. But I  
18 believe BLM just wants to wipe out the cattle ranchers totally.  
19 That's my thinking on it. And this is their way of doing it.  
20 The -- the -- what's your committee? -- the -- to get the  
21 land back?  
22 COMMISSIONER WAITS: The AB 227?  
23 COMMISSIONER MASON: AB 22 -- 237?  
24 COMMISSIONER WAITS: 227.  
25 COMMISSIONER MASON: 227 is to get Nevada's land back into  
26 the hands of Nevada government is most important to end this.  
27 Our land --  
28 EDDYANN FILIPPINI: Sooner than later.  
29 COMMISSIONER MASON: Huh?  
30 EDDYANN FILIPPINI: Sooner than later.  
31 COMMISSIONER MASON: Yeah, and I made a statement in the  
32 newspaper not too long ago that BLM is using our land --  
33 Nevada's land, not national park now -- but our land and is  
34 treating it as a national park. And that's not what it's  
35 intended do.  
36 This is for the economy of the State of Nevada, which a lot  
37 of that economy is farming and ranching. And it's just not  
38 happening. I'm just making an open statement about it. This is  
39 really a war that is buried in paper.  
40 EDDYANN FILIPPINI: Well, there's the sleeping giant that's

1 starting to waking up.. And the administrative part of our  
2 government has been running roughshod for a long time. And BLM  
3 is one of them. EPA's another. And we could go on and on and  
4 --

5 COMMISSIONER MASON: Yeah.

6 EDDYANN FILIPPINI: -- discuss this.. But the BLM has been  
7 -- not been managing the resources of our state of Nevada.

8 COMMISSIONER MASON: Not the --

9 EDDYANN FILIPPINI: They've been mismanaging them.

10 COMMISSIONER MASON: Not for our benefit.

11 EDDYANN FILIPPINI: Not for anyone's benefit.

12 COMMISSIONER MASON: Right.

13 EDDYANN FILIPPINI: And if anyone likes hunting or riding  
14 their four wheeler or any recreation, they better get on board  
15 because they're next. There won't be any use -- any use on  
16 the -- on the public land.

17 COMMISSIONER MASON: I -- I -- I can -- I can pretty much  
18 speak for this board that we're in favor of what we're doing  
19 here -- and is getting our land back. I think that's -- that's  
20 the first interest for all of us.

21 EDDYANN FILIPPINI: Most definitely.

22 COMMISSIONER STIENMETZ: Mm-hm.

23 EDDYANN FILIPPINI: And we need to go ahead.

24 JEFF WILLIAMS: Mr. Chairman, can I take a minute of your  
25 time?

26 CHAIRMAN GARNER: Sure.

27 JEFF WILLIAMS: Okay. First of all, for the record, I'm  
28 Jeff Williams. I'm from Elko County. I'm an Elko County  
29 commissioner. I'll soon be out of being commissioner in about  
30 five months. It's been a -- it's been a long road but it's been  
31 a pleasant road, and I've enjoyed it.

32 And I know you folks are doing the very best that you can  
33 representing the people you have in Lander County. And so we  
34 applaud you for that.

35 Continually on our commission, we discuss this -- this item  
36 here that's -- that's been happening now for the last couple of  
37 months. And we've been seeing this kind of brewing and kind of  
38 blown up until finally we knew it was beginning to boil over.  
39 And obviously over the last few weeks it has blown over.

40 And so we know -- we know you've got some serious issues

1 you have to deal with. I -- I think though, and I -- I was told  
2 about you.

3 We discussed exactly the same thing that you're talking  
4 about today on the -- on the task force yesterday with Demar  
5 Dahl, who is one of our commissioners in Elko county.

6 And -- and you know there's a lot of discussion as to  
7 whether or not this will be good or could be good for Nevada.  
8 But one thing's for sure is it's not going to happen for quite a  
9 long time. So for us -- all of us in here in rural Nevada to  
10 think that this is the -- the answer to everything we've got  
11 going through right now, it's just not going to happen. Because  
12 a lot of things are going to take place before this could go  
13 through. Even if it did go through, we can't wait for this to  
14 be the salvation for all of our problems.

15 So I would hope as we discuss these items that we can come  
16 up with some proper resolutions of things we can do. One of  
17 things we can do, we believe, is we can have more meetings that  
18 would combine at least the rural county commissions.

19 I realize we have NACO that represents all the county  
20 commissions from -- from the state standpoint. But still, we  
21 need to have more coordination, cooperation, and -- and -- and  
22 working together with the county commissioners between White  
23 Pine County, Lander County, Humboldt County, Elko County, and  
24 the ones that have a lot of these things in common.

25 And thus far, we've known that you've had this problem.  
26 But we have not seen one of your county commissioners come over  
27 to Elko to say, this is what's going on in our county. We need  
28 to have your support. We need to have you to come and advocate  
29 for us, just like we would for you. And if we had that, that  
30 would help tie a lot of these things together, because we've got  
31 questions in the Elko County commission that go something like  
32 that this, are we really being invited by the El- -- by the  
33 Lander County commission to come to a sovereign county that you  
34 have here and to help you folks out in the problems that you  
35 have, whether it's with the BLM, Forest Service, Fish and  
36 Wildlife.

37 The letter that you just read that would offer your support  
38 for getting rid of the -- of the raven, which is one of our  
39 biggest problem areas we have all over these counties as far as  
40 what it does to devastating the sage grouse. We support that

1 letter too. But we need to have you folks to come over to us  
2 once in a while as we would like to come over here to be invited  
3 to -- to comment on the different things that are -- that  
4 involve you guys, just like it involves us. And one thing for  
5 sure we know when it comes to public lands is what we face  
6 today, you're going to face tomorrow.

7 And likewise, the things that you're facing here on grazing  
8 is going to happen to Elko County and White Pine County, Humboldt  
9 County, Lincoln, and all the rest of them tomorrow.

10 And one thing that we know, too, is that with the  
11 environmental movement that we have that's gone rip shod all over  
12 the United States which is really where the enemy is, the  
13 environmental extremists are just killing us all. But they're  
14 killing us individually. And until we learn that we can't fight  
15 the environmental movement until we have numbers, until we have  
16 people that are -- that are standing up for the group, they're  
17 going to pick us off one at time, just like they're picking off  
18 recreationists. And then they'll start with mining and then  
19 they'll go to agriculture and farming and all the rest of the  
20 stuff that we're dealing with. You can't fight them unless you  
21 can get some unity. We've got to start the unity right here  
22 locally. And so I'm hoping we can get you folks to make a stand  
23 on your support and your dedication to your own people and then  
24 finally backing her, and then bring that information to Elko, or  
25 give it to me in written form or invitation for Elko County to  
26 help you folks here in -- in Lander County with the problem that  
27 you've got. Then we're on board.

28 But right now, we've got Grant Gerber, who is the one that's  
29 working on this -- this grass camp that's -- that's happening over  
30 here beside the Bureau of Land Management offices. We know very  
31 little about what's going on except what's coming from him. We  
32 don't know for sure whether we're actually invited to Lander  
33 County to help you folks out or whether we're just pushing our way  
34 in and inviting ourself to dinner.

35 And until we know that, there's going to be a lot of-- of  
36 people, commissioners as well as some of our constituents in  
37 Elko County that are saying, you know, what are you doing over  
38 there? That's a sovereign county. We don't have any right to  
39 come over and tell you folks how to run your -- your programs  
40 and your politics.

1 So we need something more than just show up.  
2 COMMISSIONER BULLOCK: So let me address that.  
3 JEFF WILLIAMS: Good.  
4 EDDYANN FILIPPINI: Please.  
5 COMMISSIONER BULLOCK: Because of Grant Gerber, you guys  
6 find out things before we do.  
7 JEFF WILLIAMS: Okay.  
8 COMMISSIONER BULLOCK: So there's no wonder we follow you  
9 guys, because you guys find out -- he goes to you guys before he  
10 ever approaches us as a county commission. So Elko County is  
11 aware of things before Lander County. So we are on the back  
12 burner.  
13 Okay.  
14 And that --  
15 JEFF WILLIAMS: But should it be that way?  
16 COMMISSIONER BULLOCK: No, I'm just trying to say.  
17 JEFF WILLIAMS: Okay, then how we do rectify that?  
18 COMMISSIONER BULLOCK: Well, maybe Grant could let us know  
19 what's going on before he gets permission from the county  
20 commission of what's going on.  
21 JEFF WILLIAMS: You sound like you've been listening to my  
22 telephone calls to him.  
23 COMMISSIONER BULLOCK: So I'm just trying to put that  
24 point. We're very supportive.  
25 JEFF WILLIAMS: Sure.  
26 COMMISSIONER BULLOCK: But like I said, a lot of times I  
27 hear what Elko County's done before we ever are aware. I mean,  
28 even for the tour. And I went on a couple tours. And let me  
29 just throw this as an instance, and I'm not trying to pick too  
30 much. But we went up with -- or I did -- on the tours or  
31 several of us. There was a lot of county commissioners spoke,  
32 not one Lander County commissioners was asked to speak at that.  
33 JEFF WILLIAMS: I noticed that.  
34 COMMISSIONER BULLOCK: We just kind of got put the wayside.  
35 So you've got to imagine how we feel. This is our issue, but  
36 the other counties are taking over on us. So we would gladly  
37 step out there if we were given the chance, but, you know, we  
38 don't want -- I don't know how to put this politely. But you  
39 know, we feel like we've been dropped back because we aren't the  
40 powerful county. And so we're getting put back here. So --

1 EDDYANN FILIPPINI: Well, the door's --  
2 COMMISSIONER BULLOCK: I would gladly --  
3 EDDYANN FILIPPINI: The door's just been kicked wide open.  
4 COMMISSIONER BULLOCK: Yeah, so, you know, gladly we'll go.  
5 But I just wanted to put that out so you know that's where my  
6 opinion is of where we've been at on this.  
7 JEFF WILLIAMS: And you know, I sympathize -- I sympathize  
8 with you on that. And -- and anybody who knows Grant Gerber, as  
9 I do, I grew up with him so I know him really well -- and I have  
10 a lot respect for Grant. And -- and if you've ever seen a  
11 bloodhound on a scent, he never gives up, as you can see by  
12 the -- by the march that he made to Carson City and so forth.  
13 And so I'm not in any way trying to discredit him --  
14 COMMISSIONER BULLOCK: Mm-hm.  
15 JEFF WILLIAMS: -- or to put him down in any way, but what  
16 I am saying is this, is that we recognize you are a sovereign  
17 county, just like we are. We also believe that we wouldn't  
18 appreciate you coming to Elko County and pushing your way if you  
19 thought that you knew more about a particular subject than we  
20 do. And so I think that's where we need to be in Lander County.  
21 I would like to --  
22 COMMISSIONER BULLOCK: But -- but I will say, a lot of you  
23 guys on that commission are ranchers. You do know more as far  
24 as that the aspect. And that's why --  
25 JEFF WILLIAMS: But the point is, is that we're waiting for  
26 leadership from Lander County to tell us what we need to do in  
27 order to help support and promote the issues that you have here,  
28 if you desire to have us involved in your politics and your  
29 issues, all you got to do is give us an invitation and we will  
30 be there so long as -- so long as what we're doing is right and  
31 fair and reasonable and within legal perimeters, we'll be there.  
32 And so I think that what I'm telling you is that -- is that if  
33 you offer the leadership, we would be happy to do that. We'll  
34 -- but if we don't see that leadership, and not we, and Grant in  
35 this situation -- and in other words what's -- in other words  
36 what's going on right now across the street -- I haven't been  
37 over there yet. I intend to today at the BLM. I'm going to go  
38 over and see what's going on.  
39 But until -- until that is something that we have been  
40 invited to get involved in as far as the commission in another

1 county is concerned, it's strictly a matter between the  
2 Filippinis, the Tomeras, and Grant Gerber.  
3 EDDYANN FILIPPINI: And Gerber. Yes.  
4 COMMISSIONER BULLOCK: Mm-hm.  
5 EDDYANN FILIPPINI: We're -- we're called activists, not  
6 domestic terrorists.  
7 JEFF WILLIAMS: And so wouldn't it be better though for  
8 everybody concerned if it were a combined county --  
9 EDDYANN FILIPPINI: Yes.  
10 JEFF WILLIAMS: -- situation where we were supporting you  
11 in your leadership in order to get this done. I'm saying we can  
12 make that happen. But it has to begin here.  
13 CHAIRMAN GARNER: And that's -- I just want to comment on  
14 that. That's what I was going to say is: Grant was good at  
15 first about contacting and relaying a little bit of information  
16 as to what's gone on. But since the month and a half, I haven't  
17 heard anything. And I got several phone calls the other day.  
18 So I drove out there. There's a whole 'nother set up of things  
19 going on. BLM's called. Everybody's calling asking what's  
20 going on. We don't even know what's going on.  
21 EDDYANN FILIPPINI: I just told you.  
22 CHAIRMAN GARNER: But -- but I heard there was going to be  
23 camping and there was going to be this and there --  
24 We don't know what's going on.  
25 EDDYANN FILIPPINI: We're staying until he's gone however  
26 long it takes.  
27 JEFF WILLIAMS: So the only thing -- the only thing that I  
28 could do to intercede in this situation would be to ask Grant if  
29 he would please contact the chair and let you know all that he  
30 knows and -- and try to get some information from that.  
31 And maybe have Mrs. Filippini take care of that in that the  
32 same way in order to try to coordinate this effort so it's -- it's  
33 a --  
34 COMMISSIONER BULLOCK: Mm-hm.  
35 JEFF WILLIAMS: -- coordinated effort --  
36 COMMISSIONER STIENMETZ: Mm-hm.  
37 JEFF WILLIAMS: -- that benefits them.  
38 I'm not here today to push Doug Furtado out of his office.  
39 That's not my job. I'm here today to support the ranching  
40 element that you have in -- in Lander County, just like I -- we

1 do ours.

2 But I could do that personally. But I can't do it as a  
3 county commissioner. I'm here as a county commissioner today to  
4 ask if you want our help to let us know in an organized way with  
5 an invitation, we would be happy to respond.

6 COMMISSIONER BULLOCK: Well, as far as I'm concerned,  
7 there's an open invitation any time you want to come over here.

8 JEFF WILLIAMS: Okay.

9 COMMISSIONER BULLOCK: We're not going to push you away.  
10 You know, you're more than welcome --

11 EDDYANN FILIPPINI: Well, the power -- the thing is is --  
12 is it's going to start at our local government. In order to get  
13 our freedoms back, it's going to start right here with -- with  
14 this commission, with the Elko commission. But it's going to  
15 start here. And if -- there is power in numbers. And -- and  
16 people get more courage when there's numbers. And if you guys  
17 would band together and have an open invitation both ways, and  
18 if we can get Winnemucca or Humboldt and Pershing on board,  
19 because they've got their issues too, same ones.

20 JEFF WILLIAMS: You probably -- you probably noticed that  
21 come Humboldt County didn't show up at your grass tour.

22 EDDYANN FILIPPINI: No, nobody did.

23 JEFF WILLIAMS: And when I talked to -- to one of the  
24 commissioners down there, just happened to be going through town  
25 headed for Fallon, so I'm at the service station, talked to him  
26 about it. They didn't, according to him, get an invitation  
27 either verbally or written in order to be there. And so we're  
28 going to have to start doing some work coordination --

29 COMMISSIONER BULLOCK: Mm-hm.

30 JEFF WILLIAMS: And I think what we've got here is -- and  
31 maybe it's good in a way that's what happening is happening --  
32 maybe not good for you financially, but maybe it's good in a way  
33 that it will help to get us all to realize that right here you  
34 are sitting almost in the nucleus of what we need to have in  
35 order to have at least a regional county situation where you  
36 guys come to some of our meetings, maybe quarterly, and we come  
37 to some of yours and do it on a regular basis, compare notes,  
38 ask what we can do to help each other out, and to -- to let you  
39 know what we're doing and you let us know. And we can -- we can  
40 deal with it. I think we can make this work. But it's not

1 working this way.

2 I can feel it even in our county commissioner's meetings  
3 that we've been having that we weren't having a lot of  
4 transparency. And it just was not working as it should between  
5 the counties. So I'm hoping we get that fixed up. If we can,  
6 then we can make things happen.

7 And what's she's talking about is that numbers make the  
8 difference. And -- and that is the only thing that's going to  
9 make the difference any time you're deal with the Forest  
10 Service, BLM, Fish and Wildlife, sage grouse issue is you've got  
11 to have enough -- enough people, and especially the  
12 congressional people in dealing with it. And of course we've  
13 seen representative Amodei down here and John Ellison and Pete  
14 Goicoechea and all the rest of them that's really being doing a  
15 job. But that's not enough.

16 EDDYANN FILIPPINI: No, it isn't.

17 COMMISSIONER WAITS: Well, we sincerely appreciate you  
18 coming today. Thank you.

19 JEFF WILLIAMS: Thank you.

20 COMMISSIONER WAITS: And even though you haven't been  
21 invited, I think anyone that has come in from Elko has -- has  
22 certainly felt our warmth of a reception. And we certainly hope  
23 so. Because that is something that -- that we have in common of  
24 some of our goals and what we're doing. But that's pretty much  
25 the Nevada way. It really is when you look at our grass roots  
26 and that's the whole thing with the AB 227 and why we want it  
27 back under Nevada and all the other western states too. Because  
28 the best government is the one that's close to home.

29 EDDYANN FILIPPINI: That's right.

30 COMMISSIONER WAITS: So we will try and represent you the  
31 best we can. We would love to work with you. And I know that  
32 you certainly have had our support that's very strong ranching,  
33 agriculture so important to Nevada. It's one of our key issues.  
34 And -- and we'll stay here to continue to work with that.

35 EDDYANN FILIPPINI: Thank you.

36 JEFF WILLIAMS: Thank you.

37 EDDYANN FILIPPINI: The end. It's not the end.

38 COMMISSIONER STIENMETZ: No.

39 COMMISSIONER BULLOCK: No.

40 COMMISSIONER STIENMETZ: Just the beginning.

1 EDDYANN FILIPPINI: It's only the beginning.  
2 JEFF WILLIAMS: Appreciate your time.  
3 EDDYANN FILIPPINI: Thank you.  
4 COMMISSIONER BULLOCK: Thank you.  
5 CHAIRMAN GARNER: Monty, you got a price?  
6 MONTY PRICE: Yeah, I --  
7 COMMISSIONER WAITS: Eddyann.  
8 CHAIRMAN GARNER: Not a price. You got a comment?  
9 MONTY PRICE: Monty Price, rancher, Lander County citizen,  
10 and manager of 25 Ranch, which 25 Ranch runs in Humboldt county,  
11 Lander County, Elko County, and Eureka county. So we've got a  
12 pretty big stake in all this. The other big ranchers, Newmont  
13 and Barrack own, you're not going hear from them. You'll hear  
14 from us as much as what I can get time to get in here.  
15 I've support everything that Tomeras and Filippinis and  
16 everything that's going on down here. Furtado has never talked to  
17 me. I've never met the guy. But he has publically stated,  
18 through other people who immediately run and tell me things, that  
19 the 25 Ranch is the next -- his target. He has no control over 25  
20 Ranch. We're entirely in Elko district. But we're right out his  
21 back door and it bugs the -- evidently -- that he has no control  
22 over. He's been going to Elko district BLM for five years  
23 complaining about the 25 Ranch and how it's -- how it's managed.  
24 And Elko district just blows him off.  
25 The Elko district BLM people are -- there's some pretty  
26 solid people in there. But it's still the BLM. We all know  
27 that.  
28 He told everybody the other day that they put out an extra  
29 500 deer tags because the 25 Ranch has managed their property so  
30 poorly that they just have to go kill the deer because there's no  
31 grass left for them. So anyway, Furtado -- and he's also supposed  
32 to be having a meeting this week. He is bringing in Western Water  
33 Sheds into Lander County, which is something you really don't want  
34 to have happen. But that's -- that's his approach. He -- he said  
35 the ranchers here got to bring in their experts on ranching, so  
36 he's going to go bring in his, which is Western Water Sheds, John  
37 Marlow and Katie Fite. So that -- that's going to hit you right  
38 between the eyes real quick. An so the Western Watersheds -- and  
39 that's a -- they've got a lot of support. They've got a lot of  
40 power. They've got a lot of money. They're something to be

1 reckoned with. And he is their doorway coming into Lander County.

2 So I just want to let you guys know I'm here supporting that  
3 and all the counties -- all the counties. Northern Nevada  
4 counties do need to get together and get wherever the support can  
5 be brought from.

6 Something that was said a little bit ago about this taking  
7 your Senate bill of getting the lands back to Nevada. That is  
8 going to take some time. That's a long, drawn-out process.

9 The Furtado is not -- it's a moment in history.

10 EDDYANN FILIPPINI: That's right. He's a blip.

11 MONTY PRICE: Yeah. That's something that the counties --  
12 start at the counties, go through legislation, but maybe that's  
13 something that can be changed a little bit quicker.

14 That's about all I've got to say.

15 COMMISSIONER BULLOCK: Thank you.

16 COMMISSIONER STIENMETZ: Thank you.

17 COMMISSIONER WAITS: Thank you.

18

19 CHAIRMAN GARNER: At this time, we'll go to lunch.

20

21 (Break taken between 11:53 a.m. and 1:00 p.m.)

22

23 (Let the record reflect the presence of a quorum of four  
24 commissioners: Vice Chairman Bullock, Commissioner Stienmetz,  
25 Commissioner Mason, and Commissioner Waits.)

26

27 VICE COMMISSIONER BULLOCK: We'll call the meeting back to  
28 order.

29

30

31 **COMMISSIONERS**

32

33 26) Discussion for possible action regarding update by Phil  
34 Hanna, Battle Mountain General Hospital CEO, on the emergency  
35 medical services in Lander County, under administration by  
36 the Lander County Hospital District (LCHD), and other matters  
37 properly related thereto.

38

39 VICE COMMISSIONER BULLOCK: Item number 26, discussion for  
40 possible action regarding update by Phil Hanna, Battle Mountain

1 General Hospital CEO, on the emergency medical services in  
2 Lander County, under administration by the Lander County  
3 Hospital District, and other matters properly related thereto.

4 COMMISSIONER MASON: Thank you.

5 PHIL HANNA: Anyone else that's interested in these?

6 Good afternoon. I'm Phil Hannah, CEO of the Battle Mountain  
7 General Hospital and Lander County EMS here to discuss the January  
8 to March interim results that we have for the service. And one  
9 thing that was pointed out to me. If you go to page three of your  
10 handout and where it says, October to December of 2012, that was  
11 one header that I neglected to change.

12 COMMISSIONER WAITS: 2013?

13 PHIL HANNA: It is the January to March 2013 period. And  
14 like I said, I didn't get that header changed.

15 But anyway, the -- the service -- the runs were about the  
16 same comparing year to year. And total charges and charges per  
17 billed response were -- were down for the period. And I really  
18 believe that the issue becomes healthcare reform created a  
19 situation where all hospitals had to make major changes with their  
20 computer systems. And I still don't think that we're caught up to  
21 where we should be as far as getting all charges applied where  
22 they -- where they should be applied. Like I said, so we continue  
23 to go through that process.

24 And so that's, like I say, one good thing that this is just  
25 an interim report. But expenses were up about 13 percent  
26 comparing year to year. And from my perspective, like I say, that  
27 as I've discussed before the overtime issue continues to be  
28 frustrating. But it's -- it's one that we won't be able to  
29 address until we have two local people here from the community  
30 trained to be paramedics. And that's going to help our overtime  
31 situation substantially. And I am now going through the process  
32 of renegotiating just any contract and relationships that we have  
33 which will reduce some other expenses.

34 But like I say, beyond that, I'm as pleased as I can be in  
35 terms of expenses and then -- for on the last page the overall  
36 financial summary that it's up this month or for the quarter  
37 substantially. Like I said, when we get all the charges, all  
38 the charges categorized where they belong that that number's  
39 going to be coming down.

40 And as far as -- we've had some really -- two, the last --

1 our first two quarters of the year were excellent. And so we're  
2 still within the overall budget that I presented to you last  
3 year. As far as the performance of the service and the overall  
4 loss for the EMS program.

5 But like I said, it was -- from an operations perspective --  
6 it was a good quarter.

7 And like I say, one of the major measures that I look at is  
8 that we've had no complaints about the EMS service. Like I say,  
9 from a clinical perspective, that's one of the things that I look  
10 at first, which is good.

11 And then talking about southern Lander County that we're  
12 finally, I think, making some real progress that we have a  
13 part-time operations person down there to help pull things  
14 together and focus on the activities.

15 We've had a special driving class, an EVOC training class,  
16 for drivers. And we have another EMT class going to be starting  
17 up in about two weeks. And I know Patsy's been very involved in  
18 conversations about all that.

19 COMMISSIONER MASON: So did they reduce the restrictions on  
20 drivers?

21 PHIL HANNA: Not that I'm aware of.

22 COMMISSIONER MASON: I mean, they have to be EMTs, right?

23 COMMISSIONER WAITS: No. Not anymore.

24 COMMISSIONER MASON: Oh they broke -- they dropped that  
25 down, right? But can a driver help with a patient?

26 PHIL HANNA: If the --

27 COMMISSIONER WAITS: Only outside. Never in back of the  
28 ambulance.

29 PHIL HANNA: Yeah. The driver -- most drivers have at  
30 least first responder training. You know, they have some type  
31 of training. And they -- they can be, what I refer to as an  
32 educated pair of hands on scene and so forth. But like Patsy  
33 said, when the individual gets into the squad, the EMT has to be  
34 providing any services that are provided to that individual.

35 COMMISSIONER MASON: So you've got a couple of new drivers  
36 coming on board down south?

37 PHIL HANNA: There were -- what? -- eight people that took  
38 that training?

39 COMMISSIONER WAITS: I believe so.

40 COMMISSIONER MASON: Good deal. Good.

1 PHIL HANNA: And we have eight or ten people signed up for  
2 the EMT class, --  
3 COMMISSIONER WAITS: Another eight.  
4 PHIL HANNA: -- I believe. And that's going to give us a  
5 legitimate basis to get that service finally started.  
6 COMMISSIONER MASON: That'd be great.  
7 COMMISSIONER WAITS: Could I ask you, Phil, on a couple of  
8 these, I'm looking at the January to March. It says purchased  
9 services. Purchased.  
10 PHIL HANNA: Yeah. That those would be -- the best, -- the  
11 best, most significant example of that would be the Northern  
12 Nevada consortium that we're a part of. And they provide  
13 quality assurance, training services for us.  
14 And like I said, it's a contractual relationship. And so  
15 that -- that's what that refers to.  
16 COMMISSIONER WAITS: That's all under training?  
17 PHIL HANNA: No, it's under purchased service.  
18 COMMISSIONER WAITS: But they do training for you?  
19 PHIL HANNA: That -- the quality assurance process -- to  
20 explain the way it works -- that each week all the responses for  
21 the EMS services are reviewed to see if the documentation is  
22 appropriate, if the care was appropriate. And that's what the  
23 consortium is doing for us. And then we have a meeting, like I  
24 said, each week.  
25 COMMISSIONER WAITS: Ten thousand dollars a month you pay  
26 them to review?  
27 PHIL HANNA: That is what we are paying. They had helped  
28 us get the service started. That's the contract I referred to  
29 that I'm renegotiating now.  
30 COMMISSIONER WAITS: How much are dues and subscriptions?  
31 Dues to --  
32 PHIL HANNA: Dues would be -- and it's, you know, it's  
33 really subscriptions that would be for EMS journals and  
34 magazines, that type of thing.  
35 COMMISSIONER WAITS: I think \$500 a month is -- is -- is a  
36 little strange. So I'm going --  
37 PHIL HANNA: Well, that number fluctuates from month to  
38 month because that's usually a 12-month subscription to  
39 something.  
40 COMMISSIONER WAITS: Well, the -- the quarter before it was

1 540.  
2 PHIL HANNA: Yeah. And --  
3 COMMISSIONER WAITS: Now this quarter it's 1500?  
4 It's like --  
5 Okay. Might I ask though, if it's possible, I would  
6 sincerely appreciate this information before our meeting so we  
7 can go over it.  
8 PHIL HANNA: Okay.  
9 COMMISSIONER WAITS: If it's going to be a problem with  
10 your agenda time, because they do have to be in a couple weeks  
11 before, please just reduce that agenda two more weeks then. I  
12 -- I --  
13 PHIL HANNA: Okay. I can certainly do that.  
14 COMMISSIONER WAITS: I know it takes time to put it  
15 together. And I don't want to do that, crash in on your time  
16 there. But the other thing is is this is all telephonic in  
17 Austin. And you hand it out here, you can hand it out to the  
18 public, we don't get a chance to go over it --  
19 PHIL HANNA: Okay.  
20 COMMISSIONER WAITS: -- and Austin is completely left out  
21 in southern --  
22 PHIL HANNA: Okay.  
23 COMMISSIONER WAITS: -- Lander County. So I would  
24 appreciate that.  
25 COMMISSIONER MASON: I want to ask a question about  
26 Obamacare or the regulations that have burst in on the scene in  
27 your hospital. Has that thrown everything upside down? What's  
28 --  
29 PHIL HANNA: It has created -- I'll be very polite --  
30 significant challenges for us that, like I said, the healthcare  
31 reform required that every hospital change their computer, their  
32 health information systems to go to an electronic health record.  
33 And it was done in a hurry. And the vendors really weren't  
34 fully prepared to do what they had do.  
35 And like I said, the conversion that started last year has  
36 been much longer than anybody had anticipated or hoped for or  
37 was going, you know.  
38 So like I said -- yeah, that has created a huge, additional  
39 amount of work in the hospital. And I have always put more  
40 emphasis on correct expense identification and like I say

1 because it was just a matter, let's establish some priorities  
2 about what's going to be fixed and what's going to be converted.  
3 And like I said, the first thing we want to know is, you know,  
4 we're absolutely certain what expenses are. And then for the  
5 charging that we have some flexibility as far as getting those  
6 in that we will do that secondarily.

7 And like I say, just the very simple matter is that it has  
8 taken longer to -- to get everything converted. And like I say,  
9 we're still just in the process of converting and updating  
10 charge information. So like I say, that's why I made a point of  
11 saying that this is very much an interim number.

12 COMMISSIONER MASON: I have a --

13 PHIL HANNA: It has been for a couple of reports.

14 COMMISSIONER MASON: I have a direct question I have to  
15 ask. Are patients' identities open to the government now as far  
16 as records go?

17 PHIL HANNA: Patient identities are open to the extent that  
18 surveyors come in to look at activities in the hospital. But as  
19 far as the government being able to come in and mine our  
20 records, no, they cannot do that.

21 COMMISSIONER MASON: Okay.

22 PHIL HANNA: But like I say, there is patient information  
23 that does become available to their survey people when they come  
24 in and they're looking at clinical issues and quality of care  
25 and so forth.

26 But like I say, the -- but the ability just to come in say,  
27 oh, wow, you know, we're going mine this. No, they can't do  
28 that.

29 COMMISSIONER MASON: By computer could they do it?

30 PHIL HANNA: That's what --

31 COMMISSIONER MASON: I'm not putting you on the --

32 PHIL HANNA: No, that's one of the things that honestly I'm  
33 never going to say that isn't never ever going to happen. But  
34 like I say, but based on the HIPAA, the privacy laws that the  
35 federal government, you know, approved and this high-tech law  
36 that they approved, they can't be doing that.

37 So it's just going to -- all I can say is legally, no, they  
38 shouldn't be doing that. But I'm never going to say never about  
39 anything like that when it comes to what can happen with a  
40 computer.

1 COMMISSIONER MASON: Just for the fun of it, you know, if  
2 you buy a new TV there's an eye on there that's watching you,  
3 but you can't use it.

4 You didn't know that, did you?

5 Other than that, you're on track with your EMTs and all that?

6 PHIL HANNA: Yes. Yeah. Like I said, the -- finally,  
7 beyond frustrating, like I say, we seem to be making real  
8 movement in southern Lander County. And like I say, with the  
9 two community individuals that are get their paramedic training  
10 right now that strengthens our situation here in northern Lander  
11 County. And like I say, as I look at it, you know, and get  
12 reports back that clinically no complaints, no concern about  
13 things that have been done in the EMS program. It's just wow.  
14 It's surpassing expectations in my opinion, the overall --

15 COMMISSIONER MASON: So --

16 PHIL HANNA: Program.

17 COMMISSIONER MASON: -- to get an ambulance up and running  
18 out of Austin for the area, how many people do you need on -- on  
19 active duty staff to run that?

20 PHIL HANNA: For the volume of runs that we anticipate in  
21 southern Lander County, if we have five or six people willing to  
22 drive, we have five or six people willing to ride in the back,  
23 that to me gives us an adequate number.

24 And I know one of the challenges that southern Lander County  
25 had some years ago that they were down basically to just five  
26 people to do everything.

27 And I like I say, that was just a burden that they could not  
28 deal with very effectively, like I say. But now with what we're  
29 doing five or six drivers, five or six EMTs, we're good to go.

30 COMMISSIONER MASON: And I have one other question. On  
31 your trainees -- let's call them trainees -- new people coming  
32 in, EMTs and drivers, who's paying for the education?

33 PHIL HANNA: I believe -- and Patsy, you probably know more  
34 about this than I do that we have received a grant for the EMT  
35 program.

36 COMMISSIONER WAITS: AAA gave us -- gave the state a  
37 50,000-dollar scholarship to use for training.

38 COMMISSIONER MASON: Oh, that's neat.

39 COMMISSIONER WAITS: We access that all with all of ours.  
40 The last two I haven't heard yet. But they have a little extra

1 money and thought that that would come through.

2 But the six original ones that we had all got approved for  
3 a thousand dollar up to a thousand dollar scholarships. And AAA  
4 was more than happy to -- to give us a little bit more because  
5 they have absolutely no coverage on Highway 50 for a couple  
6 hundred miles in there. And they were just thrilled.

7 So we're -- we're really hoping that that's going to go  
8 well.

9 PHIL HANNA: I knew a grant had been received, but I didn't  
10 know the specifics or I didn't remember the specifics.

11 And then the EVOC training course that was down a week ago  
12 Saturday or a couple weeks ago that that was done by Lander  
13 County EMS personnel that are certified to do that. So there  
14 was no cost to the participants that I'm aware of other than  
15 their time.

16 COMMISSIONER MASON: So on your next quarterly report, we  
17 ought to maybe an ambulance running once in a while down there,  
18 huh? Could be. Or maybe half year.

19 PHIL HANNA: Yeah. In -- in terms of the recording and the  
20 lag time with the reporting, it will be probably to be two  
21 reports and then it will actually have more, more statistics.

22 COMMISSIONER MASON: I think that is a progress though.

23 PHIL HANNA: Yeah. Tremendously slow, but it's progress.

24 COMMISSIONER MASON: Thanks, Phil.

25 PHIL HANNA: Anything else that anyone has?

26 COMMISSIONER STIENMETZ: Thanks, Phil.

27 COMMISSIONER WAITS: Thank you, Phil.

28 PHIL HANNA: Thanks, very much.

29 VICE COMMISSIONER BULLOCK: Thank you.  
30  
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1 EXECUTIVE DIRECTOR

2  
3 27) Discussion for possible action regarding the issues  
4 associated with medical marijuana; the possibility of  
5 approving/disapproving the sale and distribution of medical  
6 marijuana in Lander County; the possible drafting of an  
7 ordinance to change Lander County Code concerning the opening  
8 of a medical marijuana establishment in Lander County; and  
9 other matters properly related thereto.

10  
11 VICE COMMISSIONER BULLOCK: Item number 27, discussion for  
12 possible action regarding the issues associated with medical  
13 marijuana; the possibility of approving/disapproving the sale  
14 and distribution of medical marijuana in Lander County; the  
15 possible drafting of an ordinance to change Lander County  
16 Code -- Code concerning the opening of a medical marijuana  
17 establishment in Lander County; and other matters properly  
18 related thereto.

19 COMMISSIONER MASON: Since we have Phil Hannah here, would  
20 you answer any questions to this?

21 PHIL HANNA: I would answer any questions that I could. I  
22 was under the impression that Dr. Myers was going to be here.

23 VICE COMMISSIONER BULLOCK: Doctor Myers is here and also  
24 we have local pharmacist Clay Mills.

25 COMMISSIONER MASON: Good.

26 PHIL HANNA: Oh, there.

27 COMMISSIONER MASON: Okay. Good.

28 VICE COMMISSIONER BULLOCK: I would assume they'd have a  
29 little more information on this.

30 PHIL HANNA: I guess they would. Like I said, I'll answer  
31 anything I can, but it's really nice that they're here.

32 VICE COMMISSIONER BULLOCK: Feel free to step on up. Sit  
33 -- have a seat.

34 COMMISSIONER MASON: Take a chair, gentleman.

35 CLAY MILLS: They'll team up on (indiscernible).

36 VICE COMMISSIONER BULLOCK: First of all, I'm going to ask,  
37 do we have a need? Is there a need in --

38 COMMISSIONER STIENMETZ: State your names, please.

39 VICE COMMISSIONER BULLOCK: -- this county for medical  
40 marijuana?

1 COUNTY CLERK SULLIVAN: Tiffany, Clay Mills is this side  
2 and Dr. Myers on that side.  
3 COURT REPORTER: Okay.  
4 DR. MARK MYERS: I don't know the answer to that question.  
5 There is a pill available for -- that's made out of THC, but  
6 it -- it's very expensive. And it's not really used. Nobody ever  
7 refills it. And multiple people over many years have told me it  
8 doesn't work. So I -- it's been decades since I've prescribed it.  
9 We have a few people that have the current ability to grow  
10 it and stuff. And they've satisfied me that their needs are  
11 real and that they're responsible individuals. I don't really  
12 think they use it all that much, but they have the cards.  
13 Dr. Peters has a couple or three.  
14 But I think marijuana is pretty able to be obtained, if  
15 you've got the knowledge and the money, about anywhere you want in  
16 this town right now.  
17 VICE COMMISSIONER BULLOCK: Legally?  
18 DR. MARK MYERS: No. No. No.  
19 VICE COMMISSIONER BULLOCK: Okay. All right.  
20 DR. MARK MYERS: Not under current law. No.  
21 VICE COMMISSIONER BULLOCK: Okay.  
22 CLAY MILLS: The question might be: Are we going to be  
23 recommending people medically need marijuana that much, if  
24 you've had a dispensary in Battle Mountain?  
25 DR. MARK MYERS: We've pretty much had a meeting amongst  
26 ourselves, and we're not going to be ones that recommend it.  
27 None of us are going to do it.  
28 VICE COMMISSIONER BULLOCK: So it'd be more like  
29 oncologists, specialists elsewhere or --  
30 DR. MARK MYERS: Well, Elko's going to have a dispensary.  
31 And the way I understand the rules that are written by the  
32 state, if a person has chronic conditions, they can --  
33 COMMISSIONER STIENMETZ: Get a card?  
34 DR. MARK MYERS: If they want to, they can get the card.  
35 Law enforcement can speak to that maybe a little better than  
36 me. But if a person has moderate, real osteoarthritis and their  
37 pain isn't relieved with whatever it is we're doing, then they --  
38 under the way this is written -- they can talk a doctor into  
39 recommending it. They can get it.  
40 CLAY MILLS: So as I understand it, the only people that

1 would be able to use the dispensary would be people who had the  
2 medical marijuana card, not just anybody off the street would be  
3 able to --  
4 COMMISSIONER STIENMETZ: Right.  
5 CLAY MILLS: -- walk in and ask them to get marijuana. So  
6 --  
7 VICE COMMISSIONER BULLOCK: That's my understanding. I'll  
8 refer to legal on this, but --  
9 DEPUTY DISTRICT ATTORNEY TING: That's correct.  
10 VICE COMMISSIONER BULLOCK: Okay.  
11 CLAY MILLS: And the -- there's two things that happened, I  
12 think. I was just reading the paper today, a dispensary is one  
13 place where you take your medical marijuana card and -- and get  
14 the marijuana. But there's another -- there's another permitted  
15 activity and that is growing the marijuana.  
16 It's not done in the same place. It's two separate  
17 entities that do this that Nevada had established. So you  
18 don't -- you don't get them both at the same -- the grower isn't  
19 selling it and the seller isn't growing it.  
20 VICE COMMISSIONER BULLOCK: So even though you established  
21 a dispensary, they still have to obtain the marijuana from --  
22 CLAY MILLS: From somewhere.  
23 VICE COMMISSIONER BULLOCK: -- somewhere.  
24 DR. MARK MYERS: And we don't want to be --  
25 VICE COMMISSIONER BULLOCK: -- in a state that allows it;  
26 right?  
27 DR. MARK MYERS: Right. And we don't want our names on  
28 marijuanadoc.com.  
29 VICE COMMISSIONER BULLOCK: Mm-hm. I understand that.  
30 CLAY MILLS: And I also -- also know the Nevada State Board  
31 of Pharmacy has banned or barred pharmacies from being in the  
32 medical marijuana business, where pharmacies aren't going to be  
33 allowed to have anything to do with it.  
34 VICE COMMISSIONER BULLOCK: But you do have -- you do  
35 access to the pills that Dr. Myers referred to.  
36 DR. MARK MYERS: Which nobody ever uses.  
37 CLAY MILLS: They're very, very expensive -- a thousand  
38 dollars a month usually.  
39 And most people who buy it, would get it, either have  
40 insurance or Medicaid. I've rarely seen anyone pay cash for it.

1 That never happens.

2 So -- so someone else is actually paying for it for them.

3 COMMISSIONER STIENMETZ: We the taxpayers.

4 VICE COMMISSIONER BULLOCK: Us, in other words.

5 CLAY MILLS: Yeah, exactly.

6 VICE COMMISSIONER BULLOCK: So -- I see we got two police  
7 officers here. Did you want to weigh in on this or just get  
8 some comments?

9 CLAY MILLS: Well, no. Go ahead. No. Okay.  
10 (Cross talk.)

11 COUNTY CLERK SULLIVAN: If you wouldn't mind stepping up  
12 forward.

13 VICE COMMISSIONER BULLOCK: Step up and state your name,  
14 please.

15 DEPUTY JOHN ROCHESTER: Deputy John Rochester --

16 VICE COMMISSIONER BULLOCK: You're all right.

17 DEPUTY JOHN ROCHESTER: -- and Detective Gary Campbell.  
18 (Indiscernible) or here?

19 COUNTY CLERK SULLIVAN: As long as you're close enough.

20 VICE COMMISSIONER BULLOCK: As long as you're close, she  
21 can hear you.

22 DEPUTY JOHN ROCHESTER: Currently, the sheriff could not  
23 make it due to a family thing going on, neither could the  
24 undersheriff due to some training, so he asked myself and  
25 Detective Campbell to come down here and emphasize what he  
26 believes.

27 The sheriff at this time is actually recommending that the  
28 commissioners pass ordinance holding off passing any  
29 dispensaries for at least a year, similar to what Douglas County  
30 has done.

31 There are too many -- by reviewing the statutes, there's no  
32 local control. It's all at a state level. And as anyone who's  
33 operated business in here or even paid attention to business  
34 here, we don't get the Liquor Board out here very often. We  
35 don't get the food, you know, the people who make sure the food  
36 the prepared correctly. We don't get the people who watch the  
37 cigarettes out here very often as well.

38 So there's nothing that says that the marijuana board people  
39 are going to come out here and make sure our dispensary is, -- if  
40 you choose to pass one -- it could be operating under the law as

1 advised. There's like -- so he has asked that the commission pass  
2 an ordinance stating that -- hold off for a year. Let the other  
3 bigger counties with the more money and more people and more  
4 attorneys get the problems out first and then maybe reevaluate it  
5 at that time.

6 DETECTIVE GARY CAMPBELL: It's fairly new. There's going  
7 to be multiple mistakes made at a local level with such a new  
8 law that's coming to play. I mean, it's --there's going to be  
9 so many things to iron out later on down the road. And it's --  
10 we'd really like to -- the sheriff would really like to stand  
11 back for a year and let everything settle before you guys make a  
12 decision such as that.

13 VICE COMMISSIONER BULLOCK: So I don't know if you can  
14 answer this.

15 DEPUTY JOHN ROCHESTER: We'll give it a try.

16 VICE COMMISSIONER BULLOCK: But seeing's how this is a  
17 state law that went into effect, what is it to stop the federal  
18 agencies from coming in and enforcing federal law?

19 DEPUTY JOHN ROCHESTER: Absolutely nothing.

20 DETECTIVE GARY CAMPBELL: They can come in and enforce any  
21 time they want.

22 DR. MARK MYERS: That's why we don't prescribe it. We  
23 recommend it.

24 VICE COMMISSIONER BULLOCK: Mm-hm.

25 DEPUTY JOHN ROCHESTER: No, the feds can come in at any  
26 time and shut down the dispensaries if they so choose it.

27 VICE COMMISSIONER BULLOCK: Any other questions?

28 COUNTY CLERK SULLIVAN: Dean.

29 VICE COMMISSIONER BULLOCK: Stand up. State your name,  
30 please.

31 JENNIFER O'KANE: Jennifer O'Kane. I do have, like -- if  
32 it's okay -- some documents and some things that I would like to  
33 say about this.

34 COMMISSIONER BULLOCK: You're free to speak.

35 JENNIFER O'KANE: Okay.

36 VICE COMMISSIONER BULLOCK: But if you can, step up here.  
37 And we'll even slide a chair if we need to.

38 DETECTIVE GARY CAMPBELL: She can have ours.

39 JENNIFER O'KANE: Kindly thank you.

40 First of all, I want to let you know that I am a severe

1 epileptic and seizure patient. I take a hundred milligrams of  
2 Impact [sic] in the morning. I take 5000 milligrams of Keppra ER  
3 [sic], which is an extended release. And I take 150 milligrams of  
4 Impact at night, which is synthetic heroin. It is eating my  
5 liver, which I'm sure the doctors can verify. A person that  
6 should have about 20 years to live will probably have anywhere  
7 from five to eight years to live because of the damage that it  
8 does to me.

9 I am not a medical marijuana patient. Would I like to be?  
10 Yes. I cannot be because I am one of the people that are  
11 looking for the dispensary. I feel that it will help patients,  
12 the HIV patients, the people that actually do need it.

13 As far as the DEA coming in, yes, if we break the laws,  
14 they will come in. There is no question about that.

15 Thirdly, Colorado and other states that have already put this  
16 in their systems and in place have very little problems. It is  
17 very good for the community. Yes, everybody has their problems,  
18 but very little. If you look at the research and the  
19 documentation, which we have a lot of it here for you, the works  
20 sourced and everything that we'd like to hand out to you if that's  
21 okay.

22 VICE COMMISSIONER BULLOCK: Afterwards is fine, unless  
23 you've got some for everybody then --

24 JENNIFER O'KANE: I pretty much do. I have probably 19 of  
25 them.

26 VICE COMMISSIONER BULLOCK: But Austin doesn't have it, so  
27 --

28 JENNIFER O'KANE: Okay.

29 VICE COMMISSIONER BULLOCK: We'll be glad to look at it.

30 JENNIFER O'KANE: And it is for further research and may  
31 have a lot of information as well as, no, the doctors not

32 prescribe it. They offer it. And my neurologist, John Lagios  
33 out of Carson Memorial Hospital, which is one of the most  
34 recommended Tahoe neurologists there are, would like to see me  
35 on it.

36 But because I live in Lander County, and I run and operate  
37 some businesses here in town, I don't want to jeopardize the  
38 relationships that I have here in town.

39 But it is something that -- that the patients do need.

40 There are already people in this town that are growing it and

1 handing it out to people and selling it to people. They already  
2 are. I mean, there's plants this big that Lander County already  
3 knows about. They're very aware of it. Our kids -- our friends  
4 are getting it. It's not going through a dispensary.

5 If we put a dispensary in our town, they can no longer grow  
6 their own. They have to go through a dispensary.

7 And those are documents that are through the NRS codes in the  
8 State of Nevada and the health department can verify as well. So  
9 that is the stuff that we want to have given to you. And that is  
10 in this.

11 And as far as the legal side of this, Lander County can  
12 come up with their own application as the state does. It is a  
13 scoring system all the way to -- can't have child support, no  
14 felonies, yada yada yada. It's pretty intense.

15 We've worked very closely with the state already. But  
16 Lander County, as well as the other counties, can come up with  
17 their own applications very similar to the brothel applications.

18 As a deputy, they can -- they can qualify. You guys can  
19 say, no, you guys can't have this dispensary, but still have a  
20 license for those persons that do qualify properly.

21 So with that said, do you have anything that you wanted  
22 to -- she's 20 years old. This is Ashley.

23 ASHLEY ECKLESON: Hi.

24 JENNIFER O'KANE: She does a lot of the research with me as  
25 far as the younger era. She does not smoke, drink, or do any  
26 drugs in any way, shape, or form. But there's a lot of people  
27 that are a lot younger than us that are much more educated on --  
28 on that area. And -- and she has done a lot of research,  
29 including this paper right here by the way. So --

30 VICE COMMISSIONER BULLOCK: But you speak of regulation  
31 that there -- that there's available now, kids are getting it.

32 JENNIFER O'KANE: Yes.

33 VICE COMMISSIONER BULLOCK: If we don't have a way to  
34 regulate it properly, those kids are still going to get it.

35 JENNIFER O'KANE: With a dispensary, sir, with all respect,  
36 they do have a scanner with a person that is a medical marijuana  
37 patient. It is very similar to your driver's license. Then  
38 they're already being issued.

39 There is over a thousand patients here locally that are  
40 currently carrying those. They're going to Vegas. They're

1 going to Reno. They are getting these cards already.

2 There are scanners just like your driver's license that the  
3 police have. You can scan them. With the dispensary, there are  
4 bar codes behind it that show exactly when the individual got  
5 it, what dispensary they got it, and how much in a 14-day period  
6 that they can get. That is very trackable, very much like our  
7 driver's license.

8 If you have -- medically, if you go in and you're red  
9 flagged for too many pills, which unfortunately some of the  
10 doctors do give out too many pills and freely give out the  
11 pills. If a person takes what they call jumping from doctor to  
12 doctor, they now have a protection that it gets red flagged.  
13 It's taken many generations to get that.

14 So they've come up with very tight NRS codes and safeties  
15 from the states.

16 Jimmy from the DEA and the FBI from Elko -- because Elko  
17 does not have a county. They do not have a license. They have  
18 turned it down. To the best of my knowledge, they have turned  
19 it down. And Winnemucca has turned it down. This and Lander  
20 County would be the only one that has tabled it or still  
21 thinking about it.

22 To answer your question, there are very, very well trained in  
23 regards to how to track it. The DEA has a legal right to come in  
24 at any time if we are abusing our right, just like in California  
25 and other states, then they do have a right to shut us down, and  
26 it would not fall back on Lander County.

27 VICE COMMISSIONER BULLOCK: But then again, we're limited  
28 agencies, I guess is what I'm trying to say. We have alcohol  
29 and tobacco that kids get.

30 JENNIFER O'KANE: And that --

31 VICE COMMISSIONER BULLOCK: And there's only so much  
32 regulation you can do. And so --

33 JENNIFER O'KANE: I agree.

34 VICE COMMISSIONER BULLOCK: -- I mean, you can say, yeah,  
35 they can't, but --

36 JENNIFER O'KANE: I agree.

37 VICE COMMISSIONER BULLOCK: -- there's still that  
38 possibility that we have under age --

39 JENNIFER O'KANE: I agree.

40 VICE COMMISSIONER BULLOCK: -- with those that don't have

1 card- -- not even those that are of age that don't have cards  
2 that could get access to it, which we just don't have the  
3 regulation, I guess, is what I'm saying.

4 JENNIFER O'KANE: I agree. I agree. And with said, Ellen  
5 from the Health Department had from Elko, they do have another  
6 person that comes in once a year to my establishments once a  
7 year as well as show up at any given time. And they do, as a  
8 business owner, I can tell you they do show up.

9 As far as Mike from the ATF, he does come into the town.  
10 He has come in to my facilities. He has spot checked my  
11 alcohol, my invoices, and he does do a very, very good job. And  
12 he's also out of Carson and the Elko area. And those are the  
13 two agents and the people that come into our town on a regular  
14 basis. They do do their jobs.

15 And if not, it is up to our local community and our local  
16 police force to do that, just enforce. There are businesses in  
17 town that have under age people handing out the alcohol to  
18 people have a legal 21 driver's license or identification to  
19 purchase it. But the young kids behind the counters that are  
20 selling it to them are just, isn't bad if I give it to the local  
21 kid next door.

22 We, the local community, need to follow through and have  
23 stricter enforcements. We can only blame the state so much.  
24 And then we have to take responsibility for our own local  
25 actions.

26 In my -- if I may -- in my establishment, the vapor lounge  
27 and the hookah lounge, we have 24 milligrams juice all the way  
28 to zero. The State of Nevada says that I can sell any milligram  
29 to any child of milligrams, which is nicotine. It's not a  
30 tobacco product. But because I feel that I need to be the  
31 responsibility one, you better show me ID that you're 18 years  
32 old to get anything higher than a zero. And that is what, as a  
33 business owner, I've taken responsibility. And that's what I  
34 feel that every community business owner should do in our town.  
35 And it stops -- the buck stops with us. And if we don't follow  
36 the law, then we need to be fined and taking responsibility.

37 COMMISSIONER WAITS: First of all, let me assure you that I  
38 know many of us have -- have been in research for some time,  
39 that we're not going into this perfectly cold.

40 The biggest concern I have is the legal uncertainty between

1 the federal laws and Nevada law. That I stated on the record  
2 last time we had it on our agenda.

3 I appreciate the folks that -- that still need it for their  
4 -- their medical situations. But I also know that in the counties  
5 it's going in, we've got big, big bucks. And it's the wealthy  
6 people that are financing these types of dispensaries.

7 Because of the cost, I know there's still statistics there  
8 that the ones that do need it are buying it under the table  
9 because it's a lot less expensive than going to the dispensaries.

10 Not everyone is a concerned business owner as yourself and  
11 what you have reiterated.

12 Although I do disagree of some of your statistics when you  
13 think there's not problems in the states. And I do know, when I  
14 worked for the justice court, that our DUIs were only half  
15 alcohol. The rest were drugs. And -- and that was before this  
16 law ever came in.

17 I just very personally do not want to see this county go on  
18 record to have a dispensary. And I've said that before.

19 JENNIFER O'KANE: And I -- and I appreciate that very much.  
20 And I know that there is a lot of meth in this town. I live  
21 with it every day because I live in this community. I have  
22 cleaned up, to my -- my belief -- I could be wrong -- my local  
23 block to the highest. I'll be the first person to call Lander  
24 County. I'll be the first person to dial Jimmy and let them  
25 know, look, this incident is not being taken care of.

26 But as far as the DUIs, we still get them every day here.  
27 We get people that die. We get kids that are underaged  
28 constantly going to our (indiscernible) and dying every day.

29 So would it be relevant if we have a dispensary or not?  
30 It's going to happen. And --

31 COMMISSIONER WAITS: Absolutely.

32 JENNIFER O'KANE: And I know that. But in possibly in  
33 November, it will go recreational. It's on the ballot already.  
34 Then we won't have a say. Everybody's going get it either way.

35 I want the opportunity to regulate it and stop the growing  
36 procedure that is happening already in our town. People are  
37 growing. And they're only allowed three to nine plants. And  
38 they've got plenty. And there's -- one person can smoke half a  
39 joint a day, and yet they've got millions of dollars in plants.

40 And to answer your question in regards to finance on

1 building. I'm not poor, but I'm not wealthy. I've invested my  
2 properties here in Battle Mountain. I've done very well with  
3 the community's help and the respect. But to put in something  
4 like this, it would take every last dime that I have to help the  
5 community and the people that need it, because I am one of those  
6 people.

7 I don't want to die before my kids. I don't want to see  
8 another five years and being in bad health. It hurts. And this  
9 medication can be stopped with the proper plant that grows from  
10 the ground.

11 The people that are going in and getting drug tested, it's  
12 methamphetamines, it's Oxycontin, it's narcotics outside of  
13 marijuana. Marijuana is a natural-grown product from the  
14 ground. And it's been smoked for many, many generations.

15 And I'm not -- I'm not disagreeing with you. I'm just --  
16 it's a natural-grown plant.

17 COMMISSIONER WAITS: No, I -- I appreciate your comments.  
18 And that's exactly why we have --

19 JENNIFER O'KANE: Yes, ma'am.

20 COMMISSIONER WAITS: -- agendized things for it.

21 JENNIFER O'KANE: Yes.

22 COMMISSIONER WAITS: So we always appreciate, you know,  
23 everyone's comments always.

24 JENNIFER O'KANE: Yes.

25 ASHLEY ECKLESON: And I have a comment I'd like to add. I  
26 know how you were talking about the alcohol --

27 VICE COMMISSIONER BULLOCK: Please state your full name,  
28 please.

29 ASHLEY ECKLESON: I'm sorry. I'm Ashley Eckleson. And my  
30 comment is: I liked your comment on the alcohol and cigarettes  
31 and how they're not regulated. The thing is, anybody over 21,  
32 or 18 for the cigarettes, can go buy as much as they like.

33 With the medical marijuana dispensary, as she said, they  
34 get carded and it gets regulated. The NRS code states that they  
35 cannot have more than two and a half ounces of usable marijuana  
36 every two weeks. So they get five usable ounces per month. So  
37 it is regulated. So they cannot get more than that.

38 JENNIFER O'KANE: At any dispensary.

39 ASHLEY ECKLESON: Mm-hm.

40 COMMISSIONER WAITS: We're not really discussing what --

1 what they're -- they can legally get. What we're really  
2 concerned about is whether we're going to allow the dispensary  
3 in our county --

4 JENNIFER O'KANE: Correct.

5 COMMISSIONER WAITS: -- for them.

6 JENNIFER O'KANE: Right.

7 COMMISSIONER WAITS: That's all. So all that is  
8 informational. But that doesn't create the need because of  
9 people needing it for us to put in a dispensary for the whole  
10 county.

11 JENNIFER O'KANE: And I understand. The need is to stop  
12 people that can go to Reno and Vegas and anywhere in Nevada that  
13 has a dispensary license or even a doctor. There's doctors  
14 everywhere. I mean, God bless it, you can go to LA there's the  
15 \$200 and the doctor gets it. And it's legal because he has a  
16 doctor's license just like the Oxycontin that gets put out all  
17 day long. They're doctors, so they're allowed to do it.

18 With a dispensary, they're no longer allowed to grow plants  
19 in our community. Right now there's bigger plants than my house  
20 plants growing in this community. And it's -- and they are.  
21 They're huge.

22 COMMISSIONER WAITS: I understand.

23 JENNIFER O'KANE: I mean, they're crazy. And there's no  
24 way somebody could smoke that much -- it's crazy -- in a life  
25 time.

26 But the other question is as far as transporting, I heard  
27 that earlier, if I maybe could just comment on that and then  
28 I'll be done:

29 Transporting. You can get a -- a grow facility on the same  
30 property. The NRS codes do -- and the applications for the  
31 State of Nevada do ask if you want one or the other or both.

32 If I do not do a grow facility, if this is approved, then I  
33 would only be allowed to have it transport by a licensed  
34 distributor, just like my beer and alcohol. And they have to  
35 have a transport license just like my alcohol.

36 It is not the Joe Blow down the street. It is very well  
37 regulated.

38 If the dispensary is opened, it has to be, this is how much  
39 is being delivered to this. And this is an audit every month  
40 that has to go to state as well.

1 And yes, there is -- there is -- cause and concern for  
2 everything, even putting a 16-year-old behind a wheel. I waited  
3 until my kids were 18 just because, you know, at young ages  
4 they're silly. And they're not smart.

5 But there isn't -- and to me, as a hopefully someday be a  
6 patient, I don't want to have to drive 300 miles to go get it.  
7 I can go to the Mills Pharmacy and go get those pills. I do  
8 have the financial mean to go do those. Those don't work. My  
9 neurologist says their worthless. They don't do the need for  
10 epileptic seizure patients. And that's from my neurologist,  
11 which I've seen for many years. I also believe in what he says.

12 So anyways, with that said, I appreciate your time. And  
13 hand these out to everybody or just leave them for the board or  
14 --

15 VICE COMMISSIONER BULLOCK: You can give them to the clerk.  
16 She'll give them.

17 JENNIFER O'KANE: Thank you.

18 COMMISSIONER MASON: I want to ask -- number one, before I  
19 ask Phil, this county has less than 7,000 people in it. And  
20 marijuana becomes a mecca, a drawing card for all kinds of  
21 people. And I don't want to see our county become a mecca for  
22 marijuana drugs at this time or any time actually is -- that's  
23 my personal opinion.

24 And I think we ought to postpone the decision on this for at  
25 least a year, maybe two, to see how these other counties are  
26 handling and how the law enforcement officers of those counties  
27 are handling these issues.

28 And with that said, I want to ask Phil: Is there a position  
29 the hospital has taken on this?

30 PHIL HANNA: This is Phil Hannah.

31 No, the hospital has not taken a formal position on this  
32 that -- that would be developed, I guess, you know, from the  
33 medical staff in terms of what they want to do. And then, you  
34 know, it would be discussed -- the hospital board, like I say,  
35 no formal position has been taken, and it hasn't been discussed  
36 as such.

37 COMMISSIONER MASON: Okay. I didn't want to put you on the  
38 spot. There's a hand up over here.

39 RICK FABIAN: I'm Rick Fabian. And I'm one of the young  
40 lady's neighbors.

1 And she kept mentioning California. I don't know if you're  
2 aware, but California has had a medical marijuana law for  
3 several years. And I would like to ask the gentlemen of the  
4 board there to postpone any decision until the sheriff's  
5 department has had a chance to talk with the rural California  
6 and the Sacramento police and sheriffs' departments.

7 Because we have -- I -- I go between California and Battle  
8 Mountain all the time. And this is a hot potato as far as  
9 politics is concerned.

10 And the way the country is going, as you saw in Colorado,  
11 everybody wants to be -- have the government pay for everything.  
12 And they want to stay high.

13 And those medical cards that are really tracked and  
14 everything else. You can go down and buy them anywhere. There's  
15 -- the property owners around the establishment have problems and  
16 everything else. And you can be politically correct, but if you  
17 get down into the real world and get down in the gutter, your  
18 sheriff's department talking with their sheriff's department in  
19 rural areas and in cities in California, you'll find that having a  
20 medical -- a marijuana dispensary in your neighborhood is not a  
21 very good idea.

22 And if you would like to have one here in Battle Mountain, I  
23 would like you all to move into the nicest houses in the nicest  
24 area and then move that thing in next to you.

25 Because I think you'd -- you need more research -- as -- the  
26 federal government's probably going to cave and allow it. But I  
27 -- right now you have a lot of legal shenanigans that are going  
28 on. And I sure would like to see Battle Mountain wait a year or  
29 so. And before they do anything, check with the all the other  
30 policing authorities.

31 COMMISSIONER MASON: Thank you.

32 I'm going to make a motion that we put off approving or  
33 disapproving this marijuana -- medical marijuana issue for at  
34 least 18 months. There's not enough information for a small  
35 county like ours to jump into this thing just because it's  
36 approved by some -- some government agency.

37 I think it's prudent on this county's part to watch out for  
38 its 7,000 people and make the -- make the right decision when  
39 the information is available, including our sheriff, our police  
40 force, our hospitals, our medical people, and just the general

1 population in itself and what clinic might be an attraction,  
2 what it might create in our county.

3 That's my motion.

4 COMMISSIONER WAITS: I do have a problem with that motion.  
5 Number one, I think we're the only county that has not taken any  
6 action on this. It's imperative we do something, if we want to  
7 -- so I don't want to see us defer it. And I don't want to see  
8 us just wait. I'd like to see us either approve, disapprove, or  
9 a moratorium, but I don't -- we have to take some action. I  
10 don't think we should defer anything at this point.

11 COMMISSIONER MASON: All right. I'll withdraw my motion,  
12 make a new motion to disapprove medical marijuana -- the issue  
13 of medical marijuana in Lander County.

14 COMMISSIONER STIENMETZ: Dispensary.

15 COMMISSIONER WAITS: Yeah.

16 COMMISSIONER MASON: Dispensary.

17 COMMISSIONER WAITS: Dispensary establishments. Yeah.

18 COMMISSIONER STIENMETZ: And I'll second that motion.

19 VICE COMMISSIONER BULLOCK: Okay, any public comments?

20 (No comment.)

21 VICE COMMISSIONER BULLOCK: Those in favor?

22 COMMISSIONER MASON: Aye.

23 COMMISSIONER WAITS: Aye.

24 COMMISSIONER STIENMETZ: Aye.

25 VICE COMMISSIONER BULLOCK: Aye.

26 Thank you, everybody, for your comments.

27 COMMISSIONER STIENMETZ: Thank you, all.

28

29 28) Discussion for possible action regarding approval of Contract  
30 Change Order No. 3 from Southwest Gas Corporation extending  
31 the Mt. Lewis Radio Space Agreement between Lander County and  
32 Southwest Gas Corporation dated May 22, 2014 for a period of  
33 two (2) years and adding an additional \$3,000.00 to the  
34 contract to cover the annual space rental fee for the next  
35 two (2) years; and other matters properly related thereto.  
36

37 VICE COMMISSIONER BULLOCK: Item number 28, discussion for  
38 possible action regarding approval of Contract Change Order  
39 Number 3 from Southwest Gas Corporation extending the Mt. Lewis  
40 Radio Space Agreement between Lander County and Southwest Gas

1 Corporation dated May 22<sup>nd</sup>, 2014, for a period of two years and  
2 adding an additional \$3,000 to the contract to cover the annual  
3 space rental fee for the next two years; and other matters  
4 properly related thereto.

5 Did we get more information on this? An understanding of  
6 --

7 JIM OLSON: This is what I have was the -- what's in here  
8 on the documentation. Apparently, they have this -- this  
9 repeater space that they've been leasing about \$2500 a year.  
10 And the previous contracts are just basically extending it  
11 again. But this time it'd be at a \$3,000 increase on their  
12 side.

13 COMMISSIONER STIENMETZ: Increase or increase to 3,000?

14 JIM OLSON: It increased to 3,000 --

15 COMMISSIONER STIENMETZ: All right.

16 JIM OLSON: -- from 2500.

17 COMMISSIONER STIENMETZ: Because there's a difference if  
18 they increase it 3,000, that's 5500.

19 NAN ANCHO: This -- this is the 3,000 is for \$125 a month  
20 for the next two years. It's like they've taken this contract  
21 and went from the existing as a change order each time they  
22 renew the contract. So the \$3,000 is for the \$125 a month for  
23 two years.

24 COMMISSIONER MASON: Was the original contract one year?

25 NAN ANCHO: The original contract goes back many, many  
26 years. I went back as far as I could.

27 COMMISSIONER MASON: But I mean, is it one year at a time  
28 where we're paying for --

29 NAN ANCHO: I think that's how they were originally, yes.

30 COMMISSIONER MASON: So that's why the 3,000 --

31 NAN ANCHO: Yes.

32 COMMISSIONER MASON: -- because they went from one to two?

33 JIM OLSON: Yes.

34 NAN ANCHO: One to two years. So this is just for the  
35 payment for the next two years, the 3,000.

36 COMMISSIONER WAITS: I'll make a motion we approve the  
37 Contract Change Order Number 3 with the Southwest Gas  
38 Corporation for our Mt. Lewis radio space.

39 COMMISSIONER STIENMETZ: I still don't quite understand  
40 this, because it says adding an additional 3,000.

1 NAN ANCHO: Because like I said, they take their -- took  
2 their original contract was --

3 COMMISSIONER STIENMETZ: Which was \$2500.

4 NAN ANCHO: -- and they changed it. And then they paid for  
5 it -- on it like a year or two years. That was the other 3,000.  
6 And then now they're extending it another two years, which is  
7 another 3,000.

8 COMMISSIONER STIENMETZ: Oh.

9 COMMISSIONER MASON: They've increased the equipment as  
10 well, right?

11 Have they increased the service?

12 NAN ANCHO: Not that I'm aware of, because they're still  
13 paying the same amount they started clear back in 2000. That's  
14 as far as I went back. And it's still for the same -- same rent  
15 for the same thing for the last 15 years.

16 DEPUTY DISTRICT ATTORNEY TING: I think I get it now. It's  
17 24 times 125.

18 JIM OLSON: Mm-hm.

19 DEPUTY DISTRICT ATTORNEY TING: Two years times 125.

20 JIM OLSON: Yes.

21 DEPUTY DISTRICT ATTORNEY TING: It's 3,000 plus the  
22 original contract, 5,000.

23 COMMISSIONER WAITS: And extends it until June 2016.

24 COMMISSIONER STIENMETZ: And I'll second that motion then.

25 VICE COMMISSIONER BULLOCK: Any comments?

26 (No comments.)

27 VICE COMMISSIONER BULLOCK: Those in favor?

28 COMMISSIONER MASON: Aye.

29 COMMISSIONER WAITS: Aye.

30 COMMISSIONER STIENMETZ: Aye.

31 VICE COMMISSIONER BULLOCK: Aye.

32

33 29) Discussion for possible action regarding approval and  
34 adoption of the 2014 Personnel Policy for Lander County, and  
35 other matters properly related thereto.

36

37 VICE COMMISSIONER BULLOCK: Item number 29, discussion for  
38 possible action regarding approval and adoption of the 2014  
39 Personnel Policy for Lander County, and other matters properly  
40 related thereto.

1 COMMISSIONER WAITS: My understanding on this is that we  
2 actually have just received something very recently --

3 JIM OLSON: Yes. About --

4 COMMISSIONER WAITS: -- with POOL/PACT.

5 JIM OLSON: Additionally six pages, as I understand. A few  
6 days ago I found out about it.

7 COMMISSIONER WAITS: Okay. So we might like to defer this  
8 --

9 JIM OLSON: I'd probably defer this so I can get POOL/PACT  
10 to reissue a new, revised version.

11 COMMISSIONER WAITS: Okay.

12 VICE COMMISSIONER BULLOCK: Okay. We might get it.

13 COMMISSIONER WAITS: I'll make a motion we defer it --

14 COMMISSIONER MASON: Second.

15 COMMISSIONER WAITS: -- to the next agenda.

16  
17 **30) Discussion for possible action regarding approval/disapproval**  
18 **of the Professional Services Agreement related to**  
19 **Construction Projects under \$50,000; and other matters**  
20 **properly related thereto.**  
21

22 VICE COMMISSIONER BULLOCK: Item number 30, discussion for  
23 possible action regarding approval/disapproval of the  
24 Professional Services Agreement related to Construction Projects  
25 under \$50,000; and other matters properly related thereto.

26 JIM OLSON: We did this as originally as a way of making a  
27 short, quick contract so we wouldn't have to take a lot of time  
28 in contract negotiation. But as I'm finding out, all these  
29 contracts for specific projects like the airport, and things  
30 like that, are unique to the individual project.

31 And the language may change from site to site. And I'm just  
32 thinking it needs -- the idea was to make things short and quick,  
33 but I -- we would have to modify these agreements, these contracts  
34 to match another contract. And maybe just much easier to go with  
35 whoever's contracting with us, use their -- their form, and have  
36 legal review it. Because I have -- this was supposed to be for a  
37 quick fix, to do it quickly and avoid a lot of legal  
38 complications, but I'm finding a lot of contracts I'm seeing are  
39 very specific that may not have this language in it.

40 VICE COMMISSIONER BULLOCK: So basically what you're saying

1 is you want the okay to sign for up to \$50,000?  
2 JIM OLSON: No, I don't want to do that. I just want to  
3 have it so -- I'm just saying these contracts -- the idea was to  
4 get it short and sweet, where we present like a boilerplate over  
5 and over again and reduce time, but what I'm seeing it's not  
6 going to happen in reality.

7 COMMISSIONER STIENMETZ: So we just need to not do  
8 anything?

9 JIM OLSON: Basically. Not not do it. Just ignore it.  
10 Decline it.

11 DONALD NEGRO: Pretty much needs go away because each  
12 contract is different. The contracts I do on my roads are  
13 completely different than the contracts --

14 COMMISSIONER STIENMETZ: Yeah.

15 DONALD NEGRO: -- Jake does on his roads.

16 JIM OLSON: Yeah. They're all pretty uniquely done.

17 DONALD NEGRO: We were looking for a quick fix, and it  
18 ain't going to happen.

19 JIM OLSON: Yeah. It's not going to happen. It was a good  
20 idea, but doesn't work out in reality.

21 COMMISSIONER WAITS: Ignore Number 30?

22 COMMISSIONER STIENMETZ: I'll just -- I'll make a motion we  
23 disapprove -- disapproval of a Professional Service Agreement  
24 related to construction projects over 50,000.

25 COMMISSIONER MASON: I'll second that.

26 VICE COMMISSIONER BULLOCK: Any comments?

27 (No comments.)

28 VICE COMMISSIONER BULLOCK: Those in favor?

29 COMMISSIONER MASON: Aye.

30 COMMISSIONER WAITS: Aye.

31 COMMISSIONER STIENMETZ: Aye.

32 VICE COMMISSIONER BULLOCK: Aye.

33

34 31) Discussion for possible action regarding approval/disapproval  
35 of the Professional Services Agreement related to  
36 Construction Projects over \$50,000; and other matters  
37 properly related thereto.

38

39 VICE COMMISSIONER BULLOCK: Item number 31, discussion for  
40 possible action regarding approval/disapproval of the

1 Professional Services --

2 COMMISSIONER STIENMETZ: I think I did that wrong. I said  
3 over 50-. Mine should have been under 50.

4 COMMISSIONER WAITS: You said over 50.

5 COMMISSIONER STIENMETZ: Yeah. I think I said it wrong.

6 VICE COMMISSIONER BULLOCK: Okay. Let's go back up to item  
7 number 30.

8  
9 **30) Discussion for possible action regarding approval/disapproval**  
10 **of the Professional Services Agreement related to**  
11 **Construction Projects under \$50,000; and other matters**  
12 **properly related thereto.**  
13

14 COMMISSIONER STIENMETZ: I'll withdraw my first proposal or  
15 thing and change it to a professional services agreement related  
16 to the construction projects under 50,000.

17 COMMISSIONER MASON: You talking about --

18 COMMISSIONER STIENMETZ: Not have to do anything. Just  
19 leave it the way it is. They have to write a contract on each  
20 one. We don't want a boilerplate for anything.

21 VICE COMMISSIONER BULLOCK: Okay.

22 COMMISSIONER MASON: Agenda Item Number 31?

23 VICE COMMISSIONER BULLOCK: We're back to 30.

24 COUNTY CLERK SULLIVAN: He's just correcting the language  
25 on it, Dave.

26 COMMISSIONER STIENMETZ: I said "over" on it, and it should  
27 have been "under."

28 VICE COMMISSIONER BULLOCK: Do I have a second?

29 COMMISSIONER MASON: I'll --

30 COMMISSIONER WAITS: Second.

31 COMMISSIONER MASON: -- second that.

32 VICE COMMISSIONER BULLOCK: Okay. Any public comment?

33 (No comment.)

34 VICE COMMISSIONER BULLOCK: Those in favor?

35 COMMISSIONER MASON: Aye.

36 COMMISSIONER WAITS: Aye.

37 COMMISSIONER STIENMETZ: Aye.

38 VICE COMMISSIONER BULLOCK: Aye.

39  
40

1 31) Discussion for possible action regarding approval/disapproval  
2 of the Professional Services Agreement related to  
3 Construction Projects over \$50,000; and other matters  
4 properly related thereto.  
5

6 VICE COMMISSIONER BULLOCK: Item number 31, discussion for  
7 possible action regarding approval/disapproval of the  
8 Professional Services Agreement related to Construction Projects  
9 over \$50,000; and other matters properly related thereto.

10 Which is the same thing.

11 COMMISSIONER STIENMETZ: Basically the same; isn't it, Jim?

12 JIM OLSON: It's the same, except it's over 50.

13 COMMISSIONER STIENMETZ: Yeah.

14 JIM OLSON: We want to get rid of that one too.

15 COMMISSIONER MASON: Finish it, Steve.

16 COMMISSIONER STIENMETZ: Then I'll make a -- that we  
17 disapprove of a professional service agreement related to the  
18 construction projects over 50,000.

19 COMMISSIONER MASON: I'll second that.

20 VICE COMMISSIONER BULLOCK: Any comments?

21 (No comment.)

22 VICE COMMISSIONER BULLOCK: Those in favor?

23 COMMISSIONER MASON: Aye.

24 COMMISSIONER WAITS: Aye.

25 COMMISSIONER STIENMETZ: Aye.

26 VICE COMMISSIONER BULLOCK: Aye.  
27  
28

29 DISTRICT ATTORNEY  
30

31 32) Discussion for possible action regarding the Lander County  
32 District Attorney's appointment of Pershing County Deputy  
33 District Attorney, Jack T. Bullock, II, as Special Prosecutor  
34 to assist as co-counsel on a prosecution for child abuse,  
35 with payment of legal fees being paid by the Sixth Judicial  
36 District Court fund, as approved by the Honorable Richard A.  
37 Wagner; and other matters properly related thereto.  
38

39 VICE COMMISSIONER BULLOCK: Item number 32, discussion for  
40 possible action regarding the Lander County District Attorney's

1 appointment of Pershing County Deputy District Attorney, Jack T.  
2 Bullock, II, as the Special Prosecutor to assist as co-counsel  
3 on a prosecution for child abuse, with payment of legal fees  
4 being paid by the Sixth Judicial District Court fund, as  
5 approved by the Honorable Richard A. Wagner; and other matters  
6 properly related thereto.

7 And I just want to make a statement here. Although this  
8 attorney has the same last name as myself, if there's any  
9 relation to this, it is very distant. So I've never met him.

10 DEPUTY DISTRICT ATTORNEY TING: Mr. Bullock approached our  
11 office. He was especially interested in this case and asked us  
12 to ask you if he could take over as prosecutor for this case.  
13 We told him we didn't have a problem, but we wanted your guys'  
14 approval and blessing before he went ahead.

15 COMMISSIONER WAITS: But he's co-counsel?

16 DEPUTY DISTRICT ATTORNEY TING: Co-counsel; correct. Yeah.

17 COMMISSIONER STIENMETZ: And it's just for this one case?

18 DEPUTY DISTRICT ATTORNEY TING: Just for this one case.

19 COMMISSIONER MASON: I want to insert a note -- footnote  
20 here. My wife is on the violence committee -- childhood abuse  
21 in our county.

22 And she's happy to see this because we need this attention  
23 for these children that are being abused. And we have a lot of  
24 them in the county. And they're not getting the legal attention  
25 they deserve or need.

26 COMMISSIONER WAITS: I'll make a motion we approve the  
27 appointment of Pershing County Deputy District Attorney Jack T.  
28 Bullock, II, as special prosecutor to assist as co-counsel on a  
29 prosecution for child abuse.

30 COMMISSIONER MASON: I'll second it.

31 VICE COMMISSIONER BULLOCK: Any comments?

32 (No comment.)

33 VICE COMMISSIONER BULLOCK: Those in favor?

34 COMMISSIONER MASON: Aye.

35 COMMISSIONER WAITS: Aye.

36 COMMISSIONER STIENMETZ: Aye.

37 VICE COMMISSIONER BULLOCK: Aye.

38  
39  
40

1 COURTHOUSE/ADMINISTRATION BUILDING PROJECT

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

7 VICE COMMISSIONER BULLOCK: Item number 33, discussion for  
8 possible action regarding the status of the Lander County  
9 Courthouse/Administration Building Project, and other matters  
10 properly related thereto.

11 Nice timing.

12 JUDGE MAX BUNCH: Well, it's a little cooler in here than  
13 --

14 UNIDENTIFIED PARTICIPANT: That's true.

15 JUDGE MAX BUNCH: You guys got your air.

16 UNIDENTIFIED PARTICIPANT: It wasn't.

17 JUDGE MAX BUNCH: Did you get it fixed? My air conditioner  
18 in the courtroom didn't get fixed that fast.

19 Okay, let's see here.

20 For the record, Max Bunch.

21 And I know how you guys like this, so I'm going to just go  
22 ahead and give you one. Since you don't like stuff here. But --

23 So at the last meeting, the commission asked me to go back  
24 and -- and work on this a little more. We went back. We worked  
25 on it. We did -- somebody asked me to take it to a round. So I  
26 did.

27 Got the -- this person to try and help me. As you can see  
28 the rounds get a little bit smaller and everything kind of gets  
29 crunched in as opposed to the shield.

30 If you look at the shield, there is the -- we run the  
31 establishment date.

32 And I've called the Nevada state archivist. They have not  
33 returned my call yet as far as with an answer. They are  
34 researching it. They may have run into the same problem I did,  
35 whether it's 1861 or 1862. So -- but they are on it. And they  
36 are -- they said they'd give me a final answer as soon as they  
37 could.

38 But you can -- for right now, temporarily, we have 1861.  
39 We have it in the ax handle or the pick handle. And then we  
40 also have it down in the water at the bottom of the shield. And

1 we attempted to do the same thing in the rounds. As you can see  
2 with rounds, they kind of get squished in a little bit. So  
3 obviously it's a work in progress.

4 If you guys give me some direction from what you want and I  
5 will go back and see what we can get done.

6 VICE COMMISSIONER BULLOCK: Personally, I like the second  
7 one, number two.

8 COUNTY CLERK SULLIVAN: The shield?

9 JUDGE MAX BUNCH: Which is where the --

10 VICE COMMISSIONER BULLOCK: Established is underneath.

11 It is a little -- you can see it a little bit better there.

12 COMMISSIONER STIENMETZ: Yeah.

13 COMMISSIONER MASON: If you were going to -- I would take  
14 the last page if you were going to go round.

15 I like that. I mean, I can see that hanging on the  
16 courthouse, the new one.

17 But it's just an opinion, I think. And as far as the date  
18 goes, I'm not exactly sure either, but I can remember in my  
19 history books that Nevada was rushed into statehood for its silver  
20 because the Civil War was starting in 1861. We had that  
21 conversation today at lunch.

22 VICE COMMISSIONER BULLOCK: We're not concerned about the  
23 state though. We're concerned about the county.

24 COMMISSIONER MASON: I understand.

25 JUDGE MAX BUNCH: Because -- because -- this is not when  
26 the state becomes established. This is actually the county  
27 established.

28 COMMISSIONER MASON: Really?

29 VICE COMMISSIONER BULLOCK: County -- county was  
30 established before the state.

31 COMMISSIONER MASON: I didn't know that.

32 I still like the last one.

33 COMMISSIONER WAITS: Did you --

34 COMMISSIONER MASON: I think the round --

35 VICE COMMISSIONER BULLOCK: I don't think you'll ever get  
36 and agreement, because I don't like the round. I'll be honest.

37 COMMISSIONER STIENMETZ: I don't either. I like -- I like  
38 the number two -- the shape.

39 COMMISSIONER MASON: Hey, I'll go with whatever the  
40 majority goes for.

1 JUDGE MAX BUNCH: Well, I mean, you know, there's some  
2 questions. If you compare, say -- say, the first or the second  
3 one to the rounds, the shield to the rounds.  
4 VICE COMMISSIONER BULLOCK: Mm-hm.  
5 JUDGE MAX BUNCH: When you look at rounds, the chukar ended  
6 up being in the pick.  
7 VICE COMMISSIONER BULLOCK: Mm-hm.  
8 JUDGE MAX BUNCH: And so -- and the shields, it's outside  
9 the pick.  
10 And so I think having it outside the pick -- whatever you  
11 guys want to do. I want to do what you guys want to have happen.  
12 And I'm working on it as diligently as I can to do get that done  
13 along with the project. So --  
14 VICE COMMISSIONER BULLOCK: You could put it out to the  
15 public. They could win some prize. I don't know.  
16 COMMISSIONER STIENMETZ: I know there's other people  
17 looking at designing the shields.  
18 UNIDENTIFIED PARTICIPANT: Shield's easier to read.  
19 COMMISSIONER STIENMETZ: Yeah.  
20 VICE COMMISSIONER BULLOCK: So -- I -- but, like I said,  
21 that's my opinion. I like --  
22 JUDGE MAX BUNCH: Well, somebody asked me to put it into a  
23 round. I did.  
24 COMMISSIONER MASON: Yes.  
25 JUDGE MAX BUNCH: So there you go.  
26 COMMISSIONER MASON: I -- I prefer --  
27 JUDGE MAX BUNCH: Whatever -- whatever you guys want.  
28 COMMISSIONER MASON: We're going to live with whatever  
29 we're choose here forever.  
30 JUDGE MAX BUNCH: Well, until another commission decides  
31 they don't like it and then they change it.  
32 COMMISSIONER MASON: I like the shield too. I don't have  
33 really a --  
34 JUDGE MAX BUNCH: I guess -- I guess the question becomes:  
35 You know, do we want the -- do we want the establish date in the  
36 pick handle or do we want it at the bottom?  
37 VICE COMMISSIONER BULLOCK: I like it at the bottom.  
38 COMMISSIONER STIENMETZ: I like it at the bottom too.  
39 COMMISSIONER MASON: I do too.  
40 VICE COMMISSIONER BULLOCK: The only way if you did it in

1 the pick handle, you'd have to change colors or something.  
2 You'd have to do it in white so it would stand out, because it  
3 kind of blends in in there. But I like it underneath and the --  
4 you know, Nevada.

5 COMMISSIONER MASON: Let me ask you this about color. You  
6 know, you've been working on this. Is it going to fade? Let's  
7 say we have a shield hung on the courthouse. Is it still -- is  
8 it just going to fade out and we have to redo it every now and  
9 then?

10 JUDGE MAX BUNCH: You'd hope not.

11 JIM OLSON: It'd probably be enameled, I would think.

12 COMMISSIONER MASON: What?

13 JIM OLSON: It would be probably be enameled on a copper  
14 backing or something like that it.

15 VICE COMMISSIONER BULLOCK: It'd be sealed, I would think.

16 COMMISSIONER STIENMETZ: Yeah.

17 JIM OLSON: Or filled with glass, fired.

18 UNIDENTIFIED PARTICIPANT: Auto industry paint.

19 JIM OLSON: It'll be there for a long time.

20 COMMISSIONER MASON: It's just a question.

21 JUDGE MAX BUNCH: Well, I mean, the Nevada state seal is  
22 numerous places throughout the state. And it's got a lot of  
23 color in it. Some places have it and maybe this isn't a colored  
24 one that goes on the outside of the building, maybe it just goes  
25 into a brass, like most of the Nevada state seals that are on  
26 buildings. If you go look at the front of this building, it's  
27 got a Nevada state seal on the front of this building.

28 VICE COMMISSIONER BULLOCK: I'm just saying I think that  
29 would look a lot better on the flag than what we have.

30 COMMISSIONER STIENMETZ: Yes.

31 JUDGE MAX BUNCH: Mr. Negro says -- Oh, he left. He knew I  
32 was going to ask him. So he snuck out. Mr. Negro and I have  
33 not gotten together to get to the gentleman who does the flags  
34 because we may have something different for the flag.

35 VICE COMMISSIONER BULLOCK: Hopefully.

36 JUDGE MAX BUNCH: This is -- this is only for the seal.  
37 And if it happens to be okay to go on the flag, okay. If not,  
38 then we'll work on trying to get something else for the county  
39 flag.

40 COMMISSIONER MASON: Do you have an idea of how big -- for

1 the courthouse only now -- how big size-wise the seal's going to  
2 be?

3 VICE COMMISSIONER BULLOCK: Big enough.

4 COMMISSIONER STIENMETZ: Big enough you can see it in  
5 Austin.

6 COMMISSIONER MASON: I mean, are we talking about eight  
7 foot? Let's say it's a shield, it's going to eight feet high?

8 JUDGE MAX BUNCH: No, no, no.

9 VICE COMMISSIONER BULLOCK: Must be getting late.

10 JUDGE MAX BUNCH: Usually there are -- they're two-foot  
11 circles. So I'm thinking, I mean, you're going to have to be  
12 close enough to look at it. You're not going to see it from the  
13 highway and not going to be able to see it from across town. I  
14 mean, you can get one there if you want. But I'm -- I don't  
15 know that we have the extra money for that.

16 COMMISSIONER MASON: Okay.

17 JUDGE MAX BUNCH: We have -- if we have extra money, we  
18 have plans to put pavement in.

19 COMMISSIONER WAITS: You have it already spent if you find  
20 extra money. We know.

21 JUDGE MAX BUNCH: Well, we have alternates for the project,  
22 alternate one and alternate two, which is paving. So we've got  
23 the project itself, and then we've got the alternates.

24 VICE COMMISSIONER BULLOCK: We might can paint it on the  
25 water tower for you.

26 COMMISSIONER STIENMETZ: If you can find somebody who can  
27 paint that.

28 COMMISSIONER MASON: I gave up on that. I know there's  
29 power up there.

30 JUDGE MAX BUNCH: Okay. So -- so I guess my direction is I  
31 can keep working on the shield portion of it and eventually get  
32 back to a -- a -- hopefully a final copy at some point where you  
33 can actually we can put it on the agenda to make a  
34 determination.

35 COMMISSIONER MASON: Yes.

36 JUDGE MAX BUNCH: Approve or disapprove type thing.

37 COMMISSIONER MASON: The shield is probably the best  
38 choice.

39 JUDGE MAX BUNCH: Okay. And different people I've talked  
40 to have liked the shield too. Okay.

1 COMMISSIONER MASON: Yeah.

2 JUDGE MAX BUNCH: Okay. So to continue on, outside the  
3 shield, Nan has been very gracious -- gracious in coming in and  
4 helping me on this project on the financial portion of it.

5 And she's been attending what they call OAC meetings, which  
6 are owner architect contractor meetings.

7 We have been working on a sales tax savings, where we're  
8 not paying sales tax for the big ticket items on this project.  
9 And that will be a savings to us.

10 And if we save enough money, we can do our alternates on  
11 this project, which is alternate one is the paving in back for  
12 the employees. Alternate two is expanded public parking paving  
13 in the front of the building.

14 So we're -- that's our direction that we're trying to save  
15 money to be able to do these alternates to make sure what when  
16 we're done, it's all -- it's all completed. We don't have to have  
17 somebody come in later and put in the base and then pave it.

18 VICE COMMISSIONER BULLOCK: So that's really why Donnie  
19 left.

20 JUDGE MAX BUNCH: I don't know. Well, he -- originally,  
21 they were going to do that if they had extra paving. But if we  
22 could save the money and do it as part of this at the end, I  
23 think that's the --

24 COMMISSIONER STIENMETZ: Yeah. We're doing it --

25 JUDGE MAX BUNCH: -- the appropriate --

26 COMMISSIONER STIENMETZ: -- so it's all one paving.

27 JUDGE MAX BUNCH: -- thing to do.

28 VICE COMMISSIONER BULLOCK: Which would be great. I mean,  
29 one way or the other, it all needs to be paved.

30 JUDGE MAX BUNCH: Right.

31 COMMISSIONER WAITS: But on some your visits to us earlier  
32 we were actually cutting some of the space and such because of  
33 the cost.

34 JUDGE MAX BUNCH: Well, we had to cut 7,000 square feet  
35 because we were about a million dollars over.

36 COMMISSIONER WAITS: So with any savings --

37 COMMISSIONER MASON: Was that square footage in the  
38 building or square footage in the parking?

39 JUDGE MAX BUNCH: Square footage in the whole building.

40 COMMISSIONER WAITS: Right.

1 COMMISSIONER MASON: Oh, I thought we were talking about  
2 parking.

3 JUDGE MAX BUNCH: We had -- right. We cut -- we cut the  
4 parking to just be what we needed. We added parking to the  
5 solar part of it in the parking in the back because when we  
6 originally designed that, we only had enough spaces for the  
7 current people that were employed in the county.

8 And we had no extra spaces for the commissioners to come in  
9 and park during a commission meeting day or the district court  
10 judge coming in or whoever else may come in and need to park back  
11 there. We only had an exact amount of spaces for the employees  
12 excluding the commissioners and the district judge.

13 So now we've included that in the current budget.

14 COMMISSIONER MASON: I got it.

15 JUDGE MAX BUNCH: Okay. So -- and now there's some other  
16 paving that -- that we had set up to be bladed and fine tuned to  
17 everything but just the base and the paving, the little  
18 three-inch base and then the four- or five-inch paving that was  
19 going to go over for the parking. We had cut all of that out  
20 from the building committee when we recommended to you on that  
21 paving. And there was a section out kind of in front of where  
22 the sheriff's office is that we had cut out also trying to save  
23 money.

24 But in the meantime, as we've been going along with this,  
25 we've come up with an opportunity to potentially save on sales tax  
26 for Lander County so that we don't pay the sales tax to some  
27 company. We can use our tax ID number. And we'll be able to  
28 utilize that savings, if, for example, all the big-dollar projects  
29 are the steel, the cement, the rebar, all these big-dollar items  
30 the cinder block going up, if we can save on -- on that, say, it's  
31 \$4 million, we get to save the tax rate on \$4 million that may pay  
32 for our paving.

33 COMMISSIONER MASON: Beautiful.

34 JUDGE MAX BUNCH: And might even pay for us to put a seal  
35 on the building.

36 COMMISSIONER MASON: Okay.

37 JUDGE MAX BUNCH: Okay.

38 COMMISSIONER MASON: So the seal at this point isn't  
39 included in the budget?

40 COMMISSIONER STIENMETZ: No.

1 JUDGE MAX BUNCH: Yeah, we're -- we're working on that.

2 COMMISSIONER MASON: I see that.

3 JUDGE MAX BUNCH: We're trying to adopt a seal without  
4 having to put the state seal on the building. And we put our  
5 county seal on the building. We have a place for it to go. We  
6 just have to get to a consensus of what it's going to be. And  
7 once we get that consensus, which --

8 COMMISSIONER MASON: I think you're pretty close.

9 JUDGE MAX BUNCH: We're getting there.

10 COMMISSIONER MASON: I think this board is pretty close to  
11 finding something they like.

12 JUDGE MAX BUNCH: Yeah, well. Potentially a new board in  
13 January, so -- I hope -- I hope I don't have to start all over.  
14 But anyway.

15 COMMISSIONER MASON: I had that coming, I think.

16 JUDGE MAX BUNCH: No. No. No. No. I said potentially,  
17 because it could potentially be.

18 But there is the evac -- the excavation of the basement  
19 started on Monday. I don't know if anybody's been out there by  
20 it. They're already about 20 feet down. They have hit water at  
21 about 19 feet. They're -- they're -- they're working on some  
22 issues that we're going to have with that. I mean, we already  
23 knew it was going to be there from the core drillings that we  
24 originally had when we first started this project. But they are  
25 down there. And we're -- we're getting ready so we can get the  
26 basement started.

27 And we're trying to figure out how we're going to seal it in  
28 and so that we don't have water underneath the building that we  
29 can get it away from the building.

30 COMMISSIONER MASON: I thought you were going to have a  
31 kind of a daylight basement? You're down -- this is --

32 JUDGE MAX BUNCH: It is.

33 COMMISSIONER MASON: You're talking about an enclosed -- a  
34 dirt-enclosed basement all the way down?

35 JUDGE MAX BUNCH: No, it's going to come up. It's going to  
36 be up.

37 COMMISSIONER MASON: This is a daylight -- this is a  
38 daylight basement.

39 JUDGE MAX BUNCH: I know, but -- but the problem with that,  
40 when we originally started with the daylight basement, is that

1 it was under the full building. And we're going to lift the  
2 building up --

3 COMMISSIONER MASON: Okay.

4 JUDGE MAX BUNCH: -- with the daylight basement.

5 COMMISSIONER MASON: Okay.

6 JUDGE MAX BUNCH: We don't have a full basement anymore.

7 We have a 4,000 square foot basement.

8 COMMISSIONER MASON: I knew that.

9 JUDGE MAX BUNCH: In the -- in the back, left corners

10 you're looking from the road.

11 COMMISSIONER MASON: With no windows?

12 JUDGE MAX BUNCH: There are no windows.

13 COMMISSIONER MASON: That's storage.

14 JUDGE MAX BUNCH: There is an elevator.

15 COMMISSIONER MASON: That's climate-controlled storage;  
16 isn't it?

17 JUDGE MAX BUNCH: I don't know that it's climate  
18 controlled, but it would be --

19 COMMISSIONER MASON: Okay.

20 JUDGE MAX BUNCH: -- storage. We've been talking about --  
21 we actually had 12 foot in there. And we're talking about  
22 making it a 9-foot basement instead of a 12, so we can kind of  
23 move the basement up. I don't think that hurts us. Actually it  
24 saves us a little money that we're not having the extra three  
25 feet of cement.

26 COMMISSIONER MASON: Well, you know, the water table rises  
27 and lowers during the season.

28 JUDGE MAX BUNCH: Absolutely. And actually -- actually  
29 we're in a drought.

30 COMMISSIONER MASON: Have they got a way to seal it off?

31 JUDGE MAX BUNCH: And they are -- yes, there are ways to do  
32 that.

33 COMMISSIONER MASON: Good.

34 JUDGE MAX BUNCH: And I was just at the site just prior to  
35 coming here and we were discussing that with CORE. There was  
36 about six people there from CORE and myself. And we were trying  
37 to make sure of what we were going to -- to do on that.

38 And they asked me if -- if it would be an issue of closing up  
39 the basement. I said we might have to have a building committee  
40 meeting, but I thought that we would probably be okay with taking

1 three foot out of the basement at the ceiling of the basement and  
2 bring it down. I thought there would be two building, other  
3 building committee members, but there's only one here today.

4 COMMISSIONER MASON: And I -- just for your information, I  
5 live across the street, and I'm enjoying the show.

6 JUDGE MAX BUNCH: Okay. Good.

7 COMMISSIONER MASON: They're moving like crazy.

8 JUDGE MAX BUNCH: They are.

9 COMMISSIONER MASON: And they're not take anything dirt  
10 out. They're just raising the parking lot. Pretty cool.

11 JUDGE MAX BUNCH: Well, we're -- that was available for --  
12 to be utilized so we don't have to bring dirt in, we could use  
13 the fill that was there, put it in. It's being compacted. It's  
14 been -- the third party tester has been there two or three times  
15 now taking samples, taking them back, making sure we have the  
16 right compaction now. Obviously, we have to do that before they  
17 can move to the next step.

18 The structural import for the fill will begin next week.

19 And obviously the materials are being used to -- to fill  
20 in -- to bring up the site for the parking and all the runoff that  
21 we're going to have to have. Because the actual building's going  
22 to be almost a foot taller than the jail, a foot above the jail.

23 So I think that -- oh, there was one thing. We're trying to  
24 schedule site visits. And so what we're trying to do is we're  
25 trying to set -- set those for Thursday after the commission  
26 meetings at 3:30 in the afternoon so any commissioners that are  
27 here that want to go over there, we're trying to set up at 3:30.  
28 They quit. They'll be able to go and we'll be able to have a site  
29 visit with CORE. So I'm trying to set that up so if anybody from  
30 the community decides they want to go to it, then we'll be able to  
31 allow everybody to come in on that one site visit the second and  
32 fourth Thursdays of the month. No open-toed shoes, if you happen  
33 to have -- bring an extra pair of tennies or something.

34 COMMISSIONER STIENMETZ: I have steel toes.

35 COMMISSIONER MASON: Fine job.

36 JUDGE MAX BUNCH: So no sandals. Any other questions?

37 Nan's got questions?

38 NAN ANCHO: No.

39 JUDGE MAX BUNCH: Oh. Nan has been a great help. Nan --  
40 Nan has actually volunteered to come to those meetings with me

1 to -- we're -- because we're going to be keeping track of  
2 billing. Also Nan -- did you get an e-mail today on the LCP  
3 tracker?

4 NAN ANCHO: I have been here all day.

5 JUDGE MAX BUNCH: Okay. So there's -- well, I got a copy  
6 of what was sent to you so I'm assuming you got it -- on the  
7 certified payroll. We have to make sure of that. They have a  
8 thing.

9 We're going to go and do audits on the site -- on-site  
10 audits just to make sure that -- that they're doing what they're  
11 supposed to do and they're paying at the scale they're supposed  
12 to pay.

13 There was that book that's there that was part of the bid  
14 package that they receive that information. So you go and do  
15 interviews with the individual employees that are on site.

16 We've got a check sheet that we'll be going through that will  
17 be given to CORE. And when everything's all done, we'll get it  
18 one quick, big package. But we'll be doing that potentially ever  
19 couple weeks or every three weeks while this project's going.

20 COMMISSIONER MASON: I have a question that's maybe not  
21 relevant, but what's the roof made of? Is it concrete?

22 JUDGE MAX BUNCH: The roof is steel or the beams are steel.  
23 And then the roof is --

24 COMMISSIONER MASON: They're pouring across the steel?

25 JIM OLSON: Do you have Robertson decking on it or  
26 something?

27 JUDGE MAX BUNCH: Yes, some sort of decking up on top.

28 JIM OLSON: It's probably Lite -- Litecrete sprayed over  
29 it.

30 JUDGE MAX BUNCH: Yeah. It's -- it's kind of a -- it's not  
31 a flat roof. We made sure that it wasn't a flat roof. It's got  
32 some angle to it.

33 COMMISSIONER MASON: Uh-huh.

34 JUDGE MAX BUNCH: But you still have to be able to get up  
35 there to the HVAC units that are up on the roof.

36 COMMISSIONER MASON: My question was basically --

37 JUDGE MAX BUNCH: I don't -- I don't know whether it's  
38 cement. I do know we've got the first floor, the second floor  
39 cement. I can't tell you the actual material --

40 COMMISSIONER MASON: That's okay. I was just --

1 JUDGE MAX BUNCH: -- of what's on the roof.  
2 COMMISSIONER MASON: I think it's --  
3 VICE COMMISSIONER BULLOCK: Jim Miller, could you tell us  
4 what the roof --  
5 JUDGE MAX BUNCH: Oh.  
6 VICE COMMISSIONER BULLOCK: -- structure is?  
7 JUDGE MAX BUNCH: Mr. Miller.  
8 JIM MILLER: Hi. Jim Miller, CORE Construction. What are  
9 we talking about?  
10 JUDGE MAX BUNCH: He wants to know what the roof's made out  
11 of.  
12 JIM MILLER: The roof? Single ply membrane. It's what --  
13 I don't what the milled thickness is. But it's a rubber --  
14 rubberized-type --  
15 JIM OLSON: Underneath that it's -- isn't it like a  
16 Robertson decking or something --  
17 JIM MILLER: Yeah.  
18 JIM OLSON: -- where you got like a Litecrete poured on it  
19 or something?  
20 JIM MILLER: No. No concrete deck poured on it. So it's  
21 more of like a dense deck.  
22 JIM OLSON: Oh, okay.  
23 COMMISSIONER MASON: So it's not in a position to support  
24 more solar panels or anything, huh?  
25 JIM MILLER: It can be.  
26 COMMISSIONER MASON: I mean, it would be --  
27 JIM MILLER: It can be.  
28 COMMISSIONER MASON: -- totally different contract, but --  
29 JIM MILLER: Right.  
30 COMMISSIONER MASON: -- down the road maybe.  
31 JIM MILLER: It can be.  
32 COMMISSIONER MASON: They keep improving these solar  
33 panels. And I'm wondering, you know, down the road maybe we  
34 could get the 50 percent.  
35 JIM MILLER: Right. Well, you know, just my opinion with  
36 regards to solar panels on the roof, you know, as a last resort  
37 if you're limited on space and that's, like, your only option,  
38 then I would recommend that. But being that --  
39 VICE COMMISSIONER BULLOCK: We're pretty wide open.  
40 JIM MILLER: You're wide open out there. I would suggest,

1 you know, maybe more covered parking or even just put a  
2 ground-mount solar field just off to, you know, one side of the  
3 property. That way with the winds and that you have up here,  
4 those solar panels, the framing will vibrate. And you know,  
5 sometimes over time it could --

6 COMMISSIONER MASON: Oh, okay.

7 JIM MILLER: -- you could have issues with the roof. So --

8 COMMISSIONER MASON: I was only -- I've been reading an  
9 article about this solar competition, --

10 JIM MILLER: Right.

11 COMMISSIONER MASON: -- the worldwide competition for solar  
12 panels. And it's creating -- I mean, some of these panels  
13 they're coming out with now are --

14 JIM MILLER: Yeah.

15 COMMISSIONER MASON: -- horrendous as far as what they  
16 create --

17 JIM MILLER: Right.

18 COMMISSIONER MASON: -- in electricity.

19 JIM MILLER: Yep.

20 JUDGE MAX BUNCH: Well, we've got one set of panels or  
21 three different areas of panels for the parking at this point in  
22 time. And I think we do have extra spots on there --

23 JIM MILLER: Right.

24 JUDGE MAX BUNCH: -- that we could add panels to.

25 COMMISSIONER MASON: Oh, that's cool.

26 JUDGE MAX BUNCH: It's just not part of what we --

27 COMMISSIONER MASON: This contract's already set.

28 JUDGE MAX BUNCH: This contract's already set. We could  
29 eventually come in -- and actually we could go -- I guess it  
30 would be east or on the back of the project, we still go a long  
31 ways back before we hit the property line. So as Jim said,  
32 there's a field out there that we could put a solar field if  
33 need be. But I think we need to see if this is going to work  
34 and how this is going to affect our -- our power bill. And you  
35 know, potentially there's sections over, I mean, you could put  
36 park -- you could put solar in front of the building too for  
37 covered. And you've got -- you could put covered parking for  
38 public. And you could put those panels in there if you choose  
39 to do that. There's a lot of area and a lot of room within the  
40 site that we have that we could utilize for that.

1 JIM MILLER: Right.  
2 COMMISSIONER MASON: Thank you.  
3 JIM MILLER: And I would recommend just, you know, kind of  
4 keeping an eye on the -- the state's energy site for grants and  
5 stuff that they have that, you know, they're always promoting  
6 certain paybacks or incentives to put up solar systems. So I  
7 would just monitor that.  
8 COMMISSIONER MASON: All right.  
9 Things underway, it's neat to see.  
10 JUDGE MAX BUNCH: Anything else?  
11 JIM MILLER: Moving a lot dirt.  
12 COMMISSIONER MASON: I'm having coffee out there every  
13 morning waiting for the crew to come to work.  
14 JIM MILLER: You're the gate keeper.  
15 COMMISSIONER MASON: Well, almost. About 200 feet, maybe  
16 250 feet away.  
17 COMMISSIONER WAITS: Thank you.  
18 JIM MILLER: Thanks.  
19 VICE COMMISSIONER BULLOCK: Thanks.  
20 COMMISSIONER STIENMETZ: Thanks.  
21 JIM OLSON: Thank you.  
22  
23

24 **COMMISSIONERS**

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

27  
28 VICE COMMISSIONER BULLOCK: Okay. Correspondence, reports,  
29 potential upcoming agenda items.  
30

31 (The following correspondence was received:

- 32 1. J.J. Goicoechea DVM, Eureka County Commission  
33 Chairman, to Donna Downing, US Environmental Protection Agency,  
34 and Stacey Jensen, US Army Corps of Engineers, letter regarding  
35 proposed rule on definition of "Waters of the United States  
36 Under the Clean Water Act," Docket No. EPA-HQ-OW-2011-0880.  
37 2. Ray H. Williams, Jr., Chairman of the Lander County  
38 Public Use Advisory Planning Commission, to Timothy J. Coward,  
39 Field Manager, letter regarding the July 2014 oil and gas lease  
40 sales.

1           3. Stephen Pluemer, Regional Operations Manager, M-I  
2 WACO, to Lander County Board of Commissioners, letter regarding  
3 M-I SWACO's intention to commence mining and ore beneficiation  
4 at their Mountain Springs property located approximately 25  
5 miles south of Battle Mountain during the 4th quarter of 2014.

6           4. Christopher J. Cook, BLM, to Interested Public, letter  
7 regarding the 2013 Willow Creek Fire Wildfire Management and  
8 Livestock Closure Decision.)  
9

10           VICE COMMISSIONER BULLOCK: Before we touch anything on  
11 that, there's going to be somewhat of an issue on agenda  
12 setting. I will not be available. Commissioner Garner will try  
13 to call in, but it would be nice if one of you will volunteer to  
14 be at agenda setting.

15           COMMISSIONER MASON: I can do that.

16           VICE COMMISSIONER BULLOCK: Okay. Two o'clock Monday.

17           COMMISSIONER MASON: Two o'clock Monday.

18           COMMISSIONER WAITS: We do need something on now that the  
19 marijuana dispensary has been disapproved. We have to do an  
20 ordinance; is that right?

21           DEPUTY DISTRICT ATTORNEY TING: Yes, I'll draft something  
22 for the moratorium. I'll draft.

23           COMMISSIONER WAITS: It wasn't a moratorium. We  
24 disapproved it.

25           DEPUTY DISTRICT ATTORNEY TING: Oh. Do you --

26           COMMISSIONER WAITS: So we have to do an ordinance, right?

27           DEPUTY DISTRICT ATTORNEY TING: Do you -- do you want us to  
28 just draft one and have your guys' approval, or is there -- is  
29 there-- did you guys look at any of the -- of other counties to  
30 see?

31           VICE COMMISSIONER BULLOCK: Mm-hm.

32           COMMISSIONER WAITS: Lyon is the one who disapproved it.  
33 So it would be similar to theirs, I imagine, --

34           COMMISSIONER STIENMETZ: Yeah.

35           DEPUTY DISTRICT ATTORNEY TING: Okay, so (indiscernible).

36           COMMISSIONER WAITS: -- right?

37           DEPUTY DISTRICT ATTORNEY TING: Okay. Cool.

38           VICE COMMISSIONER BULLOCK: No. Did I -- maybe I misread  
39 that one, but they disapproved it in unincorporated areas.

40           They didn't --

1 JIM OLSON: Really?  
2 COMMISSIONER BULLOCK: -- totally disapprove it, if you  
3 read that.

4 COMMISSIONER WAITS: Well, we can disapprove it in all  
5 unincorporated's areas. Fine with me.

6 COMMISSIONER STIENMETZ: Yeah. We don't have any  
7 incorporated areas.

8 VICE COMMISSIONER BULLOCK: So but --

9 COMMISSIONER WAITS: Right.

10 COMMISSIONER STIENMETZ: Just in general.

11 COMMISSIONER WAITS: Whatever we have to do.

12 DEPUTY DISTRICT ATTORNEY TING: Yeah. I'll draft  
13 something.

14 COMMISSIONER WAITS: Okay.

15 DEPUTY DISTRICT ATTORNEY TING: We'll draft something and  
16 bring it back before you guys.

17 COMMISSIONER WAITS: Okay. It's got to be on the agenda.  
18 Right. Okay.

19 VICE COMMISSIONER BULLOCK: Any other items?  
20  
21

22 **PUBLIC COMMENT**  
23

24 VICE COMMISSIONER BULLOCK: Okay. Public comment for  
25 non-agendized items only.

26 COMMISSIONER WAITS: I would like to share just one thing  
27 and that's the world championship land sailing starts at the  
28 Smith Playa outside of Austin this Saturday. Most of the  
29 village is already set up. It's awesome. They have four  
30 continents right now that are represented, I think 15 counties  
31 and 200 entries.

32 DEPUTY DISTRICT ATTORNEY TING: Wow.

33 COMMISSIONER WAITS: And Belgium, actually, has dedicated  
34 their participation to a gentleman, private, World War I, died  
35 October 31<sup>st</sup>, 1918. And he's buried in Flanders Field in  
36 Belgium. He's the only Nevada resident they could find there.  
37 So they're doing a dedication to our Nevada man, as they said.  
38 So it's pretty exciting. So if any of you can make it --

39 VICE COMMISSIONER BULLOCK: Is there times during the day?

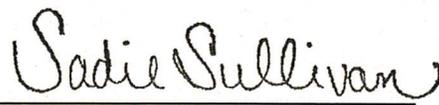
40 COMMISSIONER WAITS: Yes, there's a whole schedule that's

1 actually --  
2 COUNTY CLERK SULLIVAN: There is one posted upstairs --  
3 VICE COMMISSIONER BULLOCK: Is there?  
4 COUNTY CLERK SULLIVAN: -- as you enter in.  
5 VICE COMMISSIONER BULLOCK: Would you mind e-mailing that  
6 to me, the schedule?  
7 COMMISSIONER WAITS: Sure. Happy to. Are you at the  
8 regular Lander County, Nevada? Okay. NV.  
9 COMMISSIONER STIENMETZ: Me too, Patsy.  
10 COMMISSIONER WAITS: Okay.  
11 VICE COMMISSIONER BULLOCK: Okay. Nothing else?  
12  
13

14 **ADJOURNMENT**

15  
16 COMMISSIONER STIENMETZ: I make a motion we adjourn.  
17 COMMISSIONER MASON: Second.  
18 VICE COMMISSIONER BULLOCK: Any comments?  
19 (No comment.)  
20 VICE COMMISSIONER BULLOCK: All those in favor?  
21 COMMISSIONER MASON: Aye.  
22 COMMISSIONER WAITS: Aye.  
23 COMMISSIONER STIENMETZ: Aye.  
24 VICE COMMISSIONER BULLOCK: Aye.  
25  
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30   
31 **CHAIRMAN OR VICE CHAIRMAN OF THE**  
32 **BOARD OF LANDER COUNTY**  
33 **COMMISSIONERS AND THE LANDER**  
34 **COUNTY LIQUOR BOARD**

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

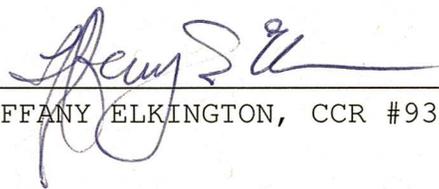
39 *Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of*  
40 *Battle Mountain and Austin, Nevada.*

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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 10TH  
DAY OF JULY 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 24th DAY OF JULY 2014.

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