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 23, 2015, at 9:00 a.m. Transcript produced by Tiffany Elkington, C.C.R., #930.

**PRESENT: STEVEN STIENMETZ, COMMISSIONER**
**PATSY WAITS, COMMISSIONER**
**SEAN BAKKER, COMMISSIONER**
**ART CLARK III, COMMISSIONER**
**DOUG MILLS, COMMISSIONER**
**SADIE SULLIVAN, COUNTY CLERK**
**THEODORE HERRERA, DISTRICT ATTORNEY**
**NAN ANCHO, FINANCE DIRECTOR**
**BECKY JOHNSON, HUMAN RESOURCES DIRECTOR**

Let the record reflect the presence of a quorum of five commissioners.

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

[Meeting commenced on July 23, 2015, at 9:00 a.m.]

CHAIRMAN STIENMETZ: I'd like to call the July 23rd, 2015, meeting of the Lander County commissioners, Town Board of Battle Mountain, and Austin to order.

Please -- please stand. Join me in the pledge.

(Pledge of Allegiance.)

CHAIRMAN STIENMETZ: Now, if we can have a moment of silence, please.

(Moment of silence.)

**COMMISSIONER REPORTS**

CHAIRMAN STIENMETZ: All right. Let's go to commissioner reports on meetings, conferences, and seminars attended.

Doug.

COMMISSIONER MILLS: Okay. Last week, I went to hospital board meeting. And there's a lot to report from the meeting. But I'm starting to get a little bit of a feel for what is going on over there. It's -- it's coming pretty slow, getting all the things figured out.

There's another hospital board meeting this afternoon. So we have some contract reviews to do there pertaining to the doctors and some other things that are, I think, pretty important, a lot of things to work out.

Did have some discussions with Corps of Engineers pertaining to the levee. And that's on the agenda today. So I'll just wait till that comes up on the agenda. We can discuss all those -- all those matters.

I did attend the community meeting pertaining to the -- what to do with the courthouse and the other buildings that will be empty after we move into the new courthouse. And I think that was a good meeting.

And then we had a rec center meeting last night. But I'll let -- I'll let Sean talk about that one.

And that's it.

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER BAKKER: I -- well, we did the community meeting. And it turned out pretty good. It was quite a few people.

I don't know if we got any clearer of a direction of where to go yet, but we'll work through it.

We also had rec center meeting. But the architects will be here today to give us an update; so we'll just wait on that.

COMMISSIONER CLARK: I went to the Eleventh Judicial District meeting over in Winnemucca after the last meeting with Mr. Herrera and have met with him more than several times since then.

I'll let Mr. Herrera give us the latest update, because I'm sure that yesterday something came up. Every day, something new. That's -- that's pretty much the important parts of what I've been doing.

VICE CHAIRWOMAN WAITS: Okay. On July 9th, we had our -- our committee meeting on the cat crew. And Commissioner Clark was with us on that.

It's our second meeting that we've had. And we are actually still gathering information, different veterinarians in all of the surrounding areas that we're contacting to see about discounts, if they would accept some vouchers from the counties and such. So we are on it. And they're working on it, but, of course, it's -- it's going to be ongoing before we come back to the commissioners with any idea of what -- what we really think can be done.

On July 15th, there was a Newmont luncheon that they hosted to actually introduce some of the things they have done in the community and also meet their CEO, personally, Gary Goldberg. And we had a couple -- Commissioners Mills and Commissioner Clark were there also. It was very informative and very nice to meet them. BLM was also present with several of our administration staff.

On July 15th, there was a Kingston Town Board meeting, which I did attend. Most of their focus right now is on their fundraiser for their firefighters. And that is the picnic that they hold every year, which would be August 1st. So I'm sure you're seeing some advertising on that. And hopefully we'll be able to support that area.

There was an Austin Airport Board meeting. Unfortunately, I had an agenda meeting, not able to make it. But in that, A & K has finished up with the runway.

They were actually running four days over. And the advisory board asked the commissioners to take a look at that, that they wouldn't be penalized because of the weather. It was very severe rainstorms with mud. They couldn't even get their -- their trucks in there, let alone the heavier equipment. So they wanted you to keep that in mind when we're looking at any penalties for just the four days.

But they were very pleased with everything and especially with the cooperation that they gave the local folks in the -- at the airport in handling some other things for us, moving things around and the cement when they were helping -- they actually poured the flag pole for us that was outside and such; so that was all very positive.

That's all I have. Thank you.

CHAIRMAN STIENMETZ: All right.

I -- July 14th, I attended the LEPC meeting. And they had it

at the new John Peters Medical Center and medical building and that. I hadn't -- I hadn't got to tour it or anything like that, but it is a very nice building over there.

On the 21st, I had a convention and tourism meeting.

Last night, I met with Tim Crowley and Silver Standard, Marigold Mining Company. They're in the process of doing their optimization for their Mackay pit. And they're in the pr- -- getting it permitted and everything. And they're going to be coming in front of us, and they'll be talking to everybody about it. But they hope to have it all permitted by January of -- of 2017. And then basically, they're not -- they're -- I've got the report here. Anybody can read it if they want to.

And now I would like to take a minute at this time to apologize to the taxpayers of Lander County. After two years of unemployment, I started a new job in December of 2014 and was unable to attend the Lander County commissioner meetings.

I'm very pleased to say that I'm now able to work a flexible schedule. And so I will be able to attend the Lander County commissioner board meetings from now on.

Even though I was absent from the commissioner meetings, I was able to stay available to -- and help Lander County residents via phone or e-mails.

I am pleased to say I'm back as the chairman of the board of commissioners. And I will be able to use my ten-and-a-half years of experience as a Lander County commissioner to be the best that I can be, to serve the taxpayers of Lander County.

And I would also like to thank Commissioner Waits for filling in as chairman while I was absent and all the extra work that the other commissioners have done since I was unable to attend.

COMMISSIONER BAKKER: Thanks, Steve.

CHAIRMAN STIENMETZ: And then --

COMMISSIONER CLARK: Thanks, Steve.

CHAIRMAN STIENMETZ: -- I feel that I would like to see -- since it's such a long ways for Patsy to come for the agenda setting meetings, if we couldn't maybe work out a schedule so that everybody -- because I won't be able to make them. But if everybody else would be -- is interested that we could work a schedule so that they could help out with that.

COMMISSIONER BAKKER: I'll help out.

COMMISSIONER MILLS: I think I can do that.
COMMISSIONER CLARK: I can do that too.
CHAIRMAN STIENMETZ: All right. All right. Thank you, all.
COMMISSIONER MILLS: Glad to have you back, Steve.
COMMISSIONER CLARK: Yeah.
CHAIRMAN STIENMETZ: What's that?
COMMISSIONER MILLS: Glad to have you back.
CHAIRMAN STIENMETZ: Thank you.
COMMISSIONER BAKKER: Me too.
CHAIRMAN STIENMETZ: I'm glad to be back.
VICE CHAIRWOMAN WAITS: Welcome back, Steve.
CHAIRMAN STIENMETZ: And that's all I have.
DISTRICT ATTORNEY HERRERA: Do -- do you guys want an update on the Eleventh Judicial District Court?
CHAIRMAN STIENMETZ: Yes, please.
COMMISSIONER BAKKER: Do you want to give us an update?
DISTRICT ATTORNEY HERRERA: Well, yes and no.

It's no, because it's not necessarily good news. Yes, because it's appropriate for me to give you one.

Humboldt County has taken a position that we have no legal interest in Leighton Hall after 20 years of paying a large amount of money for the upkeep, maintenance, and even building of Leighton Hall. Pershing County and Lander County have been informed that we have no legal interest by Humboldt County.

Now, that's not by Humboldt County commissioners. That's Humboldt County representatives on their committee.

We -- I informed them that we had -- in my opinion -- we have a strict equitable interest that that started 20 years ago in 1996 when Lander County put up $150,000 of the building of that place. Pershing County put up another $150,000 for the building of that. Humboldt County put up $450,000.

The rest of the money, over the years, was received from the legislature and certain grants for the benefit of all three counties, not just one county.

Ergo, aside from termination clause where we would be penalized, we would give up our $150,000 interest if we terminated early, which we have not done, we have an equitable interest, as well as Pershing County. And I informed them that if we have to go to court to prove that interest, we would

certainly do that.

After that comment, things got on a slightly smoother keel. And we're going to submit a proposal.

Right now, we're thinking about proposing that -- that both Lander County and Pershing County has a $500,000 interest.

And we're going to submit a proposal along with a memorandum of law so we can try to educate the commissioners in Humboldt County the difference between equity in the law, that the court -- all the courts in the state of Nevada sit in both law and equity. And we certainly have an equitable interest in that property.

And we also are seeking a stipulation for the termination of the 20-year lease, which -- which is basically impossible to continue since we now belong to the Eleventh Judicial District Court.

That would -- that would save us -- we had to pay $226,000 approximately this year. We didn't have to pay it yet, but that's the amount we're contractually obligated to pay.

Fifty-five thousand, I believe, has been paid the first quarter. And if we are allowed termination or we stipulate to termination, we'll be able to try to recoup some of that money back so we can -- we can go to our own district.

The -- the bad news is that -- that for the $55,000 for the first quarter, we -- we're entitled to 40 percent -- or 20 percent of the beds in Leighton Hall.

Judge -- the judge in the Eleventh Judicial District Court -- Shirley tried to put a girl who needed a bed from Mineral County into Leighton Hall. And she was rejected by Judge Montero who's taken the position that -- that even though the contract does not give him authority to run Leighton Hall by himself, he's taken the position that he does. And he rejected that person.

So things aren't going smoothly. But that's all the information I have. And -- and I've detailed the facts accurately so -- so it -- it's a work in progress. And I will keep you updated.

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER BAKKER: Thanks, Ted.

VICE CHAIRWOMAN WAITS: Thank you.

**STAFF REPORTS**

CHAIRMAN STIENMETZ: All right. Now we'll go to staff reports on meetings, conferences, and seminars attended.

KEITH WESTENGARD: I have a few things from the last m- -- last meeting. I was asked to check on the Central Nevada Regional Water Authority.

I did communicate with Steve Bradhurst. He's the executive director. We -- it's an upcoming agenda item today. He says we can either -- we can have one, two, or three people appointed. It doesn't -- it makes no difference as long as one is a commissioner, or they would like one as a commissioner. They did mention Frank specifically, who is in the -- in our booklet -- or in your booklets today. He said he has attended most of the (indiscernible) meetings in the last three years.

So when it comes to that time in our -- in our packages, it will be up to you guys how you want to assign people. If you want to have three, it's fine. But they would like at least one commissioner.

One of the things, I guess, at a meeting. I didn't attend the meeting before last. And I believe a request was put in to HR to check on -- check with POOL/PACT on my evaluations, the 360 evaluation and so forth. So I'd like HR to address that since she talked directly with John Bates.

BECKY JOHNSON: Becky Johnson, HR, for the record.

COMMISSIONER CLARK: Could you come up, --

BECKY JOHNSON: I --

COMMISSIONER CLARK: -- Be- --

BECKY JOHNSON: -- did speak --

COMMISSIONER CLARK: Could you come up?

CHAIRMAN STIENMETZ: Would you come up here by the mike --

BECKY JOHNSON: Yes.

CHAIRMAN STIENMETZ: -- so he can hear you. Thank you.

BECKY JOHNSON: Becky Johnson, HR, for the record.

I did speak with Mr. John Bates at POOL/PACT, explained what was asked of me.

And he said as far as a 360 evaluation, that's something they do not get involved with nor would they get involved with the evaluation of our executive director.

That was basically it.

COMMISSIONER BAKKER: Thank you, Becky.

CHAIRMAN STIENMETZ: Thank you.

VICE CHAIRWOMAN WAITS: Thank you.

KEITH WESTENGARD: Another thing, we did receive a letter from Rita Rogers, a resignation letter, which is further in the -- if you guys don't have one, I have plenty of copies here. They were e-mailed and -- to everyone, as well as faxed to Austin. So if you need one, I have extras.

It's already been addressed. We had our public meeting earlier this week regarding the -- our building.

I think we might need to have one or two more. There was some concern that the publications -- it wasn't published -- publicized well enough. I know Sadie got up there and went above and beyond as far as posting notices throughout Battle Mountain.

So we're going to have to look at another way to maybe reach more of the community. Okay. So we may need some additional meetings.

Let's see. I also attended the Newmont lunch, as well as the LEPC meeting.

And then we had somewhat of a quasi-safety meeting. We're still at one injury -- one recordable injury this year. So we're way down from where we were in the past.

And then tomorrow, I do have -- I'll be attending a home rule meeting with POOL/PACT via teleconferencing tomorrow morning.

And I think that's all I have.

CHAIRMAN STIENMETZ: Thank you.

KEITH WESTENGARD: Oh, I'm sorry. Not POOL/PACT, it was NACO.

CHAIRMAN STIENMETZ: NACO.

KEITH WESTENGARD: Too many things on my mind.

**PUBLIC COMMENT**

CHAIRMAN STIENMETZ: All right. Now it is time for public comment for non-ag- -- agendized items only.

Do we have any?

(No comment.)

CHAIRMAN STIENMETZ: Seeing none, we will go to consent agenda.

**CONSENT AGENDA**

CHAIRMAN STIENMETZ: All matters not listed under this consent agenda are considered routine and may be acted upon by the Board of County Commissioners with one action, without extensive discussion.

Any member of the board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.

Cong- -- consent agenda materials are available at the Lander County Clerk's Office for viewing and copies are available for a nominal charge.

The con -- is there any of these items that anybody wants to pull? You want me to read them first?

The first one is the agenda notice for July 23rd, 2015.

The second is June two thou- -- June 25th, 2015, regular min- -- regular meeting minutes.

The third is July 9th, 2015, regular meeting minutes.

Fourth is the payment of the bills.

And five is the payroll change requests.

VICE CHAIRWOMAN WAITS: I make a motion we approve the consent agenda.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

CHAIRMAN STIENMETZ: Aye.

**FINANCE**

**1) Update on budget review, contracts, financial update, and other matters properly relating thereto.**

CHAIRMAN STIENMETZ: Now we'll move on to Item 1. Update on budget review, contracts, financial updates, and other

matters properly related thereto.

NAN ANCHO: Good morning.

CHAIRMAN STIENMETZ: Good morning, Nan.

VICE CHAIRWOMAN WAITS: Good morning, --

NAN ANCHO: Nan Ancho, --

VICE CHAIRWOMAN WAITS: -- Nan.

NAN ANCHO: -- Finance.

I just have a few items this morning.

Our debt management policy for 2016 has been completed. And J & A Consulting will send it on to state for us. This is due by the 8th of August.

Our outstanding Accounts Receivable for the month of June is: Water, we have a credit of $528; Sewer, $1,049; Miscellaneous Water/Sewer is at zero; and Landfill is at $10,562, for a total of $11,083.

I have four line item transfers that I'd like to read into the minutes. These are just adjustments that I have to make to make our budgets stay in the positive.

Austin Justice Court is moving $800 from 001-024-53220 Court Appointed Counsel, $400 from 001-024-53235 Court Reporter, $400 from 001-024-53420 Inquests, and $400 from 001-024-53460 Interpreters, for the total of $2,000 to increase 001-024-51020, Salaries and Wages. And this came as a memo from Judge Schaeffer.

The Health Nurse. Moving $8,000 from state pass through, 003-040-53558, to increase Salaries and Wages, 003-040-51020, for $6,000 and Unemployment, 003-040-52012, $2,000. And this is due to salaries paid at a higher rate than originally budgeted due to a change in personnel and unemployment benefits that were higher than originally budgeted for.

State Medical Indigency -- Indigency. Moving $100 from Vacation Accrual, 004-000-52013, to Salary and Wages, 004-000-51020. And the salaries were just slightly higher due to rounding when we budgeted -- the round numbers.

Landfill. We're moving $6,000 from Engineering, 011-058-53280, to increase Salaries and Wages, 011-058-51020. Salaries were higher than originally budgeted due to a correction that we had to make in payroll.

And that is all I have for you today

CHAIRMAN STIENMETZ: All right. Thanks, Nan.

VICE CHAIRWOMAN WAITS: Thank you, --
COMMISSIONER BAKKER: Thanks, Nan.
VICE CHAIRWOMAN WAITS: -- Nan.

**EXECUTIVE DIRECTOR**

**2) Discussion and possible action regarding the performance evaluation of the executive director, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: This next item, 2, discussion and possible action regarding the performance evaluation of the executive director, and other matters properly related thereto, I want to move that to the very end of the agenda, please.

**BUILDING DEPARTMENT**

**3) Discussion and possible action to approve quote for the senior center flooring from Quality Floors in the amount of $7,434.00 and quote for senior center swamp cooler from Plumbline Mechanical in the amount of $5,628.00, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Number 3 is discussion and possible action to approve quote from the senior citiz- -- approve quote from the senior center flooring from Quality Floors in the amount of $7,434 and the quote for the senior center swamp cooler from Plumbline Mechanical in the amount of $5,628, and other matters properly related thereto.
ANNA PENOLA: Good morning.
CHAIRMAN STIENMETZ: Good morning.
ANNA PENOLA: Anna Penola with the building department.
COMMISSIONER BAKKER: Good morning.
VICE CHAIRWOMAN WAITS: Good morning, Anna.
COMMISSIONER MILLS: Good morning.
ANNA PENOLA: So I got -- I had some quotes from -- I called in three people for the AC unit for the senior center. Plumbline's the only one that came through.

And that's -- it was two systems, a split system or replace the swamp cooler. And I thought the swamp cooler was the way to go. So I'd like approval for that.

COMMISSIONER MILLS: That was -- that was within what we budgeted?

NAN ANCHO: It's --

COMMISSIONER CLARK: I think we budgeted --

NAN ANCHO: Nan Ancho, Finance.

COMMISSIONER CLARK: -- 15.

COMMISSIONER MILLS: I know we bud- -- we budgeted, approved improvements and repairs for the civic center budgeting.

COMMISSIONER BAKKER: Senior center.

NAN ANCHO: The --

COMMISSIONER MILLS: Oh, senior center.

NAN ANCHO: This is for -- which one is this one?

ANNA PENOLA: Yeah.

This wasn't -- this wasn't on the budget.

NAN ANCHO: Oh, this one wasn't on the budget?

ANNA PENOLA: So let me go with the flooring first since it was budgeted.

Quality Floors came and gave a quote to replace everything within the senior center. The total quote was $15,145.23.

I didn't think it was necessary to do it all at once. The pertinent part that needs to be done is the kitchen and the storerooms and the bathrooms and that came in at $7,434.

And I would like approval for that to get that going for them.

VICE CHAIRWOMAN WAITS: So if we don't do it all, what are we you looking at for --

ANNA PENOLA: Next year I'll budget for --

VICE CHAIRWOMAN WAITS: Next year? Okay, just --

ANNA PENOLA: Budget --

VICE CHAIRWOMAN WAITS: -- a year later.

ANNA PENOLA: -- for the dining room and then the next year the offices. Or -- just so it's not all at once. It's really not a bad price for the whole building.

CHAIRMAN STIENMETZ: Uh-uh.

VICE CHAIRWOMAN WAITS: No, it's not. But there's -- there's nothing there that's a safety issue or anything like

that? Just --

ANNA PENOLA: Nope, just --

VICE CHAIRWOMAN WAITS: Okay.

ANNA PENOLA: -- time.

COMMISSIONER MILLS: So what -- what did we budget for those repairs?

NAN ANCHO: The senior center flooring was in pen- -- it was a pending approval of 6,350.

COMMISSIONER BAKKER: Okay.

I'll make a motion --

COMMISSIONER MILLS: So --

COMMISSIONER BAKKER: -- to approve --

COMMISSIONER MILLS: (Indiscernible.)

COMMISSIONER BAKKER: -- seven thousand --

COMMISSIONER MILLS: How are we -- how are we going to make up the difference?

NAN ANCHO: You want to tell them about the other one also? The civic center?

ANNA PENOLA: Oh, you guys approved the civic center countertops. And it came in lower. It came in at 36- -- about 3610. And it was budget- --

NAN ANCHO: And that was approved at 7,000. So what's left over from that project can help offset the costs for the --

COMMISSIONER BAKKER: Well, you've got 15,000 budgeted for the floors, and we're only using 7400; right?

COMMISSIONER MILLS: No.

CHAIRMAN STIENMETZ: No.

ANNA PENOLA: 7,000.

CHAIRMAN STIENMETZ: They had 6,000.

ANNA PENOLA: Or 6,000 for the --

NAN ANCHO: Six thousand three hundred and fifty was pending approval for the senior center floors.

COMMISSIONER BAKKER: For the floors?

COMMISSIONER MILLS: Fifteen thousand was the bid --

CHAIRMAN STIENMETZ: Estimate.

COMMISSIONER MILLS: -- to do the whole building.

ANNA PENOLA: Right.

COMMISSIONER MILLS: This is -- the 7,000 is only part of the building --

COMMISSIONER CLARK: And the --

COMMISSIONER MILLS: -- getting done.

COMMISSIONER CLARK: -- the $5,628 is for an AC unit to replace the cooler?

ANNA PENOLA: Yeah it's -- it's shot.

COMMISSIONER CLARK: Just as long as we're not paying $5,000 for a cooler.

ANNA PENOLA: No, it's a --

COMMISSIONER CLARK: It's AC?

ANNA PENOLA: No, it's a -- it is. But it's a commercial, huge, ducting into the building. It's a complicated system. It's not just one that you stick in a window and turn on.

COMMISSIONER CLARK: Okay.

COMMISSIONER MILLS: So back to the flooring. We do have enough money to --

CHAIRMAN STIENMETZ: Pay for it.

COMMISSIONER MILLS: Because it's over our budget.

NAN ANCHO: It's over what was --

COMMISSIONER MILLS: But we can take some from the civic center countertops to cover the difference.

NAN ANCHO: What was left over from the civic center countertops. You can use that to offset the additional costs for the senior center floor.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: If not, we can pull it from the 029 or something.

NAN ANCHO: That is out of the 029 --

COMMISSIONER BAKKER: Right.

NAN ANCHO: -- Fund.

ANNA PENOLA: Or we can take it out of the maintenance budget too.

COMMISSIONER BAKKER: Yeah.

ANNA PENOLA: Also. However.

COMMISSIONER BAKKER: Okay. I'll make a motion to approve the quote for the senior center flooring from Quality Floors in the amount of $7,434.

COMMISSIONER MILLS: I'll second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.
ANNA PENOLA: And then --
COMMISSIONER MILLS: And then --
ANNA PENOLA: -- the swamp cooler for --
COMMISSIONER MILLS: -- swamp cooler.
ANNA PENOLA: -- the senior center.
COMMISSIONER MILLS: And that one was not budgeted?
ANNA PENOLA: It's -- it broke -- it needs to be fixed.
COMMISSIONER MILLS: Right. So how are we going to pay for that one?
ANNA PENOLA: Out of maintenance.
COMMISSIONER MILLS: And there's --
CHAIRMAN STIENMETZ: Building maintenance.
COMMISSIONER MILLS: Okay.
ANNA PENOLA: Why do we have it on there? Is that what you said? (Indiscernible) put it on the agenda?
NAN ANCHO: Yeah. It wasn't budgeted. So you -- that's why you have to put it on the agenda.
ANNA PENOLA: Okay.
It's an --
COMMISSIONER MILLS: Okay.
ANNA PENOLA: -- emergency.
COMMISSIONER MILLS: I'll make a motion to approve replacement of the cooling -- the senior center swamp cooler from Plumbline Mechanical in the amount of $5,628.
COMMISSIONER BAKKER: Second.
CHAIRMAN STIENMETZ: Any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER AND COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.
ANNA PENOLA: And since we're talking about coolers, Plumbline is here. And the AC should be hooked up shortly.
COMMISSIONER BAKKER: Yeah, it's hot.
ANNA PENOLA: Not like last --

COMMISSIONER BAKKER: Thanks, Anna.
ANNA PENOLA: -- week.
COMMISSIONER BAKKER: I know.
COMMISSIONER MILLS: Yeah.
VICE CHAIRWOMAN WAITS: Thank you, --
ANNA PENOLA: Thank you, --
VICE CHAIRWOMAN WAITS: -- Anna.
ANNA PENOLA: -- guys.
CHAIRMAN STIENMETZ: Thank you.

**ROAD AND BRIDGE NORTH**

**4) Discussion for possible action to approve and award the contract to the low bidder, Hunewill Construction, in the amount of $2,360,000.00 on the 2015/2016 Road Paving Rehabilitation Project bid, and other matters properly related thereto.**

COMMISSIONER BAKKER: All right. We'll go to Road and Bridge North. Discussion for possible action to approve and award the contract to the low bidder, Hunewill Construction, in the amount of two hundred and -- $2,360,000 on the 2015 -- two thou- -- '15/'16 road pavement rehabilitation project bid, and other matters properly related thereto.

Hi, Bert.

BERT RAMOS: Good morning.

VICE CHAIRWOMAN WAITS: Good morning.

COMMISSIONER BAKKER: Morning.

COMMISSIONER MILLS: Morning.

BERT RAMOS: All righty. This is for the paving we have going on for the streets have been dug up for the water and sewer. So we only have one bidder. Hunewill is the only bidder on this project. And their prices are fair prices. I recommend we award it.

COMMISSIONER MILLS: And it's -- it is within budget?

BERT RAMOS: Yes. It's within budget. And this did go through the bid committee as well.

COMMISSIONER MILLS: Oh. Okay.

COMMISSIONER BAKKER: Yep.

Bert, what was the total budgeted for this project though?
BERT RAMOS: Well, there was 3 million budgeted.
COMMISSIONER BAKKER: Okay.
BERT RAMOS: But we didn't have -- you know, we had some -- some rollover that we didn't get over that we took out of this year. So -- but we're still --
COMMISSIONER BAKKER: For the rollover?
BERT RAMOS: We're still well under.
COMMISSIONER BAKKER: Okay.
Questions?
I'll make a motion to approve and award the contract to the low bidder, Hunewill, for construction in the amount of 2,360,000 on the 2015-16 road paving rehabilitation project.
COMMISSIONER MILLS: Second.
BERT RAMOS: And I would like the record to reflect that this is the first project that I've been a part of in the north side of the County.
I came in in the middle of some of the other projects. But this is the first one that I've actually been a part of getting it through the bid committee and -- and kind of overseeing, so --
DISTRICT ATTORNEY HERRERA: This is your baby.
BERT RAMOS: More or less.
COMMISSIONER BAKKER: Good luck.
COMMISSIONER CLARK: So you're the man?
BERT RAMOS: Well, no. I'm just letting the record reflect.
COMMISSIONER CLARK: You're -- you're the guy --
CHAIRMAN STIENMETZ: Do we have a second?
COMMISSIONER CLARK: -- we come to now. You said.
BERT RAMOS: You better believe it.
COMMISSIONER CLARK: This is your first project.
BERT RAMOS: Come and see me.
COMMISSIONER CLARK: You own it, my man.
BERT RAMOS: I do.
CHAIRMAN STIENMETZ: Did we get a second on it?
COMMISSIONER MILLS: We did.
CHAIRMAN STIENMETZ: All right. Any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.
BERT RAMOS: I'll add more to it later.
COMMISSIONER CLARK: All the faith in the world, Bert.
CHAIRMAN STIENMETZ: All right.

**COMMISSIONERS**

**5) Discussion and possible action to approve closure of Altenberg Street from the pool to the high school parking lot on July 25, 2015, from 9:00 a.m. to 12:00 a.m. for the All School Reunion, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Number 5, discussion and possible action to approve closure of 560 Altenberg Street from the pool to the high school parking lot on July 25th, 2015, from 9:00 a.m. to 12:00 a.m. for the All School Reunion, and other matters properly related thereto.

ANNA PENOLA: Anna Penola, alumni.

COMMISSIONER CLARK: What year? What year did you --

ANNA PENOLA: 1985.

They would like to -- they're going to have a big deal in the park: music, vendors, just a big social.

And they would like to close from Hanica to the pool, kind of a horseshoe to the high school parking lot for the vendors as been done in the past for Fourth of July and other events.

So I'm just asking for permission to be able to do that. Or we are -- not me -- but we.

VICE CHAIRWOMAN WAITS: And it's just for the one day?

ANNA PENOLA: One day.

VICE CHAIRWOMAN WAITS: Because your reunion is three, it looks like.

ANNA PENOLA: Yes. Yes.

VICE CHAIRWOMAN WAITS: Okay.

ANNA PENOLA: And hope to see all of you attend.

COMMISSIONER CLARK: I'm not going to miss this one.

ANNA PENOLA: Mr. Clark, you need to be there.

COMMISSIONER CLARK: I will not miss this one. I -- I gave up my big reunion back in Pennsylvania to be at this one. This is --

ANNA PENOLA: They're expecting --

COMMISSIONER CLARK: -- this is going to be a hoot.

ANNA PENOLA: -- over 500 people.

COMMISSIONER CLARK: Yeah, this is --

ANNA PENOLA: So it should be good.

COMMISSIONER BAKKER: I'll make a motion to approve the closure of 560 Altenberg Street from the pool to the high school parking lot on July 25th, 2015, from 9:00 a.m. to 12:00 a.m.

COMMISSIONER MILLS: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER AND COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

CHAIRMAN STIENMETZ: Aye.

ANNA PENOLA: Thank you very much.

VICE CHAIRWOMAN WAITS: Thank you, Anna.

COMMISSIONER BAKKER: Thanks, Anna.

CHAIRMAN STIENMETZ: Thanks, Anna.

**6) Discussion and possible action regarding Lander County purchasing twenty acres east of the Battle Mountain Airport, APN 001-320-08, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Number 6, discussion and possible action regarding Lander County pushing -- purchasing 20 acres east of the Battle Mountain Airport, APN 011-320-08, and other proper -- other matters properly related thereto.

JEFFREY KING: Yep.

KEITH WESTENGARD: I was approached by Mr. King. Mr. King?

JEFFREY KING: Yes.

KEITH WESTENGARD: He's got 20 acres adjacent to the airport. And he is looking at possibly selling it to the county.

So I'll let him go on from there.

I thought you guys would like to look at this for a possible future expansion or -- or something along those lines.

JEFFREY KING: Yeah. Jeff King. And I wanted to know if the county wanted to purchase that 20 acres east of the airport runway for future development.

I don't want to sell it out of county or another state. I assumed to keep it here instead of having another land developer buy it.

VICE CHAIRWOMAN WAITS: Mr. King, it's -- it's right in the airport pathway; is that right?

JEFFREY KING: It's right at the end of the runway. You've got all of the paperwork on it. All of the --

VICE CHAIRWOMAN WAITS: Uh-huh. How long have you owned it, sir?

JEFFREY KING: Oh, I don't know. Thirteen, fourteen years. I gave it away three times and got it back.

COMMISSIONER CLARK: Does it have value to the airport, Doug?

COMMISSIONER MILLS: The -- the value that it could be to the airport is just for safety reasons. It's directly off the end of the runway? Is that what you're saying?

JEFFREY KING: I'm not sure what all of the --

COMMISSIONER MILLS: Because we don't have a map. So we don't know --

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER MILLS: -- actually where it's located.

CHAIRMAN STIENMETZ: I had no information on it.

KEITH WESTENGARD: it's my understanding is, yes, it's right --

COMMISSIONER MILLS: It's right off the -- so the -- if --

KEITH WESTENGARD: If you were to decide to do this, we would have to have it appraised and --

CHAIRMAN STIENMETZ: Right.

COMMISSIONER MILLS: Right.

CHAIRMAN STIENMETZ: Go through --

KEITH WESTENGARD: -- do all that.

CHAIRMAN STIENMETZ: -- all the --

COMMISSIONER MILLS: And the biggest thing it would provide for the airport is just a safety factor off the end of that runway.

COMMISSIONER CLARK: Okay.

COMMISSIONER MILLS: I don't know that -- I don't know what the airport could use it as far as development goes. There's -- you wouldn't develop anything at the -- right at the end of the --

CHAIRMAN STIENMETZ: No.

COMMISSIONER MILLS: -- runway at the airport.

JEFFREY KING: Well, if they expanded the runway and get more commercial flights in instead of going to Elko to fly out.

UNIDENTIFIED PARTICIPANT: Or Reno.

COMMISSIONER MILLS: Well, the -- you've got to remember, too, that the runways at the Battle Mountain Airport are almost a mile and a half long. That's plenty of runway.

JEFFREY KING: Yeah.

CHAIRMAN STIENMETZ: We used to --

COMMISSIONER MILLS: That's plenty long enough for any --

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER MILLS: We can land airliners at our airport.

JEFFREY KING: I don't know. I've never seen a 787 land yet.

COMMISSIONER MILLS: Well, we're not going to.

CHAIRMAN STIENMETZ: See there's --

COMMISSIONER MILLS: But we can --

CHAIRMAN STIENMETZ: -- not for a reason.

COMMISSIONER MILLS: -- land a C-130.

JEFFREY KING: Yeah.

COMMISSIONER MILLS: We -- and that's huge.

DISTRICT ATTORNEY HERRERA: -- capable of. Right.

COMMISSIONER MILLS: And we have a -- we have very long runways. So the length of the runway would not be -- the best thing it would be for is just for a safety factor off the --

CHAIRMAN STIENMETZ: Safety factor. Yeah.

COMMISSIONER MILLS: Safety factor off the end of the runway.

JEFFREY KING: And a big crash course.

COMMISSIONER MILLS: And that -- that does have -- that does have value for an airport. As far as development goes, I --

VICE CHAIRWOMAN WAITS: Can't see anyone living there. They --

COMMISSIONER MILLS: No. No one's going to live there.
JEFFREY KING: No.
VICE CHAIRWOMAN WAITS: People do that. They move right next to it and --
JEFFREY KING: Yes.
VICE CHAIRWOMAN WAITS: -- then they ask us to move the airport.
COMMISSIONER MILLS: I don't know what business would want to open anything --
CHAIRMAN STIENMETZ: No.
COMMISSIONER MILLS: -- there.
JEFFREY KING: Oh, you'd be surprised.
KEITH WESTENGARD: The other advantage that we may have to this is currently the raceway sits on airport land. There is a small possibility that that could affect our -- our FAA grants.
COMMISSIONER MILLS: Right.
KEITH WESTENGARD: So if we had to do some land swapping or shuffling around in order to maintain the size of our airport but get rid of -- but separate out --
CHAIRMAN STIENMETZ: The raceway.
KEITH WESTENGARD: -- our --
COMMISSIONER MILLS: It'd give us a place to put the raceway. So this wouldn't necessarily --
KEITH WESTENGARD: Not necessarily --
COMMISSIONER MILLS: -- be zoned as part of the airport.
KEITH WESTENGARD: Well, no, it would actually be part -- then it would be part of the airport. And we could maintain the size of the airport that we have for FAA reasons. And then we could separate out the race- -- current racetrack where it's at, if it came to that.
COMMISSIONER MILLS: Okay. We'll have to look into that more because -- all right.
VICE CHAIRWOMAN WAITS: I'll make a motion that the Lander County commissioners do their due diligence to look into purchasing the 20 acres at the Battle Mountain Airport, APN #011-320-08 and report back to the commission.
COMMISSIONER BAKKER: Second.
CHAIRMAN STIENMETZ: Any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER AND COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.
Thank you.
VICE CHAIRWOMAN WAITS: Thank you for bringing it before us.
CHAIRMAN STIENMETZ: We will review it.
KEITH WESTENGARD: We'll look into it.
COMMISSIONER CLARK: Well, it says negotiable. So they asked 21-.
COMMISSIONER BAKKER: No, let's let the state guy do that. It's only worth maybe --
COMMISSIONER CLARK: Yeah, but it's --
CHAIRMAN STIENMETZ: There's only certain ways we can buy it anyways.
COMMISSIONER CLARK: -- it's negotiable for the sale of it at that price.

**7) Discussion for possible action to accept the resignation of Jodi Moore from the Lander County Livestock Events Advisory Board, effective July 10, 2015, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: All right. Let's move to 7. Discussion for possible action to accept the resignation of Jodi Moore from the Lander County livestock advisory board, effective July 10th, 2015, and other matters properly related thereto.
COMMISSIONER MILLS: I'll make --
COMMISSIONER BAKKER: Yeah.
COMMISSIONER MILLS: I'll make a motion that we accept Jodi Moore's resignation from the livestock events center board.
COMMISSIONER BAKKER: Second.
CHAIRMAN STIENMETZ: Any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK AND COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.

**8) Discussion for possible action to accept the resignation of Rita Rogers from the Lander County Livestock Events Center Advisory Board, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Now we'll move to 8. Discussion for possible action to accept the resignation of Rita Rogers from the Lander County Livestock Events Center Advisory Board.

COMMISSIONER MILLS: I'll make a motion that we accept the resignation of Rita Rogers from the Lander County livestock events center board.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER AND COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.

**9) Discussion for possible action regarding letter of interest from Rick Gobel to be appointed to the Lander County Livestock Events Center Advisory Board, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: All right. Number 9. Discussion for possible action regarding letter of interest from Rick Gobel to be appointed to the Lander County Livestock Events Center Advisory Board, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Is Mr. Gobel here?

No?

Thank you.

CHAIRMAN STIENMETZ: But -- from the people I've talked to, they think he would be a good member. That's all I can say.

COMMISSIONER MILLS: Okay. Well, we suddenly have a couple of openings on the livestock --

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER MILLS: -- events center --

CHAIRMAN STIENMETZ: I know.

COMMISSIONER MILLS: -- board. With that, I would make a motion to approve Rick Gobel to be appointed to the Lander

County livestock events center board.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN STIENMETZ: Aye.

VICE CHAIRWOMAN WAITS: Aye.

**10) Discussion for possible action regarding letter of interest from Casey Gunther to be appointed to the Lander County Livestock Events Center Advisory Board, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Next one is discussion for possible action regarding letter of interest from Casey Gunther to be the -- to be appointed to the Lander County Livestock Center Advisory Board, and other matters properly related thereto.

And Casey is here.

DISTRICT ATTORNEY HERRERA: Casey, come on up.

VICE CHAIRWOMAN WAITS: Good morning.

CHAIRMAN STIENMETZ: Good morning, Casey. How are you doing?

Good morning, Commissioners. How are you doing?

COMMISSIONER BAKKER: Good morning.

VICE CHAIRWOMAN WAITS: So you're thinking about community involvement with us?

CASEY GUNTHER: Absolutely.

CHAIRMAN STIENMETZ: I think they do a lot more other community involvement too. But I think this would be a good fit for us.

CASEY GUNTHER: Genuine interest in it. So --

COMMISSIONER MILLS: So --

CASEY GUNTHER: -- I'd like to be a part of it.

COMMISSIONER MILLS: -- we do have one more opening.

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER MILLS: And you're the last one applying to be in that position. So the odds are pretty good you'll get

appointed.

But we'd like to hear maybe some of what your ideas are, what you envision a little bit with the livestock events center.

CASEY GUNTHER: Well, I guess first of all, I'd like to see it used quite a bit more than what it already is.

I think the involvement, the right team, and working with whomever it is that can advertise and market and bring events in. And that would help with the upkeep, the maintenance costs instead of just having to do -- come back to the commission and ask them for money for -- that way I think you get more events in there and help take care of itself and attract more people.

COMMISSIONER BAKKER: So what's your thoughts on charging for events?

CASEY GUNTHER: That's something I'd have to discuss with the committee members and the commissioners, I guess.

I think there should be some charges. It's not a -- it's not a free-use facility. So --

COMMISSIONER BAKKER: Good deal.

COMMISSIONER MILLS: All right. I'll make a motion that we approve Casey Gunther as a Lander County livestock events center board member.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.

COMMISSIONER BAKKER: Thanks, Casey.

COMMISSIONER MILLS: Thanks, Casey.

VICE CHAIRWOMAN WAITS: Thanks for stepping up, Casey.

COMMISSIONER CLARK: Thanks, Casey.

**11) Discussion for possible action regarding renting office space at the new Lander County courthouse/administration building to the Nevada Highway Patrol, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: All right. Number 11 is discussion for possible action regarding renting office space at the new Lander County courthouse/administrative building -- building to the Nevada Highway Patrol, and other matters properly related thereto.

And if I remember right, southeast corner? Is that where I want to say is --

DISTRICT ATTORNEY HERRERA: Judge Bunch.

CHAIRMAN STIENMETZ: Southwest. Yeah.

DISTRICT ATTORNEY HERRERA: Yeah. Judge Bunch.

CHAIRMAN STIENMETZ: We need to set aside for possibly to do that.

DISTRICT ATTORNEY HERRERA: Judge Bunch -- yeah, Judge Bunch approached me. And there was an office that was built for the public defender, if we had a Lander County public defender. We have a -- we have an independent contractor public defender who's not entitled to his own county offices.

So we have this set of offices that are available if -- and Judge Bunch's thinking on this is that it will help -- help offset the amount of money we pay with -- on electricity and utilities each month.

We -- we have those solar panels that -- that help pay it. And -- and plus, this, it would go a long ways to offset that. So if you decide that you're interested in this and as part of the motion, I would ask that you -- you have me open up negotiations with Nevada Highway Patrol, at which time I would then re-agendize this and come in front of you to see if it's a satisfactory arrangement.

COMMISSIONER MILLS: So we haven't approached the highway patrol department yet?

DISTRICT ATTORNEY HERRERA: Yes. We have approached them, but we have not negotiated any prices.

COMMISSIONER MILLS: Okay. Are they --

CHAIRMAN STIENMETZ: Amenable? Yes.

COMMISSIONER MILLS: Yes. Okay.

VICE CHAIRWOMAN WAITS: The space is large enough for them?

DISTRICT ATTORNEY HERRERA: It's -- it's plenty large. It's -- it's a big space.

CHAIRMAN STIENMETZ: Yeah, because I know when we first started looking at this, they came to us and wanted to know

about --

DISTRICT ATTORNEY HERRERA: Yes.

CHAIRMAN STIENMETZ: -- renting a pro- -- renting an office or building over there for them.

DISTRICT ATTORNEY HERRERA: Right. So this -- this would work out for a lot of people.

COMMISSIONER CLARK: Now, this space could be rented to anybody?

The highway patrol has been discussed in the plan since before the building went up. Because I talked to Max about this because there was a bit of a side issue with the -- with the NHP right now. And that's why Mr. Mauldin's here. He'll explain.

I -- I have a little bit of a concern about -- about this right at this time.

I'd like Mr. Mauldin to explain what's going on from his end and then discuss it again. So we could...yeah.

JOHN MAULDIN: I'm John Mauldin.

I've been in contact with the Highway Patrol out of Winnemucca over the last couple of days. And they've recently signed a contract with Lyle Malone for an extension on the property for lease.

Unfortunately, last Friday, the Highway Patrol actually requested a safety investigation by the building department here after finding out that the state had signed a new agreement with them.

So that kind of puts me in a pickle because what Mr. Malone's looking at is shutting down the building if the costs are too exorbitant to -- to do the repairs. He's losing half of his business as soon as the dentist office closes shop and moves.

DISTRICT ATTORNEY HERRERA: So you're asking that what take place?

JOHN MAULDIN: I'm not asking for anything at this point.

DISTRICT ATTORNEY HERRERA: You're just pointing out these things?

JOHN MAULDIN: Uh-huh.

DISTRICT ATTORNEY HERRERA: Well, it seems to me that -- that these factors indicate that, again, in the state, the left hand doesn't know what the right hand's doing.

Today's agenda item is -- is you have to just decide whether or not you're amenable to do this.

You're not saying, let's do it, because negotiations have to take place and -- and we have to see if we can legally do it. If they're -- I mean, if the safety -- if a safety audit, if the owner doesn't want that to take place, I mean, there's a lot of possibilities here.

But -- but I don't think we have to get into the -- to that aspect of it at this point in time. Because if the Highway Patrol is saying, no, we can't do it, then we can't do it. But our --

Commissioner Clark, to answer your question, no, we can't rent that out to just anybody. It's a governmental building.

CHAIRMAN STIENMETZ: Right.

DISTRICT ATTORNEY HERRERA: So we have to --

COMMISSIONER CLARK: No, well --

DISTRICT ATTORNEY HERRERA: -- governmental entity.

COMMISSIONER CLARK: Okay, we could rent it to NDOW. We could rent it out the DOT. We could rent it out to another -- because it's zoned GP; right?

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER CLARK: Okay.

DISTRICT ATTORNEY HERRERA: So --

COMMISSIONER CLARK: Government property.

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER CLARK: It would have to be that.

DISTRICT ATTORNEY HERRERA: So perhaps in a motion you could say that you're amenable to -- to potentially rent this out to some governmental agency and --

COMMISSIONER CLARK: Sure.

DISTRICT ATTORNEY HERRERA: -- direct me to --

CHAIRMAN STIENMETZ: To start negotiations.

DISTRICT ATTORNEY HERRERA: Yes.

JOHN MAULDIN: And it's -- and it's looking like maybe insurance agencies also you might want to think about renting it out to.

DISTRICT ATTORNEY HERRERA: They --

CHAIRMAN STIENMETZ: Can't.

DISTRICT ATTORNEY HERRERA: That would be a bad idea. And we can't do that.

JOHN MAULDIN: I'm just kidding. I'm looking at being out a space.

DISTRICT ATTORNEY HERRERA: Oh, okay.

JOHN MAULDIN: Due to this.

COMMISSIONER BAKKER: I'll make a motion to have Ted Herrera, our DA, proceed with negotiations on renting out the space to any governmental agencies.

COMMISSIONER MILLS: I'll second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.

DISTRICT ATTORNEY HERRERA: Okay.

**12) Discussion for possible action regarding letter of interest from Frank Whitman to be appointed to the Central Nevada Regional Water Authority, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Number 12. Discussion for possible action regarding letter of interest from Frank Whitman to be appointed to the Central Nevada Regional Water Authority, and other matters properly relating thereto.

VICE CHAIRWOMAN WAITS: Miteshell, is Frank there today?

MITESHELL LANHAM: No, he's not. He's at a doctor's appointment.

VICE CHAIRWOMAN WAITS: Thank you.

DISTRICT ATTORNEY HERRERA: It -- it's my understanding, Commissioners, from talking to Commissioner Waits, that this is not a necessary appointment.

It was -- this vacancy with, I believe, Ray Williams and he was appointed not because we needed that person but to include him in that process.

So you need to decide whether or not you want -- you even want another person on this board because it's not required technically.

VICE CHAIRWOMAN WAITS: Thank you, Mr. Herrera. Actually that is true. Our ex-commissioner was so involved in all of this. And when he left it was -- he asked to be appointed to the board. And because we had a vacancy, we did do it at the

time.

Currently, Sean and I do represent the commissioners on that board.

And yes, Frank has been attending. He's been coming along with Ray. And he also has attended when they have joint meetings and he sits with the other committee.

So I know he was interested, but I also know it's an additional cost for us for expenses if we don't need to --

COMMISSIONER MILLS: So we're paying --

VICE CHAIRWOMAN WAITS: -- and we already --

COMMISSIONER MILLS: -- his travel --

VICE CHAIRWOMAN WAITS: -- two on.

COMMISSIONER MILLS: -- to get there?

VICE CHAIRWOMAN WAITS: Yes. Yes.

COMMISSIONER BAKKER: Does Frank want to be on there though?

DISTRICT ATTORNEY HERRERA: He wants --

VICE CHAIRWOMAN WAITS: He asked to be on. Yes.

DISTRICT ATTORNEY HERRERA: He wants to be on it, but --

COMMISSIONER CLARK: He wants --

DISTRICT ATTORNEY HERRERA: As Commissioner Waits points out, we don't have a hole to fill necessarily -- necessarily.

CHAIRMAN STIENMETZ: Even -- even though on the next item that Ray is wanting to only -- maybe I'm reading this wrong.

VICE CHAIRWOMAN WAITS: That's a different committee on the --

DISTRICT ATTORNEY HERRERA: That's different.

VICE CHAIRWOMAN WAITS: -- next item. Yes. Uh-huh.

DISTRICT ATTORNEY HERRERA: On this committee, basically you're deciding whether or not you want to let Frank on there for no other reason than he wants to be on there -- let's be honest -- and it's some small cost to the county because of travel and expenses.

But I just want you to know it's not necessary.

COMMISSIONER MILLS: Is he -- is he providing -- is he providing a benefit by being there?

VICE CHAIRWOMAN WAITS: Well, he doesn't report back to this -- this committee.

DISTRICT ATTORNEY HERRERA: No.

VICE CHAIRWOMAN WAITS: We report back.

COMMISSIONER MILLS: Right.
VICE CHAIRWOMAN WAITS: So -- he probably --
COMMISSIONER MILLS: So that's -- is there --
VICE CHAIRWOMAN WAITS: He may report to a different committee, which could be a benefit. But on the other hand, we have a representative on every committee there is to, --
CHAIRMAN STIENMETZ: Yeah.
VICE CHAIRWOMAN WAITS: -- you know, pass that on. So --
DISTRICT ATTORNEY HERRERA: So no, not really a benefit.
COMMISSIONER MILLS: Okay.
COMMISSIONER CLARK: Frank is quite a voice for the people in Austin.
He does a lot of good work. I think he's a real benefit to anything he wants to do for the county.
DISTRICT ATTORNEY HERRERA: Oh, and that's the question, --
COMMISSIONER CLARK: That's --
DISTRICT ATTORNEY HERRERA: -- Commissioner Clark.
COMMISSIONER MILLS: But that's --
COMMISSIONER CLARK: That's my take --
COMMISSIONER MILLS: But what is the --
COMMISSIONER CLARK: -- on Frank.
COMMISSIONER MILLS: -- benefit he's providing by being, actually, an appointee.
Would he attend anyway if he's not appointed?
VICE CHAIRWOMAN WAITS: I truly don't know.
COMMISSIONER MILLS: Because it sounds like he has been.
COMMISSIONER BAKKER: Why don't we defer this till he can be there to answer these questions?
DISTRICT ATTORNEY HERRERA: He could be here.
CHAIRMAN STIENMETZ: Yeah.
COMMISSIONER BAKKER: Or on the phone.
CHAIRMAN STIENMETZ: Until he can be on the phone because there's --
DISTRICT ATTORNEY HERRERA: Okay.
COMMISSIONER BAKKER: Answer some questions.
CHAIRMAN STIENMETZ: We can have his input on it.
DISTRICT ATTORNEY HERRERA: That's a good idea.
COMMISSIONER BAKKER: I make a motion to defer.
COMMISSIONER MILLS: Second.
CHAIRMAN STIENMETZ: Any public comment?

(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.

**13) Discussion for possible action to appoint a commissioner to the Western County Alliance to fill the vacancy left by Ray Williams, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Number 13. Discussion for possible action to appoint a commissioner to the Western County Alliance to fill the vacancy left by Ray Williams, and other matters properly related thereto.
KEITH WESTENGARD: Received a call from the Western County Alliance --
COMMISSIONER BAKKER: Yeah.
KEITH WESTENGARD: -- requesting this. So we just need to know if you would like to be on that board.
COMMISSIONER MILLS: So what is the Western County Alliance?
CHAIRMAN STIENMETZ: That's what I want to know too.
KEITH WESTENGARD: He came and gave a report.
CHAIRMAN STIENMETZ: Oh, is that Brown?
KEITH WESTENGARD: Brown.
VICE CHAIRWOMAN WAITS: Ken Brown.
CHAIRMAN STIENMETZ: Ken Brown.
KEITH WESTENGARD: Ken Brown.
COMMISSIONER MILLS: Oh.
KEITH WESTENGARD: Yes.
COMMISSIONER MILLS: He's the guy from -- was he from northern Utah? I believe, something --
CHAIRMAN STIENMETZ: He's from Randolph, Utah.
KEITH WESTENGARD: Randolph.
COMMISSIONER CLARK: Yeah.
KEITH WESTENGARD: That's correct. Yes. Yeah. I got his card. But, yeah, he came and gave a report to you guys.
COMMISSIONER BAKKER: Where do they meet at?

COMMISSIONER CLARK: Well, actually --

KEITH WESTENGARD: I'm sure where they meet at.

VICE CHAIRWOMAN WAITS: Most are phone meetings, I believe.

KEITH WESTENGARD: I believe most of them are phone conferences, --

VICE CHAIRWOMAN WAITS: Yes.

KEITH WESTENGARD: -- but he does come here occasionally.

CHAIRMAN STIENMETZ: Yeah, he comes and gives us and update --

KEITH WESTENGARD: Yeah.

CHAIRMAN STIENMETZ: -- every so often.

KEITH WESTENGARD: And usually gives an update. So it's more -- it would be more of a liaison and our -- probably a lot of telephone conversations.

VICE CHAIRWOMAN WAITS: He actually -- Mr. Brown reports directly to us and to the Public Lands Use.

And he has always asked for someone representing. And usually it's --

KEITH WESTENGARD: A contact.

VICE CHAIRWOMAN WAITS: -- somebody from PLUAC that's the representative. So that's why Ray stepped up. And because Frank is so active, he asked to be that.

So I'll make a motion that we approve Frank Whitman to the Western County Alliance to represent us.

COMMISSIONER MILLS: Oh, they're --

CHAIRMAN STIENMETZ: Wait.

KEITH WESTENGARD: He's asking for a commissioner to be appointed, Commissioner Waits.

DISTRICT ATTORNEY HERRERA: No, there's --

VICE CHAIRWOMAN WAITS: He wants a commissioner?

CHAIRMAN STIENMETZ: Yeah, --

KEITH WESTENGARD: He wants --

CHAIRMAN STIENMETZ: -- a commissioner to --

DISTRICT ATTORNEY HERRERA: Yeah, Frank hasn't asked for this.

CHAIRMAN STIENMETZ: Frank hasn't asked for this. Frank asked for the Central Nevada Regional Water Authority.

VICE CHAIRWOMAN WAITS: But -- but the last one was Ray Williams and he wasn't a commissioner.

KEITH WESTENGARD: I -- I'm just asking what Ken Brown

asked me to ask you. He's -- he's asking for a commissioner --

COMMISSIONER MILLS: Yeah.

KEITH WESTENGARD: -- to be appointed. He would like to have contact with a commissioner.

COMMISSIONER CLARK: If -- if I might, I'm on the public lands committee. Ken Brown gives a report every month.

I can report back as the liaison person for the public lands board. And I can update you on what Ken Brown has to say, which is usually an e-mail that we get once a month. I can forward that to you.

But no, I don't see Frank Whitman's name for that.

So if you -- if you want to appoint me, I'm already there.

CHAIRMAN STIENMETZ: All right. Sounds good.

COMMISSIONER CLARK: It -- it's --

COMMISSIONER BAKKER: I'll make a motion to appoint Commissioner Clark to the Western County Alliance.

COMMISSIONER MILLS: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER AND COMMISSIONER MILLS: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.

CHAIRMAN STIENMETZ: Can we take a five-minute break, please?

(Break taken between 9:53 a.m. and 10:09 a.m.)

CHAIRMAN STIENMETZ: All right. Let's come back to order.

**14) Discussion for possible action to approve Summit Engineering to design the southern portion of the levee, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: We're on Item 14.

Discussion for the possible action to approve Summit Engineering to design the southern portion of the levee, and other matter properly related there -- oh, do you need to have them back on, Sadie?

COUNTY CLERK SULLIVAN: Yeah, I just got the note.

Okay.

CHAIRMAN STIENMETZ: All right. We'll move on with Item 14.

I read them once. Discussion for possible action to approve Summit Engineering to design the southern portion of the levee, and other matters properly related thereto.

My question is: How come it's Item 14 and 15 aren't the same, one item? Is there a reason for that?

VICE CHAIRWOMAN WAITS: Yeah, one's the south.

COMMISSIONER MILLS: We'll have to clarify that for you here in a minute.

TOM GALLAGHER: Members of the Commission, Tom Gallagher. And this is Chelsea Stewart with the Corps of Engineers.

We've been in discussions with the Corps. And the levee is actually now in three pieces. Because the central portion of the levee -- and you can correct me if I get something wrong here -- the central portion of the levee, between the railroad and Interstate 80, has been determined by the Corps to be feasible for them to participate in.

The other two portions, they say the benefit-cost ratio is too low for the Corps to have any federal interest in building those two portions of the levee.

So the reason it's split in two is the center portion with the federal interest in that portion, there's a chance that we can end up getting rebate -- a rebate of some of the money that's spent or get the Corps to actually build the central portion of the levee.

The portion -- the northern portion, which is the portion beyond I-80, will be -- it's not jurisdictional because it never was put in jurisdiction by the Corps. So that portion of the levee can go ahead right now without Corps participation, with the exception of the possibility of needing a 404 permit for encroaching on the waters of the US, which I am highly doubtful that we --

CHELSEA STEWART: You mean the southern portion?

TOM GALLAGHER: Or the southern --

COMMISSIONER MILLS: The southern --

TOM GALLAGHER: -- portion.

COMMISSIONER MILLS: -- portion.

TOM GALLAGHER: I'm sorry.

CHELSEA STEWART: The part that doesn't exist.

TOM GALLAGHER: I'm sorry. Yeah. That portion -- with the exception, as I say, a 404 permit -- can be constructed right now -- well, as soon as it's designed and submitted for FEMA certification.

And we will work closely with FEMA to get that portion of the levee approved.

The northern portion of the levee, north of the railroad tracks, is the portion that the Corps did originally built. So it's considered jurisdictional. For us to go in and rebuild that portion of the levee, we would have to apply for a 408 permit. So that's the reason those two pieces are split -- well, the three pieces are split.

So I think instead of just sitting and doing nothing, we have recommended that we go ahead and submit the 408 permit to get approval to build that northern -- the northern portion and go ahead and design and build the other part outside of Interstate 80 that hasn't been constructed yet. That's what we've decided would be the most expedient way to get the thing constructed.

I've got Clint Thiesse and Rich Pettinari, both from my office here, that can address specifics, if you would like.

Currently, we have an existing contract with Lander County. And I think there's somewhere in excess of $280,000 left in the design contract.

What our proposal is that we -- we will give you an estimate of approximately what the two different segments are going to cost and when we get into it to find out how much of a hassle it's really going to be, we'll give you a not-to-exceed budget on the -- on the two of them.

But we have to find out what -- whoever is going to attempt to do to us is doing this. I mean, if it -- if it requires personal protection and that kind of stuff, the price may go up.

But we'll see. Hopefully it will go along smoothly. We ought to be able to build the one portion that hasn't been built yet next spring. So at least --

COMMISSIONER MILLS: Okay.

TOM GALLAGHER: -- something is going to be happening.

COMMISSIONER BAKKER: What's the -- Tom, what's the likely that CORE's going to approve the permit to build on the one section?

CHELSEA STEWART: It's my understanding that it would be fairly high. I mean, they're -- the application package would be need to be complete and Lander County would be required to go through the NEPA process.

There's potentially a 404 permit might be needed. But it's -- I think it's pretty doable. You know, I mean, it's a pretty straightforward project.

It's just that we -- there -- the cost-benefit ratio is so low because there's no development up there that the Corps can't make the justification for the fund expenditure.

COMMISSIONER BAKKER: My -- my only thought was if we build the one section that we can build now and then they don't let us build the other section, then what's that going to do for insurance?

TOM GALLAGHER: And -- and the Corps does not build the other?

COMMISSIONER BAKKER: Yeah. Or they don't give us approval to build the one section.

COMMISSIONER MILLS: The northern section.

CHELSEA STEWART: So the northern portion.

CHAIRMAN STIENMETZ: Ma'am, --

TOM GALLAGHER: Before --

CHAIRMAN STIENMETZ: -- could I have your name, please.

CHELSEA STEWART: Chelsea Stewart. I'm a project manager for the Army Corps of Engineers.

CHAIRMAN STIENMETZ: Thank you.

TOM GALLAGHER: I think it's highly likely that we get will get the 408 permit to build that portion.

COMMISSIONER MILLS: Chelsea, can you -- can you kind of explain to us the diff- -- because we've talked about a 404 permit and a 408 permit. Can you kind of tell us what those are?

CHELSEA STEWART: Okay. So a 404 permit is a permit under the Clean Water Act.

Basically, any time that there's dredge or fill to the waters of the United States or wetlands, the applicant is required to get a 404 permit from the Army Corps of Engineers.

There's usually also a 401 requirement as required from the state. It's a clean water certification.

A 408 permit, on the other hand, is an application to

modify an Army Corps structure. So because that northern -- the portion of the project north of the railroad tracks has already been constructed by Corps, any modifications would need a 408 permit.

VICE CHAIRWOMAN WAITS: How difficult is that to get?

CHELSEA STEWART: It's pretty straightforward. It's kind of -- I think it's fairly similar to when you're getting, like, a right-of-way -- a right of entry or an easement, similar process.

VICE CHAIRWOMAN WAITS: How long does it usually take the Army Corps to, you know, answer us back, if we did that?

CHELSEA STEWART: With a project like this that has a very high priority in the Corps, you're looking six -- six months to a year.

And part of that is being driven by the NEPA process. So you have, you know, your public comment periods would be necessary, Endangered Species Act consultations, consultations with the State Historical Preservations officer. There's some laws that need to be complied with.

VICE CHAIRWOMAN WAITS: So you're saying, Tom, if we -- if we tackle the southern end, we could be online for maybe next spring if we decide to do that. And if you apply for a permit, that's going to be at least somewhere close to --

TOM GALLAGHER: Well, if it's six months. If it's six months to a year, we could have the other portion designed, probably, and built in that time frame and then go ahead with it.

When we submit the 408 permit, looking through the criteria that is required for it, you almost need to submit a design anyway.

So, you know, that -- as a matter of fact, we might give that one a priority and preliminary design to get it done and submitted so that we -- we would have -- I would think that the construction should be able to follow spring of next year and then, unless I'm wrong, spring of the following year.

And by then, the Corps could possibly, maybe, be ready to fill in the hole between the two levees that will be completed.

And I think that fits your time frame --

CHELSEA STEWART: Yeah, we're --

TOM GALLAGHER: -- closely.

CHELSEA STEWART: Right now, we're seeking to -- we're requesting a million dollars next year to update the design and engineering. And then the year after that is slated $6 million for actual construction.

That definitely does depend on whether or not Lander County is able to acquire the lands. There's quite a lot of encroachment (indiscernible) with this project as well as, you know, impacts to the rail line.

TOM GALLAGHER: The three are approximately the same -- same length.

As a matter of fact, I think the center portion is shorter than the other two.

And I -- I would -- I guess maybe we better review our numbers, 4 million. I think we may be too low. But we'll see.

And, like I say, it is an existing contract. So we could have saved the time it takes to go through that.

And if that's what you would like to do, that's the best recommendation we've come up with through numerous meetings and telephone calls.

COMMISSIONER MILLS: Okay.

So this agenda item is pertaining to the southern portion, which is -- there is no levee there yet. And it's all county responsibility. The Corps of Engineers has nothing to do with that portion.

CHELSEA STEWART: Unless you guys need a 404 permit.

COMMISSIONER MILLS: Unless we need the 404.

TOM GALLAGHER: And if somebody can --

COMMISSIONER MILLS: What do you think -- now the 404 deals with the Clean Water Act. And -- and what is your feeling -- how likely is it that we're going to need the 404? Because we're really not even -- where the levee is slated to be is along Old 8A, the road up there. And that's, as far as I know, is really not that close to the -- and that's the Reese River that we're needing the 404 for?

CHELSEA STEWART: If you -- if you did need a 404, it would be there might be ephemeral areas or wetlands.

Back in 1997, when we completed -- we signed the Finding of No Significant Impact from the EA --

COMMISSIONER MILLS: Okay.

CHELSEA STEWART: -- for the project, we ended up with

about $300,000 in required wetland mitigations from Fish and Wildlife. So you're going to have to actually construct wetlands adjacent to the project to compensate the losses.

TOM GALLAGHER: (Indiscernible.)

CHELSEA STEWART: During my site visits, I haven't necessarily seen anything, especially in the southern section that looked very wetlandy.

COMMISSIONER MILLS: Right. Yeah.

CHELSEA STEWART: It looks pretty dry there. There don't seem to be any, you know, hydrophytic species or anything up there. But the call is ultimately on regulatory. And Army Corps is almost constructed like regulatory and everybody else. So they would be the ones who make the determination out of the Reno office.

COMMISSIONER MILLS: Okay. In making that determination, do you think they would be willing to come out and look at it?

CHELSEA STEWART: That's possible. I mean, I can ask.

COMMISSIONER MILLS: Because we're finding that a lot of times these things happen without anybody actually getting eyes on. And they're making decisions without seeing it. I think if they actually came and looked at it, they'd go, yeah, that's not very wet. So...

TOM GALLAGHER: In our last review of the thing with people from the Corps and I guess your regulatory wetland person actually was not there.

CHELSEA STEWART: No, she was.

TOM GALLAGHER: She was?

CHELSEA STEWART: Uh-huh.

TOM GALLAGHER: I don't think anybody found any indication of any wetland in that region of the levee.

CHELSEA STEWART: It's possible. The way -- you know, coming from a perspective of having worked for outside agencies -- because the Corps doesn't permit itself. It doesn't issue itself for work permits.

COMMISSIONER MILLS: Okay.

CHELSEA STEWART: In the past, I would typically have Fish and Wildlife come out and do a (indiscernible) and then have that certified by regulatory.

COMMISSIONER MILLS: Okay.

CHELSEA STEWART: So they aren't actually doing the site

visit. They're reviewing the package that's put together based on a set of parameters that -- that we're required to follow.

TOM GALLAGHER: And we would probably have them review both ends at the same time.

COMMISSIONER MILLS: Okay. That would make sense.

TOM GALLAGHER: Yeah.

COMMISSIONER BAKKER: And --

COMMISSIONER MILLS: So when -- oh, go ahead.

COMMISSIONER BAKKER: Tom, how likely is it to get all the permits lined up where we can start construction for both halves?

COMMISSIONER MILLS: Well, don't you have to have all the permits before you start construction?

COMMISSIONER BAKKER: Well, I'd hate to do half and then get denied a permit. And then we dumped a lot of money on half and then we -- we don't get our insurance.

COMMISSIONER MILLS: Yeah.

CLINT THIESSE: Maybe I can answer that.

COMMISSIONER MILLS: Okay.

CLINT THIESSE: The southern levee should --

CHAIRMAN STIENMETZ: State your name, please.

CLINT THIESSE: I'm Clint Thiesse with Summit Engineering.

The latest hydrology and hydraulics from Army Corps show that I-80 does not overtop.

So if you build the levee south of Interstate 80, it, in essence, is going to take everything west of the levee out of the floodplain south of I-80. So you are going to get benefit with or without the rest of the project.

CHELSEA STEWART: And we are making the assumption --

COMMISSIONER BAKKER: Okay.

CHELSEA STEWART: -- in our design, as we're updating that central portion that the southern portion will be constructed at some point.

So we're actually beefing up our design. Because if the southern portion is constructed, it's going to push more water into the central portion. So we're building it just a little bit higher than it would need to be without the southern portion, based on that assumption.

COMMISSIONER MILLS: Okay.

So for Summit Engineering to begin designing this, do you

have -- do you have the information you need to begin the design? Are you getting information from the Corps?

TOM GALLAGHER: Yes, --

COMMISSIONER MILLS: Is there --

TOM GALLAGHER: -- we have --

COMMISSIONER MILLS: -- sharing of information going on for what you need to...

TOM GALLAGHER: We got the hydrology and hydrolage from the Corps. And we have sent the Corps topographic mapping that we have sent several times. But we sent it again a few weeks ago, and they verified that they have it. And I think they verified that it is adequate for their design. It's all one-foot topo. And it's all -- and it's all been paid for by Lander County. And it hasn't changed.

So I think that, yeah, we've -- we've exchanged data. And we have what we need to go ahead and do the -- do the design of both the northern and southern portions of the levee.

COMMISSIONER MILLS: Okay.

TOM GALLAGHER: And that would hopefully -- because this is at the highest priority -- would make it so the Corps would complete the levee or their portion of it. So...

Because right now the design shows it just tapers off on the -- on the northern end. It does not -- it does not protect that area. I think you're going to -- you're going to have a duck pond in your commission office or in your commissioners' office. So I'd go ahead and move as soon as I can into your new digs. So...

CHELSEA STEWART: And we're actually meeting with FEMA next week. We're going to head down to Oakland and run a simulation of the model that we're using and compare it with their -- theirs. Because that is a pretty big discrepancy, you know, that our model is showing three feet of free -- free board on I-80 and theirs shows it's overtopping. It's really kind of the difference between a one-dimensional and two-dimensional model. So we're going to --

COMMISSIONER MILLS: Okay.

CHELSEA STEWART: -- meet with them and discuss. It's a pretty new model.

CHAIRMAN STIENMETZ: Okay.

CHELSEA STEWART: We actually have the Department of

Transportation doing our technical review, because there are other districts in the Army Corps that have experience to do that. It's pretty new. But we're -- we're going to meet with FEMA and discuss the matter.

TOM GALLAGHER: And if we don't build it pretty quick, they're going come up with a new method.

Okay? Because we've been through about three of these methods so far.

CHELSEA STEWART: (Indiscernible.)

VICE CHAIRWOMAN WAITS: Tom, just -- just for the record, will you -- will you tell us how long that we've actually been working on this with the Corps.

CLINT THIESSE: My --

TOM GALLAGHER: Clint's got to enjoy more of this than I have.

CLINT THIESSE: I think our first -- my first involvement was when we went down and first met with the Corps was 2010.

And Summit actually have been dealing with Lander County a couple of years longer than that, so since 2008, I guess.

VICE CHAIRWOMAN WAITS: And we have opportunity to finally move forward it looks like?

TOM GALLAGHER: I'd like to see it built while I'm still alive.

COMMISSIONER MILLS: Okay.

Do you guys have any other questions?

CHAIRMAN STIENMETZ: No. I'm ready for a motion.

COMMISSIONER MILLS: Well, I'll make a motion that we approve Summit Engineering to design the southern portion of our levee.

VICE CHAIRWOMAN WAITS: I'll second that.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

CHAIRMAN STIENMETZ: Aye.

**15) Discussion for possible action to approve Summit Engineering to design the Southern portion of the levee, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Now we'll go to 15. Discussion and possible action to approve Summit Engineering to design the northern portion of the levee, and other matters properly related thereto.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: I think we covered that too.

CHAIRMAN STIENMETZ: We covered that.

COMMISSIONER MILLS: So my -- my only comment here is that the only real difference between the southern portion and northern portion is the 408 process...

CHELSEA STEWART: Yes, that's correct.

COMMISSIONER MILLS: In essence. That's really the big difference.

CHELSEA STEWART: Yes, because you're going to have to -- to be keying the raise of the levee in the existing levee system.

COMMISSIONER MILLS: Right.

CHELSEA STEWART: And the levee system runs all the way up to the highway out there? I believe?

COMMISSIONER MILLS: I don't remember.

CLINT THIESSE: Yeah.

CHAIRMAN STIENMETZ: Yeah.

CHELSEA STEWART: Yeah. It's was just state road --

CHAIRMAN STIENMETZ: It was right --

CHELSEA STEWART: -- or highway.

CHAIRMAN STIENMETZ: -- around the -- travels around to the -- to the highway --

COMMISSIONER MILLS: Oh, okay.

CHAIRMAN STIENMETZ: -- headed north.

CHELSEA STEWART: Yeah.

VICE CHAIRWOMAN WAITS: So we want in a motion then also not just the engineering, but the --

COMMISSIONER MILLS: 408 application.

VICE CHAIRWOMAN WAITS: -- that they secure -- secure the permits, proper permits?

TOM GALLAGHER: We're -- we're going to take a run at it.

If you think --

VICE CHAIRWOMAN WAITS: Try and secure the proper -- no, we don't want to say that?

TOM GALLAGHER: Yeah. Make every attempt to secure the poss- -- the permits requested.

COMMISSIONER MILLS: We understand that. The 408 -- the 408's part of the process for the northern --

CHAIRMAN STIENMETZ: Right. Part of the design.

TOM GALLAGHER: Yeah.

COMMISSIONER MILLS: Because we're going to -- we're going to basically build the northern levee on top of the existing levee, --

CHAIRMAN STIENMETZ: Right.

COMMISSIONER MILLS: -- which belongs to the Corps. So you have to do the 408.

Okay. Are there any other -- are there any other differences between the northern and southern section that we need to be aware of?

CHELSEA STEWART: I think it's more likely that if a 404 permit is required, it would be in the northern section. Because there seems to be -- it seems like there is almost upwelling in certain spots because of the clay layer. I've seen it happen on other projects where you actually have wetlands in the high spots because the clay is forcing the hydrology upward.

But that's, again, going to be a regulatory call. And, you know, with regulatory, they're a nationwide permit. They're basically actions, so minor activities that Army Corps has categorically determined have fewer impacts than, you know, wetland. So you're looking at maybe a six-month process to get a permit, rather than, you know, sometimes it can take years if you need to have it individually permitted 404.

COMMISSIONER MILLS: Well, today six months doesn't sound too bad.

TOM GALLAGHER: Might have the same commission and everything.

COMMISSIONER MILLS: Yeah.

TOM GALLAGHER: I think the only other method we would have to go is if we could have gotten the Corps to relinquish their control over the entire levee. But that takes an act of Congress. So I don't think --

COMMISSIONER MILLS: So is that -- is that a possibility or is that just not --

TOM GALLAGHER: So -- wait a minute. Wait a minute. You've got to think about it that.

COMMISSIONER MILLS: Yeah.

TOM GALLAGHER: An act of Congress?

It's not Nevada -- not --

COMMISSIONER MILLS: Not Nevada congress.

TOM GALLAGHER: Not Nevada congress.

COMMISSIONER MILLS: It's national, federal Congress. So that -- that's not very likely then. Is that what --

CHELSEA STEWART: It would take a long time most likely. And the other --

COMMISSIONER MILLS: Okay.

CHELSEA STEWART: -- issue's that the Army Corps doesn't actually own the land. Those lands are held by Lander County.

COMMISSIONER MILLS: Right.

CHELSEA STEWART: And then the actual structure. So basically it's an authorized proj- -- the levee system around Battle Mountain is an authorized project from Congress. So you'd have to go back and have it de-authorized in order to make the modifications without the 408 permit.

VICE CHAIRWOMAN WAITS: I think we can bypass that and go on with the other --

COMMISSIONER MILLS: That's --

VICE CHAIRWOMAN WAITS: -- motion.

TOM GALLAGHER: I think I'd go for the 408 --

COMMISSIONER MILLS: Yeah.

TOM GALLAGHER: -- myself.

COMMISSIONER MILLS: Well, you know, we do need to cover all -- look at all the --

CHELSEA STEWART: Okay.

COMMISSIONER MILLS: -- avenues and cover all the bases.

TOM GALLAGHER: But there is a chance that the Corps will come in and build the central portion, if they have the funding to do that.

CHELSEA STEWART: Uh-huh. We do.

COMMISSIONER MILLS: Well, that would be appreciated if you --

CHELSEA STEWART: That's the plan.

COMMISSIONER MILLS: -- if you decided you wanted to do that for us.

CHELSEA STEWART: We have determined that there is federal interest in constructing the southern portion, the part that protects most of the town. So we are moving forward. We're -- we're moving forward with an agency technical review of the plan that we've put forward, because there are some geological uncertainties.

So we put together, basically, a plan that proves no matter what, no matter if we take the most ridiculous solution we could -- we could consider for solving some of the geotechnical issues that we would be able to afford this project under this authority, under the cap authority. So we're -- we're pretty certain with moving forward with that.

The other other option that is probably less preferred for you guys is you could go and build a whole new levee system in front of the existing levee system.

Then you wouldn't need a 408 permit. You wouldn't be touching the existing --

COMMISSIONER MILLS: Oh.

CHELSEA STEWART: -- structure.

COMMISSIONER MILLS: Oh. Well.

CHELSEA STEWART: It's a little extreme, but...

COMMISSIONER MILLS: You want to front us some money for that?

CHELSEA STEWART: We wouldn't be able to fund that.

COMMISSIONER MILLS: Okay. So I've talked to you before and told you that we're -- I'm pretty certain we have enough funding to certainly complete the southern portion of the levee with the funding that we have already in the county. It gets less certain when we start extending out to the northern portion if we have enough funding. But we'll be finding out soon enough, I suppose.

But, you know, having you pay for as much as possible would be welcome.

Any other questions?

CHAIRMAN STIENMETZ: Uh-uh.

COMMISSIONER MILLS: So with that, I would make a motion that we approve Summit Engineering to design the northern portion of our levee system.

COMMISSIONER BAKKER: Second.
CHAIRMAN STIENMETZ: Any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER MILLS: Aye.
COMMISSIONER BAKKER: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.
TOM GALLAGHER: Thank you.
COMMISSIONER MILLS: Okay.
CHELSEA STEWART: Thank you.
COMMISSIONER MILLS: Thank you.
COMMISSIONER BAKKER: Thank you.
CHAIRMAN STIENMETZ: Thank you.
COMMISSIONER MILLS: Thank you both for being here.
CHELSEA STEWART: Yeah.
COMMISSIONER MILLS: Very helpful.

**16) Discussion for possible action to establish a timeline for construction of the new recreation center building with Van Woert Bigotti Architects, CORE Construction, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: We move to 16. Discussion for possible action to establish a timeline for construction of the new recreation center building with Woert -- Van Woert Bigotti Architects, CORE Construction, and other matters properly related thereto.

ANGELA BIGOTTI: Good morning.

COMMISSIONER BAKKER: Good morning.

ANGELA BIGOTTI: Angela Bigotti with Van Woert Bigotti Architects with Brad Van Woert as well.

We're here to give you a brief project design update and review with you the project schedule.

And we'll start with the site, which is just west of the elementary school and north of the softball field where the existing pool is currently.

And what we're showing here is the footprint of -- of the site plan with the building to the north of the softball field.

And we are locating it just east of the park with an effort to try to save all of these fully mature trees.

So that's what we're doing at this point, trying to make sure that we stay clear of those trees.

What we've done here is we've located the pool here adjacent to the park, with a splash pad -- exterior splash pad, also adjacent to the park.

We have a two-point entrance, one here on the southwest corner between the pool and the gymnasium. And then there's also some parking here along the north side along Altenberg for an entry on the east side as well.

This is the floor plan of what we just showed you with the pool, the gymnasium, and the support functions. We have the splash pad here just south of the pool. There'll be some glass walls -- wall here so there's connection, a visual connection between the two.

We've got the control desk here, right in the center, so that there is easy -- a visual control to pool.

Into the gym, we'll have a glass wall here.

There's a game room here, a meeting conference space here, and a locker room here.

We've located the conference room here so that there can be kind of the joint use of this room at the same time with the pool functions for birthday parties, any other kind of social events that might benefit from that relationship.

We have the offices here, again, for some visual control.

The exterior. We're, at this point, working as cost efficiently as possible trying to work with preengineered building structures, working with CORE Construction to -- trying to follow along and keep the project within budget.

We've got the gymnasium here and the pool here.

This would be the view from the southwest with the splash pad in the front here.

The park would be to the east or left in this. And then the school would be behind this to the east.

Did I say that right? I think I did.

And then this would be the view from Altenberg Avenue with that parking area that would be to the east of the central core.

And this would be the gymnasium and the pool to the right here.

Our schedule, we've gone through and detailed it. And we have copies here that we'll give you.

But we're just going to highlight here, for you, just some of the primary milestones.

We have a design time frame of about four and a half months from now that would be complete with construction documents, 100% complete. That completion date is December 10th.

At that point, CORE Construction will proceed through the bidding process to present to you a guaranteed maximum price, or GMP, by January 28th, scheduled for a notice to proceed for February 11th, construction start will be February 15th for a ten-month construction period ending on December 15th, 2016.

Here, what you'll look at, if you can look at carefully with the handout there, we've got in orange and purple. The orange are going to be our design or cost updates to the ad hoc committee. So you'll see those regularly happening over the next four and a half months, at least once a month.

And then the purple indicates that should we be required to update you, we'll be here to do so. And so those happen, like I said, in kind of like a once-a-month event until December.

I think that summarizes kind of a brief overview. If you have any questions?

COMMISSIONER BAKKER: Any questions?

COMMISSIONER CLARK: So we're going to miss next summer --

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER CLARK: -- with the swimming pool?

ANGELA BIGOTTI: Yes.

COMMISSIONER CLARK: I was afraid of that.

CHAIRMAN STIENMETZ: Is there any way we can find out how many people are going to be required to operate this facility?

Is there anybody that we can talk to about that that you know of?

COMMISSIONER CLARK: Hey, Steve, I actually have all of that.

CHAIRMAN STIENMETZ: Do you?

COMMISSIONER BAKKER: We'll get together --

CHAIRMAN STIENMETZ: All right.

COMMISSIONER BAKKER: -- after this. And we'll go through it.

And I've talked with Finance about everything. So we're --

we've got a --

CHAIRMAN STIENMETZ: Right.

COMMISSIONER BAKKER: -- good game plan.

CHAIRMAN STIENMETZ: That's all I wanted to know.

COMMISSIONER CLARK: Oh, no, I have everything covered. So...

CHAIRMAN STIENMETZ: All right. Good.

COMMISSIONER BAKKER: Actually Nan has everything covered.

COMMISSIONER CLARK: And Bert. And Bert.

COMMISSIONER BAKKER: So thank you, guys.

ANGELA BIGOTTI: Okay.

CHAIRMAN STIENMETZ: Thanks.

ANGELA BIGOTTI: You're welcome.

VICE CHAIRWOMAN WAITS: Thank you.

DISTRICT ATTORNEY HERRERA: Did you say January 2nd was the ...

ANGELA BIGOTTI: GMP? Notice to proceed?

DISTRICT ATTORNEY HERRERA: Shovel in the ground?

ANGELA BIGOTTI: Shovel in the ground? No, the 15th. Second week.

BRAD VAN WOERT: The second set of GMPs. The second.

DISTRICT ATTORNEY HERRERA: Okay. Okay.

ANGELA BIGOTTI: Yeah.

BRAD VAN WOERT: Two weeks then to mobilize the shoveling ground.

DISTRICT ATTORNEY HERRERA: Right.

ANGELA BIGOTTI: Thank you.

COMMISSIONER MILLS: Thank you, --

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER MILLS: -- guys.

COMMISSIONER CLARK: Thank you.

**17) Update regarding status of the Lander County courthouse/administration building project and other matters properly related thereto.**

CHAIRMAN STIENMETZ: All right. Let's move to 17. Upgrade regarding the status of the Lander County courthouse, slash, administrative building project, and other matters properly related thereto.

COMMISSIONER CLARK: Flood the basement of the county building for next summer.

COMMISSIONER BAKKER: They'll live one summer.

COMMISSIONER MILLS: Just fill this up with water.

COMMISSIONER CLARK: It'll be the hottest summer on history.

JUDGE MAX BUNCH: Max Bunch for the record. I have here with me Casey Gunther with CORE Construction.

So we've -- we've run into a few problems. First, let me start off with saying that we had a -- we had a bad safety score, as far as I was concerned. It's still an A. But --

COMMISSIONER MILLS: That's the first time you've ever said that.

JUDGE MAX BUNCH: Yeah. Well, that's because it's always been up in the 98 and 97, 99.

COMMISSIONER BAKKER: What was it? A 95?

JUDGE MAX BUNCH: We ended up with a 95 this time.

CASEY GUNTHER: Uh-huh.

COMMISSIONER CLARK: A 95?

JUDGE MAX BUNCH: A 95.

COMMISSIONER BAKKER: Oh, man.

COMMISSIONER MILLS: Dread.

CASEY GUNTHER: So unacceptable.

COMMISSIONER CLARK: A 95.

JUDGE MAX BUNCH: We had some issues because we didn't have tweezers in the safety box --

COMMISSIONER MILLS: First --

JUDGE MAX BUNCH: -- and some different little --

COMMISSIONER MILLS: -- it's aspirin and now --

JUDGE MAX BUNCH: -- things like that.

COMMISSIONER MILLS: -- it's tweezers.

JUDGE MAX BUNCH: So -- so they're really searching to find issues. And I think we'll probably just go up from here, just so that you guys know.

We're probably still --

CASEY GUNTHER: Do you want me to comment on that one?

JUDGE MAX BUNCH: Sure. Go ahead.

CASEY GUNTHER: Casey Gunter, for the record.

And Just so everybody knows, we only anticipate having one more safety inspection, possibly two. But I think one more

would be probably be the last one. So as Judge Bunch said, we can only go up.

JUDGE MAX BUNCH: So I don't think we're going down. If anybody's been there I think you realize how clean it is and how things are going for a construction site. So very nice.

Site work is continuing.

The front entry hydraulics are going to be installed next week.

The rest of the front entry concrete work is to be poured out late next week and early the following week.

The flag poles are set to be installed. And they will be uprighted next week.

The front driveway has started. If you've been out there or by there, you'll notice they've been doing some work where the old gate used to be, coming in front where they're working on that, getting everything done.

They're getting ready to base -- base prep for asphalt in -- in there.

The interior finishes are ongoing on the interior part of it: mechanical, electrical, and plumbing trim.

The two-by-two ceiling tiles have been installed. The four-by-four ceiling tiles in the corridor, commissioners' chambers, committee meeting room, and courtrooms are being installed.

The wood ceiling panels are set to be installed next week. And when we say "starting next week," we're not sure if it's going to be the beginning of the week or the end of the week.

We've got -- we've got a lot of subs in town. But unfortunately, -- I'll put it nicely -- the schools are going to open before us. So I think they've taken the people -- some of our people from our site and taken them to the schools because that sub has bid both jobs.

So -- and with the stuff happening in Reno, the Tesla, all that stuff, they keep stealing people. If you look back to when I gave you that update or gave the commission an update, you may have been here, it was like the steel. We go to put the steel in and here comes Tesla and we don't have anybody to put in steel. So unfortunately, we've kind of run into that. Everybody would rather go to work at Tesla than they would in Battle Mountain. They pay them more, two dollars more an hour

more over prevailing wage.

So the front-entry vestibule has -- is going great. I don't know if anybody's driven by there at night, but that thing is -- the front entry on the columns is lit up like you can't believe. And that's -- that's kind of nice.

We're working on trying to finish out the ground concrete where the public access has -- or where employees will walk. We're trying to get that done in the front entryway. And I think that's going to be pretty good.

So I think we're -- there's a lot of people that are -- some are working weekends to get this thing done so that we're -- we're done. We'd like to be done faster than what the contract says, but we don't know if we're going to make that.

We do know that we're probably looking at furniture sometime in late September, moving furniture into the building. At least that's the plan for right now.

COMMISSIONER CLARK: Just so you know, Max, a 95 is an A --

JUDGE MAX BUNCH: Yes.

COMMISSIONER CLARK: -- even in honors classes. Okay. So he still gets an A.

JUDGE MAX BUNCH: Right.

But we want this to be the Safe Site of the Year Award for the State of Nevada.

COMMISSIONER CLARK: I do need to talk to you and Casey; so please don't let me forgot. Okay?

JUDGE MAX BUNCH: Okay.

CASEY GUNTHER: It's neither State of Nevada or northern Nevada. But I believe it's State of Nevada AGC Safe Site Award.

JUDGE MAX BUNCH: Okay.

CASEY GUNTHER: While 95 is still an A, it's outside the norm for us and therefore unacceptable. (Indiscernible.)

JUDGE MAX BUNCH: So any questions about the building?

COMMISSIONER BAKKER: Casey, when you build the rec center, do you think you can beat that? The safety record?

CASEY GUNTHER: I'm definitely going to strive to.

COMMISSIONER MILLS: Ooh, the competition is on.

JUDGE MAX BUNCH: I don't think you can. They have a driver there.

COMMISSIONER CLARK: I'll make sure we have tweezers and aspirin and stuff.

CASEY GUNTHER: Thanks.
JUDGE MAX BUNCH: That's pretty amazing.
VICE CHAIRWOMAN WAITS: Current -- current aspirin.
COMMISSIONER BAKKER: Yeah, current aspirin.
VICE CHAIRWOMAN WAITS: They had aspirin, --
COMMISSIONER BAKKER: There you go.
VICE CHAIRWOMAN WAITS: -- just outdated.
JUDGE MAX BUNCH: Just a little expired.
UNIDENTIFIED PARTICIPANT: I thought we had the same driver?
CASEY GUNTHER: We will.
DISTRICT ATTORNEY HERRERA: Yeah.
CASEY GUNTHER: Yep.
UNIDENTIFIED PARTICIPANT: The same driver.
CHAIRMAN STIENMETZ: Thank you.
CASEY GUNTHER: Thank you.
COMMISSIONER BAKKER: Thank you, guys.
VICE CHAIRWOMAN WAITS: Thank you.
COMMISSIONER CLARK: Thank you, guys.

**18) Correspondence, reports, potential upcoming agenda items.**

CHAIRMAN STIENMETZ: Moving on to 18. Correspondence, reports, and potential upcoming agenda items.

(The following correspondence was received:

1. BLM to Interested Parties, Final Decision Temporary Range Improvements for Authorization #2704061.

2. BLM to Interested Public, Proposed Decision Santa Fe/Ferguson, Willow Ranch & Seven Mile Allotments Change in Season of Use.

3. BLM to Reader, the Bureau of Land Management, Winnemucca District, Humboldt River Field Office, has issued a Decision Record and Finding of No Significant Impact for Snowstorm Exploration LLC's Snowstorm Exploration Project Environmental Assessment.

4. Nevada DOT Notice of Public Meeting.

5. BLM to Interested Public, Final Decision for the JD Allotment Temporary Range Improvements for Authorization #2703900.

6. BLM to Interested Public, Public Consultation,

Proposed Temporary Range Improvements for Authorization Number 2703673, Shannon Station Allotment.

7. BLM to Interested Public, Public Consultation, Proposed Range Improvement Projects for Authorization, Numbers 2700159, 2706006, and 2706028 within the Argenta Allotment.

8. BLM to Stakeholder, Drought Tour summary paper, which includes an overview of the findings from the tour and some broad recommendations to begin addressing the challenges that were identified.)

CHAIRMAN STIENMETZ: Do we have any?

COMMISSIONER CLARK: Do we want to go back to number...

CHAIRMAN STIENMETZ: Right after this one.

COMMISSIONER BAKKER: We need to put on the Mike Marvel thing.

DISTRICT ATTORNEY HERRERA: Oh, yes.

COMMISSIONER BAKKER: Water hookup deal.

County ran a water line through his property. He let -- he gave them the easement or something. And he just wants hooked up.

COMMISSIONER CLARK: We'll do it. Whatever we need to do.

VICE CHAIRWOMAN WAITS: It has to be an agenda item?

COMMISSIONER BAKKER: Well, because he doesn't want to pay the hookup fee.

COMMISSIONER CLARK: Oh.

COMMISSIONER BAKKER: But he let us run the water line through his property too. So...

DISTRICT ATTORNEY HERRERA: We just gave him an exchange. So...

COMMISSIONER BAKKER: We've got to approve the exchange.

DISTRICT ATTORNEY HERRERA: You have to approve the exchange.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER MILLS: Okay.

DISTRICT ATTORNEY HERRERA: And then we have to put the fair and rec board leads and situation.

VICE CHAIRWOMAN WAITS: Convention and Tourism Authority?

DISTRICT ATTORNEY HERRERA: That's it. The convention and tourism. That will be put --

COMMISSIONER MILLS: Since you mentioned the livestock event center -- I think you mentioned that. Have we heard

anything about when that property transfer with Pershing County Water District is ever going to happen?

DISTRICT ATTORNEY HERRERA: It's going to happen. But it can't happen until it -- it fully disengages from the federal courts or the federal administrative system.

So just like we heard here, you know, they -- on the 408 applications and stuff, they may --

COMMISSIONER MILLS: Takes time, yeah.

DISTRICT ATTORNEY HERRERA: -- a couple months. But a couple months on federal time is --

UNIDENTIFIED PARTICIPANT: Ten years.

COMMISSIONER MILLS: Right. We've been -- we've been told that's going to happen this year. And this year's going by rapidly; so...

DISTRICT ATTORNEY HERRERA: It is. I'm not holding my breath.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: I think that's it.

CHAIRMAN STIENMETZ: All right.

COMMISSIONER BAKKER: I don't know.

**EXECUTIVE DIRECTOR**

**2) Discussion and possible action regarding the performance evaluation of the executive director, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Then we'll move back on to item -- Agenda Item Number 2. Discussion and possible action regarding the performance evaluation of the executive director, and other matters properly related thereto.

I don't think we have any forms. Sorry. (Indiscernible) like that.

COMMISSIONER CLARK: We have a -- we have a form.

COMMISSIONER MILLS: I have an extra one.

CHAIRMAN STIENMETZ: Oh. I didn't get one. I've never seen it.

KEITH WESTENGARD: I was told it was to be a verbal only; so that's why I did not include them.

VICE CHAIRWOMAN WAITS: But they were included for us to review --

KEITH WESTENGARD: Yes, on the last one.

VICE CHAIRWOMAN WAITS: -- on the last agenda.

Well, let me start and -- and ask our executive director how you feel of your of your accomplishments and some of the things you'd like to tackle in the next six months.

KEITH WESTENGARD: Well, initially, my goal was to get the county to run back on what I felt was a good track.

We had many issues within the county, within our work force, that needed to be dealt with. We're working on, still working on those to get those straightened out. Those are some big challenges there.

It affected many aspects of our budget, of -- on the morale in the county. That was a big challenge right there in itself to get things back on track.

They're working on -- in a better way now.

I have a good working relationship with our district attorney, of course. We have some good -- a lot of good conversation going on. We have some goals that we're working toward within the county, as well, to get things worked out.

My relationship with justice court has also been greatly improved. We have a lot of good goals in mind there as well.

What I have envisioned for the future changes almost daily just because things continue to change.

We have budget issues, budget challenges coming up in the future.

We are -- I am holding several positions open right now just for budget reduction, budget savings, a salary savings, I should say.

Gold's down. Our net proceeds are down.

We have challenges at the airport. With the change between San Francisco ADO and Phoenix ADO, there was a lot of important information that was lost within that transfer or just thrown away for all we know. So we're having to start over with -- with our airport.

The challenges within the county as far as the grazing going, that's been a big thing.

So we just -- I just continue to work forward with trying to get the county on a -- what I think is a good track.

I work closely with Finance, with HR.

Without going into too much detail, there was just a lot of things in the past that were unattended to. So we're having to go back -- I'm having to go back, in some cases, years with the DA's assistance to try to straighten things out.

Our contracts are one. That's a big issue. Our contracts have been let go for so long and rolled over and rolled over and -- that it's been a huge challenge just to try to get them up to date.

It's caused a lot of controversy within the county. Some people take it personal. And it's nothing personal.

Our contracts need to be updated. They need to be looked at and they need to be reworded. And sometimes that's difficult.

With that being said, like I say, my -- my daily -- I never know what my day holds.

We have challenges with our -- our LEPC and trying to get our county fire departments -- our volunteer fire departments, especially in the south, up to snuff. And they are -- it's a huge challenge there.

Even though Kingston is now on a -- on a good track, we have challenges in Austin with the fire department.

I have a pretty good relationship with Bart, our chief here. And we're working towards training for his department, some driver training and some other training.

Our EMS, hopefully, that's good for one more year anyway with the hospital contract. So...

I never know what my day holds. My day sometimes is good. Most times it's very challenging and frustrating to have to deal with the different things that are going on in this county.

For a little county there are -- we have --

DISTRICT ATTORNEY HERRERA: Big problems.

KEITH WESTENGARD: I wasn't going to say that, but --

DISTRICT ATTORNEY HERRERA: Big problems, little county.

KEITH WESTENGARD: Big challenges, --

COMMISSIONER BAKKER: A lot of moving parts --

KEITH WESTENGARD: -- you could say.

COMMISSIONER BAKKER: -- for a little county.

KEITH WESTENGARD: Big challenges. And, you know, we -- I'm new in the position, three new commissioners, fairly new Finance, fairly new HR, not a new attorney, but new district

attorney. And we communicate often, several times a day it seems like.

DISTRICT ATTORNEY HERRERA: Seven days a week.

KEITH WESTENGARD: Yeah, sometimes seven days a week, sometimes evenings, early mornings.

So, like I say, my daily challenges are daily.

I would like to be, in the future, once I feel the county's moving on -- on a solid track or somewhat solid track, would like to get more involved in outside activities as far as NACO and -- and POOL/PACT and some of the -- some of the committees that -- that the commission attend on a daily bas- -- or on a regular basis.

But I feel my primary goal right now is to get Lander County in check.

VICE CHAIRWOMAN WAITS: Thank you.

KEITH WESTENGARD: Thank you.

CHAIRMAN STIENMETZ: I would like to say, I realize this is from January to July -- I haven't attended that many meetings during this time, but I know that Keith has kept me updated. He's called me. He's sent me e-mails or text, e-mails, whatever. And he's kept me informed on what's going on, to help me out. And I appreciate what he's done. And I think he's been doing a pretty good job.

COMMISSIONER MILLS: Okay. I'll go -- I'll go next.

VICE CHAIRWOMAN WAITS: Okay.

COMMISSIONER MILLS: First, I want to let you know that I appreciate the work you do. As a new county commissioner, you've help me a lot in getting comfortable with -- with what I'm doing here. And you've helped me progress a lot. And I appreciate that. Appreciate the work you do.

I do see that you put in a lot of time. You put in a lot of effort. And I -- one of the biggest things, I think you care. And I think that's important.

I did go through this review thing. And mostly from what -- from what I've seen, it's mostly good.

And there are a couple of areas that I think you could improve in. And I hope you take this constructively.

KEITH WESTENGARD: Absolutely.

COMMISSIONER MILLS: Okay. And the biggest issue that I've seen is we did have some issues with Water/Sewer, Road and

Bridge, and that, that we had to go through and deal with.

And overall, I think it was handled well. But I think there were some things that could have been done maybe a little bit better.

Some of those things are along the lines of we've come up with plans and then sticking with those plans rather than changing mind and going back to old plan.

Some of that being more assertive and sticking with what you know you should do. There seems to be a little bit of vacillation in making decisions.

So that's just an observation. And I think that's an area that you need to be -- in some cases, you need to be more firm in your resolve, I guess, would be the way to say it.

So -- is that --

KEITH WESTENGARD: I --

COMMISSIONER MILLS: Do you think that's fair? Or do you think that's --

KEITH WESTENGARD: Yeah, I -- I do --

COMMISSIONER MILLS: Okay.

KEITH WESTENGARD: -- to a point.

COMMISSIONER MILLS: All right.

KEITH WESTENGARD: I was -- I did do -- I have no problem making a decision.

COMMISSIONER MILLS: Right.

KEITH WESTENGARD: I have no problem sticking by it.

COMMISSIONER MILLS: Okay.

KEITH WESTENGARD: However, within today's world, I need to consult with -- with our legal.

I consult with POOL/PACT.

And I don't know how else to say this other than, you know, in the old days, it was easy to say, this is the way it is and if you don't like it, hit the road.

COMMISSIONER MILLS: Right.

KEITH WESTENGARD: You can't do that anymore. There are laws that protect peop- -- protect our employees. There's union contracts that protect our employees. And sometimes, my thoughts and what I want to do don't fit into those -- into that realm.

So maybe what -- rather than speak before I get background or -- or get -- get consulted through our -- either our legal or

POOL/PACT or -- or one of the agencies that we work closely with, maybe -- maybe that may give the appearance of -- because I want to go down one way, but I'm told --

COMMISSIONER MILLS: You can't.

KEITH WESTENGARD: -- I really can't --

COMMISSIONER MILLS: Right.

KEITH WESTENGARD: -- do that.

COMMISSIONER MILLS: Understood.

KEITH WESTENGARD: But -- but --

COMMISSIONER MILLS: Because things do change. Things --

KEITH WESTENGARD: Right.

COMMISSIONER MILLS: And I think your point's valid. Maybe it's a -- get the information first before making the decision or speaking. That might be a valid point.

KEITH WESTENGARD: But I -- I don't want you to think that I don't have a problem dealing with issues. But anyway --

COMMISSIONER MILLS: Right.

KEITH WESTENGARD: Okay, point --

COMMISSIONER MILLS: But sometimes it's the --

KEITH WESTENGARD: -- taken.

COMMISSIONER MILLS: -- playing the bad guy's not comfortable, --

KEITH WESTENGARD: Well, --

COMMISSIONER MILLS: -- but it's part of it. It's part of the deal.

KEITH WESTENGARD: Oh, absolutely.

COMMISSIONER MILLS: Yeah. Yeah. Okay.

KEITH WESTENGARD: And you're right. I mean, playing the bad guy can be tough.

COMMISSIONER MILLS: Uh-huh.

KEITH WESTENGARD: And I'll be very honest with you, in the past when -- when I did Safety, it was easy because I didn't know people. But you get to know people.

COMMISSIONER MILLS: You get to know people, it's a lot harder.

KEITH WESTENGARD: And it's a lot harder.

COMMISSIONER MILLS: Yeah.

KEITH WESTENGARD: And I -- when I was the safety guy, it was -- I wanted to separate myself so that when I had to do something I didn't have to look at -- I didn't have to know the

person.

Now I have a house here. I know people. I see them when I'm off or in the evenings with their families.

COMMISSIONER MILLS: Uh-huh.

KEITH WESTENGARD: You know, and you think about that stuff.

COMMISSIONER MILLS: Right.

KEITH WESTENGARD: That's just human.

COMMISSIONER MILLS: Right. But I also wanted to say that when I've -- you know, I've -- I've seen you quite a bit. I've been over to your office quite a bit. We've had a lot of communication. And I've seen where when we need to do something, you're right on the phone now taking care of something. And something needs to take care -- be taken care of and you're taking care of it now. You're not -- you're not just taking notes to get to later. You're very proactive in taking care of a lot of the problems that come up. And I appreciate that. That's a -- I see that as a good quality. And I appreciate you as you do that.

KEITH WESTENGARD: Thank you.

COMMISSIONER BAKKER: My turn?

COMMISSIONER MILLS: Yeah.

COMMISSIONER BAKKER: Keith, I think you're doing a good job. I mean, it's a learning curve for all of us. We're all pretty new.

And I do agree with Doug. I mean, I appreciate you and everything you do. And you are very quick to respond to our needs whenever we ask you for something.

Don't really have much more. You're doing a good job.

COMMISSIONER CLARK: Save the best for last?

DISTRICT ATTORNEY HERRERA: Always.

VICE CHAIRWOMAN WAITS: Yes.

COMMISSIONER CLARK: Finally made a good decision, Patsy.

I appreciate the work you do, Keith. I think you're very dedicated.

Saying that, you've been doing this for almost a year. You know you have a lot to learn and a lot of things to get done. But you have a lot of experience in a public agency to draw from. So your base should be broad.

The one concern that -- thinking about this the past couple

days, is that new building is going to be a huge responsibility. It, you know -- it just -- it just kind of hit me. And the responsibility is going to fall on you for upkeep and maintenance. And so I want you to be aware of that.

How long do you think -- how much more time do you think you're going to have to spend on old business?

Okay. I got my answer. I got my answer. And that's --

DISTRICT ATTORNEY HERRERA: Until it's concluded.

VICE CHAIRWOMAN WAITS: Uh-huh.

COMMISSIONER CLARK: And that was --

COMMISSIONER MILLS: Yeah, there's a lot.

COMMISSIONER CLARK: That is what I was thinking, because --

COMMISSIONER BAKKER: Yeah, I look at it this way. We're still taking care of crap that happened 20 years ago.

COMMISSIONER CLARK: I know. So --

Okay.

You've got your feet on the ground now, I've supported you. I've given you -- I feel I've given you everything you need to do a good job. Is there anything else that you need?

KEITH WESTENGARD: Just support when -- when things go on. And I talk -- I talk to you guys pretty regularly.

COMMISSIONER CLARK: Yeah, you do.

KEITH WESTENGARD: And, you know, it's -- you can't clean up 30 years or 20 years worth of a mess in -- in a year.

COMMISSIONER CLARK: Oh, I -- I agree. And -- and you've communicated well.

You know, Doug hit on something about you changing your mind. It appears like that sometimes. I understand that once you look into a situation, there's many things to consider.

But I would just say this, in all the conversations that we've had, you've had some instinctual reaction, some instinctual ideas on issues. And if you would have stayed with your gut reaction, it -- it turned out like you thought it should have been when you first got started. And I think you got muddled down in the middle. You have to consider all your options, but I think that you have a good instinctual base for your decision making.

And just let that ring in your ear when you get hit with ten or fifteen additional things on one issue. Just remember --

1 think about what your first thoughts were.
2 So I -- satisfactory.
3 VICE CHAIRWOMAN WAITS: Thank you. I think that your
4 leadership skills have been quite outstanding.
5 I truly appreciate your communication. And it's oral,
6 written, and listening. I think you're outstanding on all of
7 them, Keith.
8 And I know my fellow commissioners have hit on what you
9 have walked into, because we certainly have nothing to compare
10 it with and that would be unfair anyway.
11 But because we basically have had no executive director for
12 some time and we've been in a real quandary, you -- you truly did
13 step up to the plate to try and handle that.
14 Because you had so many other issues, it's been pointed
15 out, you haven't been able to really do what an executive
16 director should do when they come into a county.
17 So because you basically had no government background was
18 certainly more difficult for you, but you've handled what we
19 needed handled to put you on that -- that level ground.
20 And hopefully from now on things will be a little bit
21 smoother and you can tackle the government area.
22 I also appreciate the -- the respect and the promptness
23 that you've given to all of us and our citizens. I think that
24 when you represent us to the public, you do an excellent job.
25 And I'm sure that they appreciate that too. If -- even the
26 difficult ones, if they think about it, you've always been fair
27 and honest in your dealings. And I think that judgment shows
28 through that you truly are -- are doing a good job on that.
29 As far as the feedback to us, I think that your reports are
30 very timely and very concise. And we appreciate that and -- and
31 are looking forward to a good relationship for you with some time.
32 On the improvement side, I think you already said it and --
33 and Doug hit on some of it and that's the -- the area of local
34 government and state government and you being more active on the
35 things you can be more active in.
36 And the good thing about that -- and you mentioned some,
37 NACO, POOL/PACT and such -- some of that -- those are grant
38 opportunities, which of course have come to light but you
39 haven't been able to implement that. But I know you're aware of
40 that part. And we're looking forward to working with you on

those because the financial resources are still out there. And Lander has not been able to take advantage of those for whatever reason. But now, I'm confident that we will. And I'm looking forward to that.

The Other thing is there are so many new developments in technology. I mean, everything is changing and affecting us in the local government area. And those associations can help you with that. So I know that that's an important part.

So your participation there in the regional and -- and state associations that you can for the county is most important. And our business-related programs too.

So I look forward to your participation in that and reporting back to us.

So thank you for all that you've done and how far you've come.

And I'll have to tell you that even with no county executive director experience stepping up, I think you've been over the standard limit of what we've even expected. I truly believe that.

And so I think it's an -- it should be an excellent evaluation.

CHAIRMAN STIENMETZ: (Indiscernible.)

VICE CHAIRWOMAN WAITS: Thank you.

CHAIRMAN STIENMETZ: I agree with her.

COMMISSIONER BAKKER: I agree. Thank you.

COUNTY CLERK SULLIVAN: You can leave now.

CHAIRMAN STIENMETZ: Yeah.

KEITH WESTENGARD: (Indiscernible.)

CHAIRMAN STIENMETZ: With that, I need one more motion.

COMMISSIONER CLARK: I'll make a motion to adjourn.

**PUBLIC COMMENT**

CHAIRMAN STIENMETZ: Public comment. Excuse me. Do we have any public comment for non-agendized items?

(No comment.)

Seeing none, now I'll take the motion.

**ADJOURNMENT**

COMMISSIONER BAKKER: I'll make a motion to adjourn.
COMMISSIONER MILLS: Second.
CHAIRMAN STIENMETZ: All in fa- -- any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER MILLS: Aye.
VICE CHAIRWOMAN WAITS: Aye.
COMMISSIONER BAKKER: Aye.
VICE CHAIRWOMAN WAITS: Aye.

**CHAIRMAN OR VICE 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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