

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on July 11, 2013 at 9:00 a.m.

**PRESENT:**     **DEAN BULLOCK, COMMISSIONER**  
                  **STEVEN STIENMETZ, COMMISSIONER**  
                  **DAVID MASON, COMMISSIONER**  
                  **PATSY WAITS, COMMISSIONER**  
                  **SADIE SULLIVAN, CLERK**  
                  **NICOLE TING, DEPUTY DISTRICT ATTORNEY**  
                  **ROGENE HILL, FINANCE DIRECTOR**  
                  **CATHY MYERS, DEPUTY CLERK**

**ABSENT:**     **BRIAN GARNER, COMMISSIONER**

**9:00 A.M.**

Chairman Bullock called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Commissioner Stienmetz led the Pledge of Allegiance.

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

**APPROVAL OF AGENDA NOTICE**

The Notice of Posting was reviewed and found to be in order. Commissioner Stienmetz moved to approve the Notice of Posting. Seconded by Commissioner Waits the motion was voted and carried. **APPROVED**

**APPROVAL & ACCEPTANCE OF MINUTES**

**JUNE 25, 2013 – SPECIAL SESSION**

Commissioner Waits move to approve the special session of June 25<sup>th</sup>. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

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*Prepared By: Cathy Myers, Deputy Clerk*

**JUNE 27, 2013 – REGULAR SESSION**

The minutes of June 27, 2013 regular session was not ready for review.

**JULY 10, 2013 – SPECIAL SESSION**

The minutes of June 10, 2013 special session was not ready for review.

**COMMISSIONER REPORTS**

Commissioner Mason reported on his attendance of the Airport meeting in Austin with Mark Brethauer, County Engineer, and their tour of Austin, Kingston, and ORMAT. He also reported on his attendance of the Planning Commission on July 10<sup>th</sup>.

Commissioner Waits reported on her attendance of the June 27<sup>th</sup> RTC meeting, the June 28<sup>th</sup> NACO meeting in Carson City and the Nevada Land Management Task Force meeting. She stated AB227 outlines the tasks of the Task Force committee. The next meeting for the Task force is August 16, 2013 in Eureka. She also attended the Lander County Advisory Planning Commission for Public Lands on July 1<sup>st</sup>, and the next meeting will have the BLM present to discuss the drought. She attended the Austin Airport advisory meeting on July 8<sup>th</sup>, and was present for two conference calls with the four Counties regarding the Regional Management Plan (RMP) with BLM. Commissioner Waits also reported she attended the joint meeting between the Commissioner and the Panning Commission on July 10<sup>th</sup>.

Commissioner Stienmetz reported the Humboldt River Water Basin Authority meeting was cancelled last month because there is so much going on. They are looking to reschedule the first part of August. He reported on his attendance of the LEPC meeting on July 9<sup>th</sup> and the joint meeting with the Planning Commission.

**PAYMENT OF THE BILLS**

Jane Bianchi presented the Board with bills to be ratified.

**WELLS FARGO REMITTANCE**

Commissioner Stienmetz moved to approve check #044927 in the amount of \$1.447.03 to Wells Fargo Remittance. Seconded by Commissioner Waits, the motion was voted and carried.

**APPROVED**

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### **CHASE CARD SERVICES**

Commissioner Stienmetz moved to approve check #044900 in the amount of \$263.88 to Chase Card Services. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

### **RENEE C. FINK**

Commissioner Stienmetz moved to approve check #044906 in the amount of \$60.00 to Renee C. Fink. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Commissioner Stienmetz moved to approve the submitted expenditures in the amount of \$747,030.77 from check #44982 through #45086. Seconded by Commissioner Waits the motion was voted and carried with Commissioner Stienmetz abstaining from the vote on check #45070, Commissioner Waits abstaining from the vote on check #45082, and Commissioner Bullock abstaining from the vote on check #44995. **APPROVED**

### **PAYROLL CHANGE REQUESTS**

1. Employee Change Request for employee #1273, 8% Salary Increase, Maintainer II, \$17.58 per hour, effective July 8, 2013
2. Employee Change Request for employee #1368, 8% Salary Increase, Justice Court Clerk I/II, \$16.10 per hour, effective July 8, 2013.
3. Employee Change Request for employee #1100, 8% Salary Increase, Maintainer I, \$16.41 per hour, effective July 8, 2013.
4. Employee Change Request for employee #0796, 8% Salary Increase, Executive Secretary 3, \$19.25 per hour, effective July 8, 2013.
5. Employee Change Request for employee #0163, 8% Salary Increase, Deputy Recorder 2, \$16.75 per hour, effective July 8, 2013.
6. Employee Change Request for employee #0434, 8% Salary Increase, Assistant Site Director, \$18.69 per hour, effective July 8, 2013.
7. Employee Change Request for employee #1092, 8% Salary Increase, Lead Person, \$21.78 per hour, effective July 8, 2013.
8. Employee Change Request for employee #0293, 8% Salary Increase, Maintainer III, \$22.75 per hour, effective July 8, 2013.
9. Employee Change Request for employee #1386, 8% Salary Increase, Maintainer II, \$17.58 per hour, effective July 8, 2013.
10. Employee Change Request for employee #2060, 8% Salary Increase, Executive Secretary I, \$16.58 per hour, effective July 8, 2013.
11. Employee Change Request for employee #1189, 8% Salary Increase, Senior Deputy Clerk, \$18.99 per hour, effective July 8, 2013.
12. Employee Change Request for employee #1505, 8% Salary Increase, Landfill Operator w/CDL, \$18.29 per hour, effective July 8, 2013.

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13. Employee Change Request for employee #2017, 8% Salary Increase, Greens keeper 3, \$16.75 per hour, effective July 8, 2013.
14. Employee Change Request for employee #1476, 8% Salary Increase, Lead Person, \$21.37 per hour, effective July 8, 2013.
15. Employee Change Request for employee #1482, 8% Salary Increase, Accounting Specialist, \$16.91 per hour, effective July 8, 2013.
16. Employee Change Request for employee #1448, 8% Salary Increase, Appraiser Tech, \$15.03 per hour, effective July 8, 2013.
17. Employee Change Request for employee #1166, 8% Salary Increase, Deputy Recorder 1, \$15.03 per hour, effective July 8, 2013.
18. Employee Change Request for employee #1233, 8% Salary Increase, Health Program Assistant, \$16.01 per hour, effective July 8, 2013.
19. Employee Change Request for employee #1127, 8% Salary Increase, Maintainer III, \$18.99 per hour, effective July 8, 2013.
20. Employee Change Request for employee #1400, 8% Salary Increase, Landfill Equipment Operator 3, \$18.29 per hour, effective July 8, 2013.
21. Employee Change Request for employee #1229, 8% Salary Increase, Executive Secretary 1, \$16.91 per hour, effective July 8, 2013.
22. Employee Change Request for employee #0655, 8% Salary Increase, Mechanic III, \$21.87 per hour, effective July 8, 2013.
23. Employee Change Request for employee #0584, 8% Salary Increase, DMV Clerk, \$19.04 per hour, effective July 8, 2013.
24. Employee Change Request for employee #0963, 8% Salary Increase, Gatekeeper, \$16.58 per hour, effective July 8, 2013.
25. Employee Change Request for employee #0625, 8% Salary Increase, Head Cook, \$15.92 per hour, effective July 8, 2013.
26. Employee Change Request for employee #0712, 8% Salary Increase, Water & Sewer Lead Person, \$24.70 per hour, effective July 8, 2013.
27. Employee Change Request for employee #0525, 8% Salary Increase, Water & Sewer Tech 3, \$22.00 per hour, effective July 8, 2013.
28. Employee Change Request for employee #0971, 8% Salary Increase, Senior Deputy Assessor, \$18.99 per hour, effective July 8, 2013.
29. Employee Change Request for employee #0402, 8% Salary Increase, Maintainer III, \$22.05 per hour, effective July 8, 2013.
30. Employee Change Request for employee #0548, 8% Salary Increase, Senior Deputy, \$20.00 per hour, effective July 8, 2013.
31. Employee Change Request for employee #0545, 8% Salary Increase, DMV Clerk, \$18.09 per hour, effective July 8, 2013.
32. Employee Change Request for employee #1490, 8% Salary Increase, Maintainer III, \$19.77 per hour, effective July 8, 2013.

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33. Employee Change Request for employee #1201, 8% Salary Increase, 8% Salary Increase, Legal Secretary, \$17.08 per hour, effective July 8, 2013.
34. Employee Change Request for employee #0778, 8% Salary Increase, Secretary, \$17.08 per hour, effective July 8, 2013.
35. Employee Change Request number 1404, 8% Salary Increase, Maintainer I, \$16.25 per hour, effective July 8, 2013.
36. Employee Change Request for employee #0381, 8% Salary increase, Administrative Assistant to Public Works/Road & Bridge, \$1,848.46 bi-weekly, effective July 8, 2013.
37. Employee Change Request for employee #1169, 8% Salary Increase, Office Manager, \$1,475.65 bi-weekly, effective July 8, 2013.
38. Employee Change Request for employee #1014, 8% Salary Increase, Building Official, \$2,593.44 per hour, effective July 8, 2013.
39. Employee Change Request for employee #0430, 8% Salary Increase, Community Services Officer, \$2,071.23 bi-weekly, effective July 8, 2013.
40. Employee Change Request for employee #0391, 8% Salary Increase, Accountant, \$1,773.03 bi-weekly, effective July 8, 2013.
41. Employee Change Request for employee #0133, 8% Salary Increase, Building/Planning Tech, \$1,592.46 bi-weekly, effective July 8, 2013.
42. Employee Change Request for employee #0718, 8% Salary Increase, Under Sheriff, \$3,308.71 bi-weekly, effective July 8, 2013.
43. Employee Change Request for employee #0801, 8% Salary Increase, Human Resources/Asst. to Commission, \$2,239.98 bi-weekly, effective July 8, 2013.
44. Employee Change Request for employee #0856, 8% Salary Increase, Social/Senior Services Director, \$2,688.54 bi-weekly, effective July 8, 2013.
45. Employee Change Request for employee #2047, 8% Salary Increase, Assistant Finance Director, \$2,700.00 bi-weekly, effective July 8, 2013.
46. Employee Change Request for employee #1372, 8% Salary Increase, Deputy District Attorney, \$2,700.00 bi-weekly, effective July 8, 2013.
47. Employee Change Request for employee #0698, 8% Salary Increase, Accountant, \$2,197.41 bi-weekly, effective July 8, 2013.
48. Employee Change Request for employee #1416, 8% Salary Increase, Public Works Foreman, \$2,802.94 bi-weekly, effective July 8, 2013.
49. Employee Change Request for employee #2026, 8% Salary Increase, Finance Director, \$4,336.69 bi-weekly, effective July 8, 2013.
50. Employee Change Request for employee #1337, 8% Salary Increase, Road & Bridge Foreman North, \$3,003.13 bi-weekly, effective July 8, 2013.
51. Employee Change Request for employee #1137, 8% Salary Increase, Road & Bridge Foreman South, \$2,896.90 bi-weekly, effective July 8, 2013.
52. Employee Change Request for employee #1151, 8% Salary Increase, Safety Manager, \$3,317.89 bi-weekly, effective July 8, 2013.

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53. Employee Change Request for employee #1462, 8% Salary Increase, Executive Secretary, \$19.39 per hour, effective July 8, 2013.
54. Employee Change Request for employee #1225, 8% Salary Increase, Water and Sewer Tech I, \$20.06 per hour, effective July 8, 2013.
55. Employee Change Request for employee #1132, 8% Salary Increase, Accounting Specialist 2, \$20.87 per hour, effective July 8 2013.
56. Employee Change Request for employee #1277, 8% Salary Increase, Legal Secretary I, \$19.29 per hour, effective July 8, 2013.
57. Employee Change Request for employee #0789, 8% Salary Increase, Court Clerk III, \$22.46 per hour, effective July 8, 2013.
58. Employee Change Request for employee #1109, 8% Salary Increase, Maintainer III, \$22.56 per hour, effective July 8, 2013.
59. Employee Change Request for employee #1101, 8% Salary Increase, Maintainer I, \$18.55 per hour, effective July 8, 2013.
60. Employee Change Request for employee #1283, 8% Salary Increase, Lead Person, \$24.39 per hour, effective July 8, 2013.
61. Employee Change Request for employee #1344, 8% Salary Increase, Maintainer III, \$21.67 per hour, effective July 8, 2013.
62. Employee Change Request for employee #1152, 8% Salary Increase, Appraiser I, \$22.56 per hour, effective July 8, 2013.
63. Employee Change Request for employee #1362, Negotiated Salary Increase, Communications Officer, Level 2, \$20.33 per hour, effective July 8, 2013.
64. Employee Change Request for employee #1142, Negotiated Salary Increase, Deputy Sheriff Level 5, \$27.06 per hour, effective July 8, 2013.
65. Employee Change Request for employee #0535, Negotiated Salary Increase, Communications Officer, Level 3, \$18.72 per hour, effective July 8, 2013.
66. Employee Change Request for employee #1250, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
67. Employee Change Request for employee number 1157, Negotiated Salary Increase, Deputy Sheriff, Level 2, \$22.93 per hour, effective July 8, 2013.
68. Employee Change Request for employee #1192, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
69. Employee Change Request for employee #1494, Negotiated Salary Increase, Deputy Sheriff, Level 2, \$22.93 per hour, effective July 8, 2013.
70. Employee Change Request for employee #1415, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
71. Employee Change Request for employee #1222, Negotiated Salary Increase, Animal Control Officer, Level I, \$16.58 per hour, effective July 8, 2013.
72. Employee Change Request for employee #1414, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.

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73. Employee Change Request for employee #0903, Negotiated Salary Increase, Administrative Assistant, Level 2, \$17.82 per hour, effective July 8, 2013.
74. Employee Change Request for employee #1141, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
75. Employee Change Request for employee #1160, Negotiated Salary Increase, Deputy Sheriff, Level 2, \$22.93 per hour, effective July 8, 2013.
76. Employee Change Request for employee #1177, Negotiated Salary Increase, Communications Officer, Level 2, \$17.82 per hour, effective July 8, 2013.
77. Employee Change Request for employee #1284, Met Requirement/Negotiated Salary Increase, Deputy Sheriff, Level 2, \$22.93 per hour, effective July 8, 2013.
78. Employee Change Request for employee #0847, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
79. Employee Change Request for employee #0964, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
80. Employee Change Request for employee #1311, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
81. Employee Change Request for employee #1112, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
82. Employee Change Request for employee #2034, Negotiated Salary Increase, Deputy Sheriff, Level 3, \$24.08 per hour, effective July 8, 2013.
83. Employee Change Request for employee #1252, Negotiated Salary Increase, Administrative Assistant, Level 1, \$19.36 per hour, effective July 8, 2013.
84. Employee Change Request for employee #1309, Negotiated Salary Increase, Deputy Sheriff, Level 5, \$27.06 per hour, effective July 8, 2013.
85. Employee Change Request for employee #1046, Negotiated Salary Increase, Communications Supervisor, Level 2, \$25.20 per hour, effective July 8, 2013.
86. Employee Change Request for employee #0462, Negotiated Salary Increase, Sergeant, Level 3, \$32.12 per hour, effective July 8, 2013.
87. Employee Change Request for employee #2044, Negotiated Salary Increase, Sergeant, Level 2, \$30.59 per hour, effective July 8, 2013.
88. Employee Change Request for employee #0593, Negotiated Salary Increase, Corporal, Level 2, \$29.85 per hour, effective July 8, 2013.
89. Employee Change Request for employee #0911, Negotiated Salary Increase, Corporal, Level 1, \$28.42 per hour, effective July 8, 2013.
90. Employee Change Request for employee #0374, Negotiated Salary Increase, Sergeant, Level 3, \$32.12 per hour, effective July 8, 2013.
91. Employee Change Request for employee #0278, Negotiated Salary Increase, Office Manager, Level 1, \$21.03 per hour, effective July 8, 2013.
92. Employee Change Request for employee #1186, 8% Salary Increase, Part Time Gatekeeper, \$13.74 per hour, effective July 8, 2013.

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93. Employee Change Request for employee #0537, 8% Salary Increase, Driver/Dishwasher, \$11.32 per hour, effective July 8, 2013.
94. Employee Change Request for employee #1399, 8% Salary Increase, Part Time Court Clerk, \$15.16 per hour, effective July 8, 2013.
95. Employee Change Request for employee #1570, 8% Salary Increase, Janitor (Austin), \$13.01 per hour, effective July 8, 2013.
96. Employee Change Request for employee #1364, 8% Salary Increase, Relief Driver/Dishwasher, \$10.67 per hour, effective July 8, 2013.
97. Employee Change Request for employee #1535, 8% Salary Increase, Relief Cook (Austin), \$11.04 per hour, effective July 8, 2013.
98. Employee Change Request for employee #1062, 8% Salary Increase, van Driver, \$13.54 per hour, effective July 8, 2013.
99. Employee Change Request for employee #1383, 8% Salary Increase, Van Driver, \$13.89 per hour, effective July 8, 2013.
100. Employee Change Request for employee #1327, 8% Salary Increase, Assistant Cook, \$14.16 per hour, effective July 8, 2013
101. Employee Change Request for employee #1116, 8% Salary Increase, Assistant Cook, \$15.77 per hour, effective July 8, 2013.
102. Employee Change Request for employee #1292, 8% Salary Increase, Relief Van Driver, \$10.42 per hour, effective July 8, 2013.
103. Employee Change Request for employee #1305, 8% Salary Increase, Relief Driver/Dishwasher, \$10.67 per hour, effective July 8, 2013.
104. Employee Change Request for employee #0310, 8% Salary Increase, DOE/Commission Secretary, \$503.11 bi-weekly, effective July 8, 2013.
105. Employee Change Request for employee #1325, 8% Salary Increase, Executive Secretary I, \$16.58 per hour, effective July 8, 2013.
106. Employee Change Request for employee #0060, 8% Salary Increase, Pools Manager, \$1,200.10 bi-weekly, effective July 8, 2013.

Commissioner Stienmetz moved to approve the payroll changes. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

#### **PUBLIC COMMENT**

No Public Comment.

#### **FINANCE**

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts, Financial Update & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, updated the

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Board on the accounts receivable, the Bank of America contract, and a complaint on the Austin County vehicle and the possibility it is out of alignment.

Commissioner Waits commented on the issues with the vehicle after Dee Helming and Joy Brandt hit a deer a few years ago. **UPDATE**

## **BUILDING**

- 2) **Discussion For Possible Action Regarding Operations & Projects For The Building Department & Other Matters Properly Related Thereto:** Joe Lindsey, Building Department, updated the Board on the number of permits issued, the non-permitted inspections, the ongoing projects, future projects, and things going on in South County. Mr. Lindsey stated the FEMA open house regarding Flood Insurance Program and DFRIM mapping was poorly attended. **UPDATE**

## **ENGINEER**

- 3) **Discussion For Possible Action Regarding Operations & Projects of the Lander County Engineer & Other Matters Properly Related Thereto:** Mark Brethauer, County Engineer, provided the Board with a Capital Projects Master Schedule for the 2013-2014 projects. He also provided updates on the Fifth Street Alleys Water and Sewer Replacement Project, Well #9 Project, 2013 Water and Sewer Replacement Project, Golf Course Expansion, Cemetery Fencing, Austin Visitors Center Project, Battle Mountain 2013 Paving Projects, and Austin Road and Bridge Paving and Chip Seal.

There was discussion on the golf course design. Commissioner Bullock expressed his concern for adding lakes for decoration purposes only. These require more maintenance and are high breeding grounds for mosquitos.

Mr. Brethauer also updated the Board on the Battle Mountain Airport fuel tank and plumbing repair project, the road mapping project, the levee project, the Austin Airport flight center project, and I-80 Pedestrian Bridge project. He stated the Racing Association has contacted him regarding a new restroom facility and waters storage tank at the racetrack. Mr. Brethauer also reviewed and commented on the Elquist Duplex project and the Turquoise Hill Estate subdivision. **UPDATE**

## **ROAD & BRIDGE SOUTH**

- 4) **Discussion For Possible Action Regarding Operations For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge

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South, requested Commissioner Bullock to sign the right-of-ways that had been approved in previous meetings. Mr. Ramos updated the Board on the Austin Paving. He requested the Board allow him to do the chip sealing. He is not asking for more money, the sealing was just not included in the bid.

Commissioner Stienmetz moved for the Commission to allow Burt Ramos to include the fog seal for 1,367,200 square feet of chip seal not to exceed the \$44,016.00 that was approved in his budget. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Mr. Ramos also updated the Board the new loader has been delivered, and the prep and base work for the roads have been done and things are moving along. There had also been some roads washed out in Kingston due to some heavy rain.

Commissioner Waits asked about the maintenance of Gold Creek Road, and if it was the County's responsibility up to the private property.

Mr. Ramos stated he had a meeting with the Forest Service and would provide an update on that issue. **UPDATE**

- 5) **Discussion For Possible Action Regarding Award Of Bid For A New 2013 Model Mega MPT or Equal Stand Tank – 12,000 Gallon Capacity For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Bert Ramos, Road and Bridge South, explained this is the stand tank they asked for. He reviewed the bids and said this is well within the budget. He wants to go with the lowest bid of \$45,109.00.

Commissioner Stienmetz moved for the Commission to approve the recommendation of Burt Ramos to purchase a water storage tank for \$45,109.00. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

#### **ROAD & BRIDGE NORTH**

- 6) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge North Department & Other Matters Properly Related Thereto:** No Report.

#### **PUBLIC WORKS**

- 7) **Discussion For Possible Action Regarding Operations & Projects For The Public Works Department & Other Matters Properly Related Thereto:** Jake Edgar, Public Works

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Foreman, updated the Board on well #8, the Fourth of July and damage to the bathrooms at Lyons Park, they have been cleaning things up getting ready for the safety inspection, and four boxes will be going in on Sheep Creek for Mr. Wintle's property. Mr. Edgar also updated the Board on the Vac-Truck Shop, and requested the Golf Course be put back on the agenda as a separate item for more discussion.

There was discussion on the vandalism and what happens after it has been reported.

**UPDATE**

- 8) **Discussion For Possible Action Regarding Award Of Bid For A New Rough Mower For The Mountain View Golf Course & Other Matters Properly Related Thereto:** Jake Edgar, Public Works Foreman, addressed the Board and recommended to award the bid of the rough mower for the Mountain View Golf Course to Bonneville County Implement, in the amount of \$44,124.00. Bonneville County Implement is the lowest bidder and meets the required specifications.

Commissioner Stienmetz moved to approve the purchase of the rough mower from Bonneville County Implement for \$44,124.00. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 9) **Discussion For Possible Action Regarding Approval/Disapproval Of The Agreement Between Lander County & Marilyn Adams, dba T&M Lawn Care, For Grounds Maintenance Services At Certain Locations In Battle Mountain, In The Amount Of \$15,101.75 Per Month From March Through October 2013 & 2014, & Other Matters Properly Related Thereto:** Jake Edgar, Public Works Foreman, addressed the Board and explained this is a renewal of contract. This is for a two year term.

Commissioner Stienmetz questioned if on a contract of this size they are required to bid them. He said this is a lot of money, but he was not saying it wasn't deserved.

Mr. Edgar stated this is no different than any other contract. The contract does state it does not have to go out to bid every year.

Nicole Ting, Deputy District Attorney, stated they will look into it, but the Board may approve this contract.

Commissioner Stienmetz moved for the Commission to approve the agreement between Lander County and Marilyn Adams, dba T&M Lawn Care, for grounds maintenance services at certain locations in Battle Mountain, in the amount of \$15,101.75 per month from March through October 2013 and 2014, and authorize the

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Chair to sign the contract. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

### COMMUNITY HEALTH NURSE

10) Discussion For Possible Action Regarding Request From Lander County Community Health Nurse To Block Off Palmer Street (In Front Of The Community Health Clinic) For The Point Of Dispense (P.O.D.) Immunization Exercise Scheduled September 28, 2013 From 7:00 A.M. To Noon, & Other Matters Properly Related Thereto: Rita Newgard, Lander County Community Health, addressed the Board and explained this is the third year of doing the P.O.D. Immunization exercise. She provided a map to the Board showing the streets they would like to block off and the route that will be taken. She expresses her thanks to all the Companies and Community for their support. They will be going to Austin for the routine flu shots at the Senior Center.

Commissioner Stienmetz moved for the Board to approve the Lander County Health Nurse the permission to block off Palmer Street in front of the Community Health Clinic for the Point of Dispense (P.O.D.) immunization exercise scheduled September 28, 2013 from 7:00 a.m. to noon. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

### LANDER COUNTY LAW ENFORCEMENT EMPLOYEES ASSOCIATION

11) Discussion For Possible Action Regarding Request From Employee #1311 For An Extension Of The Ninety (90) Calendar Day Full Compensation Provision Of Article 11 In The Agreement Between Lander County & The Lander County Law Enforcement Employees Association, & Other Matters Properly Related Thereto: Deputy Steven Smith, Lander County Sheriff's Office, addressed the Board and explained in June of 2012 he was injured on the job, and is requiring surgery. He will be recovering for six months, and is requesting the Board approve an extension of the full compensation provision of the contract between the Employees Association the Lander County.

Commissioner Bullock question if workers compensation comes from POOL/PACT, and if they can dictate or if it is POOL/PACT's decision.

Deputy Smith explained workers compensation alternative service concept has approve the surgery and will be paying 66.6% of his wages. What he is requesting is an extension for the other 33.3% of his wages to be paid by the County as listed in Article 11 of the agreement.

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Commissioner Bullock explained it is his understanding that they would need approval from POOL/PACT before they could go forward. POOL/PACT is the insurance of the County.

Rogene Hill, Finance Director, stated it is her understanding that Workman's Compensation does reimburse 66%, and for the remaining of their pay they can use sick leave and annual vacation.

Deputy Smith explained he does have time he can use, but it will be exhausted and then some.

Commissioner Waits explained the reason for the 66.6% is because there is not the extra cost going out for gas, uniforms, and other expenses to be on the job. She questioned if they have ever stepped in before to supplement the pay.

Deputy Smith stated the contract does state the Commission can allow the extension.

Nicole Ting, Deputy District Attorney, confirmed that is how she interpreted the contract as well.

There was discussion on where the funds would come from. Rogene Hill, Finance Director, stated it would come from the Sheriff's Budget as salary and wages.

Commissioner Stienmetz expressed his concern that this is the Sheriff's Budget and he doesn't feel the Commission can dictate how the Sheriff uses his budget.

Commissioner Waits moved to table the request for employee #1311 to grant an extension of the 90 day calendar year full compensation for the Lander County Law Enforcement. Seconded by Commissioner Stienmetz, the motion was voted and carried.

**DEFERRED**

## SENIOR CENTER

- 12) Discussion For Possible Action Regarding Ratification & Acceptance Of Grant Award No. 09-000-10-LX-14, Nevada Aging & Disability Services Division, For The Transportation Program In The Amount Of \$15,000.00, With Required Match Of \$2,250.00; Acknowledgement Of Confidentiality Addendum; & Other Matters Properly Related Thereto:** Commissioner Stienmetz stated this is a standard thing they do every year. This is one of the Grants that help the Senior Center operate.

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Prepared By: Cathy Myers, Deputy Clerk

Commissioner Stienmetz moved for the Commission to accept and ratify Grant Award #09-000-10-LX-14, Nevada Aging and Disability Services Division, for the Transportation Program in the amount of \$15,000.00, with requires match of \$2,250.00, and acknowledgement of the confidentiality addendum. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

## COMMISSIONERS

### **13) Discussion For Possible Action Regarding Renewal Of The Agreement Between Lander County & The Austin Roping Club For Use Of The Austin Rodeo Grounds Located On Highway 50 In Austin, Nevada & Other Matters Properly Related Thereto:**

Commissioner Waits stated she had read through the request of changes to add to their contract, but she stated she had not seen the 501 C 3 non-profit that was to be included. The insurance is coming up.

Burt Ramos stated he thinks they fall under a 990 under the 501 C. It is a not for profit and is for any organization that makes under \$25,000.00 a year.

Commissioner Waits explained in the second paragraph of the lease agreement it actually stated the Nevada Revised Statues on how this group has the authority. Lander County is authorized to lease property to non-profit, charitable, or civic organization. If the non-profit organization is recognized as exempt under section 501 C 3.

Nicole Ting, Deputy District Attorney, stated this is not just a 501 C 3; they also have to be the charitable under the 501 C 3.

Sissy Gallegos, Austin Roping Club Secretary, stated she would get the paper work and file as soon as she gets back to Austin.

It was discussed to revise the contract and bring it back before the Board along with the 501 C 3 and the insurance.

Commissioner Waits moved to table the lease of the Austin Roping Club. Seconded by Commissioner Stienmetz.

Dennis Ashby suggested the Board do not renew this contract and the neglect of animals. He also stated his wife, Lois Tomera Ashby, was voted in as watchman in 2009. Commissioner Ray Williams was present at the time, so if there was no contract for a watchman it should have never taken place. Mr. Ashby also stated he was told by Mr. Williams to find a new place to live, and in August he received a letter of eviction. Mr.

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*Prepared By: Cathy Myers, Deputy Clerk*

Ashby asked Mr. Williams if he was there to represent the County and felt there was a conflict of interest due to Mr. Williams addressing himself as a Commissioner at meetings for the Roping Club instead of a public citizen.

Ray H. Williams interjected by saying his name was being slandered in an open meeting and he has the right to respond.

Nicole Ting, Deputy District Attorney, asked for a brief recess to bring in the District Attorney, Angie Elquist.

Commissioner Bullock addressed Mr. Ashby and stated if this pertains to the contract, he is free to comment, but he needs to keep it to the contract.

Mr. Ashby stated he is trying to keep it to the contract. He stated they have not had any activities for years and has been used as a private club. This violates the County contract and the 501 C 3 contract. He feels the grounds need to go back to the County and be set up how it is in Battle Mountain so other people can use the facilities.

Ray Williams commented that Mr. Ashby was slandering his good name in this meeting and was allowed to continue. He did resign from the Roping Club because he was a County Commissioner at the recommendation of Hy Forgeron. The Roping Club has been in existence since 1977 and has taken a lot of sweat and tears from the County.

The motion was voted and carried. **DEFERRED**

**14) Discussion For Possible Action Regarding Approval Of Submission Of The County Road Map To The Bureau Of Land Management (BLM) For The Draft Battle Mountain Resource Management Plan (RMP) & Other Matters Properly Related Thereto:**

Rex Massey addressed the Board and stated this agenda has to do with a submission of a County Road map to the BLM for the Resource Management Plan process. The BLM is undergoing a Resource Management Plan update. It will affect their mater plan for public lands in Lander County, Nye County, Eureka County, and parts of Esmeralda County. One of the issues that will be addressed is roads, travel management, and access. Mr. Massey stated there was a map that was originally developed in the 1990s, that is called a County Road map and was adopted in 1997 as part of the Master Plan and is included in the Master Plan. He recommended to the Board to submit something to the BLM as a place holder until they can submit amendments in December.

Commissioner Stienmetz moved for the Commission to approve Mr. Rex Massey for submission of the existing County Road Map to the BLM for the Resource Management

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Plan, subject to future County revisions or approve inclusions of the existing County road map solely for the purpose and use associated with the BLM Resource Management Plan, and to include a cover letter. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

**15) Discussion For Possible Action Regarding Ratification Of Comments Submitted By Lander County For The Sage Grouse Environmental Impact Statement (EIS) & The Bureau Of Land Management (BLM) Battle Mountain District's Resource Management Plan (RMP) & Other Matters Properly Related Thereto:** Rex Massey addressed the Board and asked them to ratify the comments submitted to the BLM regarding the Resource Management Plan.

Commissioner Stienmetz moved for the Commission to ratify the comments submitted by Lander County for the Sage Grouse Environmental Impact Statement and the Bureau of Land Management (BLM) Battle Mountain District's Resource Management Plan (RMP). Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

**16) Discussion For Possible Action Regarding Approval/Disapproval OF Additional Costs For The Septic System & Septic System Design At The Austin Airport & Other Matters Related Thereto:** Commissioner Waits handed out some cost estimates and said they had some bids that were lower than last time.

Marty Ugalde, Day Engineering, addressed the Board and stated after he completed the design for the rounded system he submitted the design to two contractors, one in Round Mountain and one in Winnemucca. His estimate for the mounted system was \$20,000.00 and the estimate for the holding tank only option was about \$12,000.00. He informed the Board on what the two contractors estimated the cost to be. Mr. Ugalde stated it costs about \$1 a gallon to pump the tank, and it is required to pump once a year.

Commissioner Bullock feels this free trailer is getting too expensive and what started out as \$22,000.00 is now about \$40,000.00.

Commissioner Waits stated this project was under still under \$30,000.00 and should not run over that amount.

Mr. Ugalde stated he didn't want to be the one to drive costs up, but he felt it would be the right thing to go with the mounted system. The contractor out of Winnemucca

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estimated \$17,000.00, but could be about \$12,000.00 if the County provided the materials.

Ray Williams Jr., Austin Airport Board, explained when they had their meeting these estimates were not available. He recommended considering the quote from Winnemucca to put it in and use the additional fund to use the Austin Road and Bridge Department to put the mount in for them to save that ongoing cost to pump those tanks every year.

There was discussion on how much the facility will actually be used, and if the cost is worth the amount of usage. There was also discussion on how this lounge facility will be manned.

Commissioner Waits moved for the Commission to extend the cost for the Airport Facility in Austin to no more than \$30,000.00 to complete the moving up the module, the septic, and the engineering. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

**BOARD APPOINTMENTS**

17) **Discussion For Possible Action Regarding Appointment Of Dee Helming To The 2013-2014 Category 3 Lander County Economic Development Authority & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Dee Helming to the 2013-2014 Category 3 Lander County Economic Development Authority. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

18) **Discussion For Possible Action Regarding Appointment Of Shar Peterson To The 2013-2014 Category 3 Lander Economic Development Authority & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Shar Peterson to the 2013-2014 Category 3 Lander County Economic Development Authority. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

**COURTHOUSE/ADMMINISTRATION BUILDING PROJECT**

*Commissioner Bullock moved to Correspondence/Reports/Potential Upcoming Agenda Items at this time.*

19) **Discussion For Possible Action Regarding Status Of The Lander County Courthouse/Administration Building Project & Other Matters Properly Related**

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**There to:** Max Bunch, Argenta Justice of the Peace, addressed the Board and explained he is in the middle of a conference where they are going over things discussed in the last meeting. He will be bringing things back to the Building Committee. He also said they will be meeting weekly for these conferences to stay updated on what is going on. They are changing a few things in the building and will be taking it back before the Building Committee and then before the Commission for final approval. Most of the changes deal with the connection of the jail to the Courthouse. They are also trying to cut costs where they can. Judge Bunch explained they would like to incorporate local rock into the front of the building, and he has been talking with Newmont and will make a trip to Austin to speak with those in the rock shop. **UPDATE**

## **COMMISSIONERS**

### **20) Correspondence/Reports/ Potential Upcoming Agenda Items:**

1. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commission, e-mail regarding HB 155 and Snake Valley Water Deal.
2. KENNETH R. BROWN, WESTERN COUNTY ALLIANCE, to Lander County Commission, e-mail regarding approval of horse slaughtering process by Federal Officials.
3. RICHARD E. ADAMS. BUREAU OF LAND MANAGEMENT, to Reader, letter regarding Final Environmental Impact Statement (EIS) for Rodeo Creek Gold Inc.'s (RCG) proposed Hollister Underground Mine Project.
4. CHESTER SERGENT, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Donny Negro, Lander County Road and Bridge Foremen, letter regarding solid waste facility inspections.
5. JEFF FONTAINE, NACO, to Lander County Commissioner, e-mail regarding Secure Rural Schools and Community Self-Determination Act Requirements.
6. STEVE BRADHURST, CENTRAL NEVADA REGIONAL WATER AUTHORITY, to Lander County Commissioners, e-mail regarding June 14, 2013 CNRWA meeting, CNRWA meeting schedule for the remainder of 2013 and water news.
7. TRACY TAYLOR, NEVADA DIVISION OF WATER RESOURCES, to Lander County Board of Commissioners & Eureka County Board of Commissioners, letter regarding

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Application #82908 filed June 18, 2013 proposing to change the point of diversion, manner and place of use of a portion of existing Permit #63833.

Commissioner Waits requested there to be a standing agenda item for the Nevada Land Management Task Force.

Commissioner Bullock said he didn't think it needed to be a standing item on the agenda and should be brought before the Public Lands Use Committee. There was discussion of monthly updates.

*Commissioner Bullock went back to agenda item #19 at this time.*

**PUBLIC COMMENT**

No public Comment

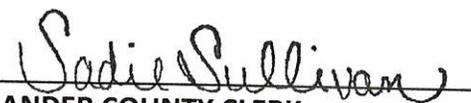
**ADJOURNMENT**

There being no further business before the Board at this time, Commissioner Stienmetz moved to adjourn the meeting of July 11, 2013. Seconded by Commissioner Mason, the motion was voted and carried. **ADJOURNED**



**CHAIRMAN OF THE BOARD OF LANDER  
COUNTY COMMISSIONERS AND THE  
LANDER COUNTY LIQUOR BOARD**

ATTEST:



**LANDER COUNTY CLERK**

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

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