

1 The Honorable Board of Lander County Commissioners and
2 Lander County Liquor Board met in regular session in the
3 Commission Chambers of the Lander County Courthouse in Battle
4 Mountain, Nevada, on July 24, 2014, at 9:00 a.m.

5
6 **PRESENT:** DEAN BULLOCK, COMMISSIONER
7 STEVEN STIENMETZ, COMMISSIONER
8 BRIAN GARNER, COMMISSIONER
9 DAVID MASON, COMMISSIONER
10 PATSY WAITS, COMMISSIONER
11 MOLLY GONZALES, DEPUTY COUNTY CLERK
12 NICOLE TING, DEPUTY DISTRICT ATTORNEY
13 NAN ANCHO, FINANCE DIRECTOR
14 JOY SWEENEY, HUMAN RESOURCES DIRECTOR
15

16 **ABSENT:** SADIE SULLIVAN, COUNTY CLERK
17

18 Let the record reflect the presence of a quorum of five
19 commissioners.
20

21 Let the record reflect the presence of Austin via telephone
22 conference.
23

24 [Meeting commenced on January 23, 2014, at 9:00 a.m.]
25

26 CHAIRMAN GARNER: I call the Lander County Commission
27 Meeting, Town Board of Battle Mountain, Austin Board of County
28 Highway Commissioners to order.

29 Will you lead us in the pledge.
30

31 (Pledge of Allegiance.)
32
33

34 **APPROVAL OF AGENDA NOTICE**
35

36 CHAIRMAN GARNER: Discussion for possible action regarding
37 approval of agenda notice.

38 COMMISSIONER STIENMETZ: I'll make a motion to approve the
39 agenda notice.

40 COMMISSIONER WAITS: I'll second the motion.

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

10 **APPROVAL & ACCEPTANCE OF MINUTES**
11

12 CHAIRMAN GARNER: Discussion for possible action regarding
13 approval and acceptance of minutes of June 26, 2014th, regular
14 session.

15 COMMISSIONER WAITS: I'll make a motion we approve the
16 regular session minutes of June 26.

17 COMMISSIONER MASON: I second.

18 CHAIRMAN GARNER: Any public comment?

19 (No comment.)

20 CHAIRMAN GARNER: All those in favor?

21 COMMISSIONER MASON: Aye.

22 COMMISSIONER WAITS: Aye.

23 CHAIRMAN GARNER: Aye.

24 COMMISSIONER STIENMETZ: Aye.

25 COMMISSIONER BULLOCK: Aye.

26 CHAIRMAN GARNER: July 10th, 2014th, regular session.

27 COMMISSIONER WAITS: I'll make a motion we approve the
28 regular session minutes of July 10th.

29 COMMISSIONER MASON: I second it.

30 CHAIRMAN GARNER: Any public comment?

31 (No comment.)

32 CHAIRMAN GARNER: All those in favor?

33 COMMISSIONER MASON: Aye.

34 CHAIRMAN GARNER: Aye.

35 COMMISSIONER WAITS: Aye.

36 COMMISSIONER STIENMETZ: Aye.

37 COMMISSIONER BULLOCK: Aye.
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40

1 COMMISSIONER REPORTS

2
3 CHAIRMAN GARNER: Go to commissioner reports on meetings,
4 conferences, and seminars attended.

5 COMMISSIONER MASON: I have none.

6 CHAIRMAN GARNER: Patsy?

7 COMMISSIONER WAITS: Yes, I do. Thank you.

8 On July 14th, we did have an Austin Airport advisory
9 board meeting. I was unable to attend. But they should be
10 doing the water and sewer this week.

11 Call Dig was done. And they were supposed to be out the end
12 of last week, the first of this week. So they should be starting
13 that.

14 And, of course, the electrical bid we also have on for the
15 agenda.

16 On July 18th, I had the Nevada Land Task Management Task
17 Force meeting. And that has gone now with -- with the full
18 support of all of the -- the counties.

19 And it's going before the state public lands legislature.

20 And they are going to be putting in the whole bill draft
21 for them. So they'll be having a couple of sessions on that.

22 And then we'll be doing all kinds of -- of informational
23 sessions that we will be reporting too throughout the year with,
24 again, public input and such as it goes forward.

25 On July 21st, I had a Division for Aging meeting. They're
26 coming across with some initiatives for us now, kind of
27 all-inclusive care for the elderly and some rural components on
28 that.

29 One interesting point was the Department of Justice and the
30 Health and Human Services have put together what they call an
31 elder abuse initiative. They're highlighting several things for
32 the seniors. The first one is awareness; and then the brain
33 health, the cognitive; and caring and giving; and economics and
34 resources are the five issues that they're going to -- to really
35 play up.

36 It -- it turns out that one of the AARP reports Nevada was
37 41st regarding the long-term care. And they're very unhappy
38 about that since we're getting quite an influx of seniors in all
39 of Nevada. We're one of the ones that are rising quickly with
40 population, as we've reported before.

1 One of the things that I will be doing on the agenda, we
2 discussed it actually at the Land Task Management meeting, and
3 that's the draft on the Reid/Heller Sage Grouse Bill. This is
4 the amended draft now that we're looking at. We've had meetings
5 prior to this. And Senator Heller's office has requested input
6 from all of the counties. So I'll put it on for the next agenda
7 for us to take a look at.

8 But we had quite a lengthy discussion on the type of bill
9 it was -- it was. It doesn't really seem to do anything to save
10 the sage grouse when everyone looked at it. It seems to be more
11 of a wilderness bill. And it doesn't even have to meet the
12 criteria of Sixty-four Wilderness Act to be considered a
13 wilderness area.

14 We've got a couple of wilderness study areas in Lander
15 County. And there's several throughout the state. And -- and
16 they have not met the criteria. And yet, it just sits there as a
17 WSA. And now with the Reid/Heller bill, it appears they can just
18 all become wilderness areas all of sudden. They don't have to
19 meet any criteria.

20 So I'm putting that on the agenda for the next meeting.
21 And we can take a look at that and do some discussions.

22 And I'd like to invite one of our -- our counterparts with
23 the Humboldt commission if that's okay with our commission.
24 He's been very active on it and has some really good
25 information. So we'll bring that forward next time for you.

26 Thank you.

27 COMMISSIONER STIENMETZ: I have nothing to report.

28 COMMISSIONER BULLOCK: I have nothing.

29 CHAIRMAN GARNER: Good.
30
31

32 **STAFF REPORTS**
33

34 CHAIRMAN GARNER: Staff reports on meetings, conferences,
35 and seminars attended.

36 JIM OLSON: Oh, we had a number of meetings this week with
37 the -- starting with the -- the pool committee and the pool
38 district.

39 We met to discuss the ideas and the conceptual designs that
40 we have so far with everybody.

1 The response was very positive -- overwhelmingly positive
2 from the -- the staff at the school board meeting. And the
3 people that were present were very much in favor of the third
4 design that was proposed by Bigotti.

5 We're working with the -- on the golf course with Jake
6 and -- and the other engineers -- Day Engineering. We're
7 looking at trying to address the nine holes we have now and
8 bring them up to par -- no -- no pun intended -- but bring them
9 up to pristine condition so we have everything working
10 correctly.

11 There's a lot of minor issues that weren't -- haven't --
12 have not been addressed over the years: the sprinklers, the
13 pumps, the filtration system to take the sand out of the system
14 that's causing a lot of problems, and the use of the proper
15 sprinkler heads, et cetera; the engineering and design, so we
16 can get it back to a topnotch, operating condition and not
17 inherit additional problems that we have. To try to expand the
18 nine holes, we have additional costs and with continuing
19 problems, if we don't address them in the initial nine holes we
20 have now.

21 We're also in the process of reviewing the codes with
22 Municode. All the codes are being brought up to date. We're
23 getting input from the various division heads, department heads
24 to get their input on what they want in these codes, if they
25 want anything changed. And so that's a lengthy process that
26 will go on for probably a number of months until we get
27 everything together and bring it back before the board for their
28 final approval.

29 That in general is about what we have right now.

30 CHAIRMAN GARNER: Okay.

31
32 CHAIRMAN GARNER: Discussion for possible action regarding
33 payroll change requests.
34
35

36 **PAYMENT OF THE BILLS**
37

38 CHAIRMAN GARNER: Payment of the bills, first.

39 CYNTHIA BENSON: Payment of the bills?

40 We have submitted expenditures in the amount of 265,484.15

1 from checks #48893 to 48978.

2 And I have four to ratify:

3 Check #48888 in the amount of \$87 for Becky Johnson for
4 travel and training.

5 Check 48855 in the amount of 6,000 for the reserve
6 account, and that is for postage for the treasurer's office,
7 which actually, I believe, is for all the offices. It just is
8 for her postage machine.

9 Check 48840 in the amount of 1,873.59 to Business Card.
10 And this is for the sheriff's office credit card.

11 And check 48841 in the amount of \$199.92 to Chase Card
12 Services. And this is for the DA's credit card.

13 And check 48865 in the amount of 1,578.91 to Wells Fargo
14 Remittance. And this is for the county credit card.

15

16 (Commissioners reviewing payment of the bills.)

17

18 CHAIRMAN GARNER: I'll be abstaining from check 48897, Car
19 Wash.

20

21 **Business Card**

22

23 COMMISSIONER BULLOCK: I'll make a motion we ratify check
24 #48840 to Business Card in the amount of \$1,873.59.

25 COMMISSIONER STIENMETZ: I'll second the motion.

26 CHAIRMAN GARNER: Any public comment?

27 (No comment.)

28 CHAIRMAN GARNER: All those in favor?

29 COMMISSIONER MASON: Aye.

30 COMMISSIONER WAITS: Aye.

31 COMMISSIONER STIENMETZ: Aye.

32 COMMISSIONER BULLOCK: Aye.

33

34 **Chase Card Service**

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36 COMMISSIONER BULLOCK: I'll make a motion we ratify check
37 #48841 to Chase Card Service in the amount of \$199.93.

38 COMMISSIONER STIENMETZ: I will second that motion.

39 CHAIRMAN GARNER: Any public comment?

40 (No comment.)

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

8

9 **Reserve Account**

10

11 COMMISSIONER BULLOCK: I'll make a motion we ratify check
12 #48855 to Reserve Account for \$6,000.

13 COMMISSIONER STIENMETZ: I will second the motion.

14 CHAIRMAN GARNER: Any public comment?

15 (No comment.)

16 CHAIRMAN GARNER: All those in the favor?

17 COMMISSIONER MASON: Aye.

18 CHAIRMAN GARNER: Aye.

19 COMMISSIONER WAITS: Aye.

20 COMMISSIONER STIENMETZ: Aye.

21 COMMISSIONER BULLOCK: Aye.

22

23 **Wells Fargo Remittance**

24

25 COMMISSIONER BULLOCK: I'll make a motion we ratify check
26 #48865 to Wells Fargos Remittance in the amount of \$1,578.91.

27 COMMISSIONER STIENMETZ: I will second motion.

28 CHAIRMAN GARNER: Any public comment?

29 (No comment.)

30 CHAIRMAN GARNER: All those in favor?

31 COMMISSIONER MASON: Aye.

32 CHAIRMAN GARNER: Aye.

33 COMMISSIONER WAITS: Aye.

34 COMMISSIONER STIENMETZ: Aye.

35 COMMISSIONER BULLOCK: Aye.

36

37 **Becky Johnson**

38

39 COMMISSIONER BULLOCK: I'll make a motion we ratify check
40 #48888 to Becky Johnson in the amount of \$87.

1 COMMISSIONER STIENMETZ: I will second the motion.

2 CHAIRMAN GARNER: Any public comment?

3 (No comment.)

4 CHAIRMAN GARNER: All those in favor?

5 COMMISSIONER MASON: Aye.

6 CHAIRMAN GARNER: Aye.

7 COMMISSIONER WAITS: Aye.

8 COMMISSIONER STIENMETZ: Aye.

9 COMMISSIONER BULLOCK: Aye.

10

11 CHAIRMAN GARNER: Discussion for possible action --

12 COMMISSIONER BULLOCK: Hold on. One more.

13

14 **Submitted Expenditures**

15

16 COMMISSIONER BULLOCK: I'll make a motion we approve
17 submitted expenditures in the amount of \$265,484.15 from check
18 #48893 through check #48978.

19 COMMISSIONER STIENMETZ: I will second the motion.

20 CHAIRMAN GARNER: Any public comment?

21 (No comment.)

22 CHAIRMAN GARNER: All those in favor?

23 COMMISSIONER MASON: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER STIENMETZ: Aye.

27 COMMISSIONER BULLOCK: Aye.

28

29

30 **PAYROLL CHANGE REQUESTS**

31

32 CHAIRMAN GARNER: Discussion for possible action regarding
33 payroll change requests.

34 COMMISSIONER STIENMETZ: Got 95 to read by.

35 COMMISSIONER BULLOCK: If there's no discussion on the
36 payroll change requests, I make a motion that we approve the 95
37 on consensus.

38 COMMISSIONER STIENMETZ: I'll second the motion.

39 CHAIRMAN GARNER: Any public comment?

40 (No comment.)

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

8 **PUBLIC COMMENT**
9

10 CHAIRMAN GARNER: It's time for public ag- -- public
11 comment for non-agendized items only.
12 Pete.

13 PETE TOMERA: I'm Pete Tomera.

14 As most of you know, yesterday the BLM closed most of the
15 Argenta unit. They told us we had seven days to get our cows
16 off.

17 We're trying to put hay up. Seven days is not enough time to
18 get cows off.

19 There's been quite a bit of controversy between our hired
20 range consultants and the BLM. Our range consultant says that
21 we're okay. The BLM says we're not.

22 I called John Carpenter yesterday. And we sent him the same
23 deals that you guys got there.

24 John Carpenter took it to the Elko County commissioners. The
25 Elko County commissioners are right behind us. They want to do
26 something. But the question that they asked -- they said is go to
27 see your Lander County commissioners. It is happening in Lander
28 County. We want the Lander County commissioners to come and see
29 us, to talk to us, to take the lead because it is in Lander
30 County.

31 Now, what my feeling is, is they've closed the Copper
32 Canyon allotment on Filippinis last year. They're trying to
33 close the Argenta allotment this year. The Copper Canyon and
34 Buffalo Valley allotments and the Argenta allotments are the
35 only two allotments in the Battle Mountain district that are
36 majority private land.

37 If they can close -- successfully close them two allotments,
38 they can steamroll over the top of the rest of the allotments all
39 the way south because they're mostly federal ground.

40 Demar Dahl called me and said, this is too important, because

1 if they can close them two allotments, the ranching industry is
2 done.

3 So I'm asking for you guys call, talk to Demar Dahl, because
4 I think Demar Dahl is probably the most knowledgeable one there
5 that's going on.

6 But they're asking for the Lander County commissioners to
7 be involved to take the lead, because Elko County's right behind
8 us. They want to stop this closing the allotments.

9 There was nine allotments closed in the State of Nevada.
10 Two of them were small allotments and the district manager
11 explained it at the Nevada legislative council. There were
12 small allotments, and they arranged to put cattle in other
13 places.

14 Last year, Doug Furtado closed seven allotments in the Battle
15 Mountain district.

16 That says a lot what's happening in the Battle Mountain
17 district.

18 So please, help us. We need the help.

19 We -- we have no place to go with these cows. And once
20 you -- you can't just take a cow and put it on a shelf. You have
21 to find feed for it someplace. And as most everybody knows,
22 there's no feed available. And we do have feed up there.

23 It's right out your back door. Go take a trip, everybody,
24 and look and see what there is there.

25 We -- I ask you for your support. Please consider it.
26 Thank you.

27 CHAIRMAN GARNER: Thank you.

28 COMMISSIONER STIENMETZ: Thank you, Pete.

29 COMMISSIONER WAITS: Thank you, Pete.

30 CHAIRMAN GARNER: Any other public comment?
31 Shawn.

32 SHAWN MARILUCH: Shawn Mariluch, Filippini Ranching.
33 I don't know -- I got here late so I don't know what all
34 Pete told you. But a couple of the commissioners helped
35 facilitate a deal. And I was just wondering, Steve and Brian,
36 was it your understanding that we get to use 30% in the uplands?

37 CHAIRMAN GARNER: It's just public comment.

38 SHAWN MARILUCH: You can't answer a question? No?

39 COMMISSIONER STIENMETZ: Uh-uh.

40 CHAIRMAN GARNER: No. Not under public comment.

1 SHAWN MARILUCH: Anyway, that was my understanding. And
2 they're -- they're removing the cattle based on one species. If
3 you did the whole -- if you did the average of the forage that's
4 out there, in the part that they're closing of mine is at about
5 11% utilization.

6 And -- but one species they said hit 34. Well, that one
7 species doesn't make up a -- a tenth of a percent of what's the
8 cattle are grazing.

9 So just to let you guys know that, you know, we're up against
10 it. And if there's anything you guys can do, we need you to do
11 it.

12 Thank you.

13 COMMISSIONER STIENMETZ: Thank you, Shawn.

14 CHAIRMAN GARNER: Thanks.

15 COMMISSIONER BULLOCK: Thanks, Shawn.

16 COMMISSIONER WAITS: Thank you.

17 CHAIRMAN GARNER: Any other public comment?

18 Sir.

19 RICHARD SMITH: Yeah. My name is Richard Smith. I am from
20 the Te-Moak tribe from Elko and Battle Mountain.

21 And as you people know probably is that President Obama has
22 signed our religious act for our plants to be grown in the hills
23 there. And we have that. Now, if we let the cattle out, it's
24 fire hazard, and it's going to burn all of our religious act on
25 what we base ourself on.

26 So keep that in mind, too, and that the cattle being removed.
27 Thank you.

28 CHAIRMAN GARNER: Thank you.

29 COMMISSIONER WAITS: Thank you.

30 CHAIRMAN GARNER: Any other public comment?

31 (No comment.)

32 CHAIRMAN GARNER: Seeing none.

33
34
35 **FINANCE**

- 36
37 1) Discussion for possible action regarding budget review,
38 contracts, financial updated, and other matters properly
39 relating thereto.
40

1 CHAIRMAN GARNER: We'll move on to one. Discussion for
2 possible action regarding budget review, contracts, financial
3 update, and other matters properly related thereto.

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

5 COMMISSIONER BULLOCK: Good morning, Nan.

6 COMMISSIONER STIENMETZ: Good morning, Nan.

7 COMMISSIONER WAITS: Goods morning, Nan.

8 NAN ANCHO: The accounts receivable for the month of June
9 are as follows: water, \$1,463; sewer, 859; miscellaneous
10 water/sewer, \$43; landfill, 24,191; ambulance, \$100; and active
11 accounts at collections, 972, for a total of \$27,628.

12 The debt management policies, indebtedness report, and
13 capital improvement plans for Lander County, Austin, and Battle
14 Mountain for fiscal year 2015 have been completed and sent to the
15 Department of Taxation and the clerk's office.

16 And that's all I have on that subject.

17 CHAIRMAN GARNER: Thanks, Nan.

18 COMMISSIONER STIENMETZ: Thanks, Nan. Appreciate it.
19

20 2) Discussion for possible action regarding approval/disapproval
21 of Resolution No. 2014-13, a resolution directing
22 apportionment of net proceeds received on June 30, 2014; and
23 other matters properly related thereto.
24

25 CHAIRMAN GARNER: Two, discussion for possible action
26 regarding approval, disapproval, resolution 2014-13. A
27 resolution re-- correction -- a resolution to -- directing
28 apportionment of net proceeds received on June 30th, 2014, and
29 other matters properly related thereto.

30 NAN ANCHO: On June 30th, the Lander County Treasurer
31 received \$600,502.31 in net proceeds for fiscal year '13/'14.

32 And the mandated funds are as follows: the Commission
33 Fees/General Fund 3%, \$18,015.07; the Assessor Tech Fees 2%,
34 \$12,010.05; China Springs, \$169.68; State Medical Indigent,
35 \$12,348.64; State Indigent (NACO), \$2,827.93; Capital
36 Acquisition, \$5,655.87; Landfill, \$9,426.45; Hospital,
37 \$91,503.45; and School District, \$134,326.86, for a total of
38 \$286,284.

39 The remaining went to Discretionary Funds CCP in the amount
40 of \$314,218.31.

1 CHAIRMAN GARNER: Cool.
2 COMMISSIONER STIENMETZ: I'll make a motion that the
3 commission approve and adopt Resolution Number 2014-13, a
4 resolution directing appropriation of the net proceeds of
5 minerals tax received on June 30th, 2014, in the amount of
6 \$600,502.31 and allotting the Lander County portion in the
7 amount of \$314,218.31 to the appropriate funds as designated in
8 the resolution.
9 COMMISSIONER WAITS: I'll second that motion.
10 CHAIRMAN GARNER: Any public comment?
11 (No comment.)
12 CHAIRMAN GARNER: All those in favor?
13 COMMISSIONER MASON: Aye.
14 COMMISSIONER STIENMETZ: Aye.
15 COMMISSIONER WAITS: Aye.
16 CHAIRMAN GARNER: Aye.
17 COMMISSIONER BULLOCK: Aye.
18 CHAIRMAN GARNER: Thanks, Nan.
19 COMMISSIONER STIENMETZ: Thanks, Nan.
20 COMMISSIONER WAITS: Thank you.
21
22

23 **SAFETY**

24
25 3) Discussion for possible action regarding approval/disapproval
26 of Change Order No. 2, in the amount of \$5,325.00, for
27 additional equipping of safety devices for the new Battle
28 Mountain Ambulance, and other matters properly related
29 thereto.
30

31 CHAIRMAN GARNER: Three, discussion for possible action
32 regarding approval/disapproval of Change Order Number 2, in the
33 amount of \$5,325, for additional safety equipment for the new
34 Battle Mountain Ambulance, and other matters properly related
35 thereto.
36 KEITH WESTENGARD: Good morning. Keith --
37 CHAIRMAN GARNER: Good morning.
38 COMMISSIONER STIENMETZ: Good morning.
39 COMMISSIONER WAITS: Good morning, Keith.
40 KEITH WESTENGARD: -- Westengard, safety manager.

1 As you know, we --
2 RICK BELL: Rick Bell, --
3 KEITH WESTENGARD: -- went through the process.
4 RICK BELL: -- Lander County, EMS.
5 KEITH WESTENGARD: -- to order a -- a new ambulance. The
6 quote was -- or the bid was for \$150,000.
7 We've looked at adding some additional equipment. And with
8 that, I'm going to let Rick Bell, the EMS coordinator commander,
9 fill you in on what we're looking at doing --
10 RICK BELL: I tried --
11 KEITH WESTENGARD: -- regarding the cost.
12 RICK BELL: I tried to make a brief list. We got a
13 cookie-cutter-mold-type ambulance coming. And it was through
14 the -- what do they call that? -- that's dedicating?
15 KEITH WESTENGARD: The process. What was that Donnie? The
16 ambulance, where did we buy the -- the GSA?
17 DONALD NEGRO: Yeah, it's through HCG Buy Coalition.
18 RICK BELL: Okay. What they have is like a
19 cookie-cutter-mold ambulance. So we've met with a rep who came
20 out here, went through the ambulance. You guys had said, hey,
21 we've got this money earmarked. So we went ahead and ordered
22 it.
23 After the fact, the factory shut down for two weeks for
24 their down time or whatever they do, maintenance thing every
25 year. Came back up. They started communicating with us. And
26 apparently there's change orders. At the time, I didn't know
27 there were going to be change orders or we would have negotiated
28 that right up front, which we did a lot of it. A lot of the
29 change orders had no cost to us. Some of them we got a little
30 money back. Others ones we didn't.
31 One of the changes would be had it prewired for Motorola
32 1500 radio which is mounted in the cab. That's, you know, to be
33 calling dispatch. Instead of ending it at the console in the
34 back, when we get the radio installed, they'd have to run the
35 wire up there. It's easier to do it ahead of time through the
36 frame so it's -- in my opinion -- done right. The net cost was
37 next to \$250.
38 Also, prewired for interior camera. To me, that's a huge
39 safety issue. Having an attendant in the back of the driver,
40 sometimes you haul people that go south on you or mentally

1 unstable. I've had attendants be beaten up before and the driver
2 unaware of it. This -- this prewiring for the camera is a small
3 screen. It mounts on the dash. The driver can see. And it's
4 always on. You can't turn it off. And it watches the cabin where
5 the attendant is. And just -- that's another \$400 because
6 they've got to run it through the upper frames and everything.

7 There was some changes on the switches in -- on the
8 console. And that was no charge.

9 Room is an issue in an ambulance because what you have is an
10 emergency room with wheels on it going down the road. So each
11 piece of equipment has its place. And it needs to be able to fit
12 there.

13 One thing the cookie-cutter ambulance wouldn't facilitate
14 is a -- a piece of equipment called a stair chair. A stair
15 chair, I can take a big guy down several flights of stairs by
16 myself in a stair chair with one hand. It has tracks on it,
17 clicks down. We already own that. What I couldn't do is put it
18 anywhere because of the size of it, even though it folds up.

19 Braun has done it before. That's the manufacturer of the
20 ambulance. What they do is build a pocket outwards in the door
21 that it would fit in. It won't fit unless you build a pocket.
22 So that particular one change to facilitate storage of the stair
23 chair was 475.

24 After accounting, the things we have to recharge and keep
25 charged that are electrically used, like the MRX monitor, suction
26 units, I need to facilitate 110- and 12-volt. So I had to have
27 them add a couple more 12-volt things to the tune of a hundred
28 bucks just for the wiring for that.

29 Monitor restraint to keep it from flying around due to the
30 ambulance ever being in an accident. According to
31 KKK-standards, it has to be a -- a steel cable to latch on to
32 the monitor. And that's \$175.

33 A slam -- a slam latch on some of the storage units -- I know
34 this sounds kind of foreign, so I'll kind of jump over to some
35 other stuff.

36 Glove butlers on the outside of the door to me is a safety
37 issue so you don't have to jump in and out every time you need a
38 set of gloves or an officer's on scene and the scene's -- they
39 need to be gloved up. They don't have to get in there and look up
40 for the gloves. They open the back doors. They're mounted right

1 there. There's a picture of them here. I have a couple of extra
2 ones I'll give you guys if you'd like.

3 We deleted -- excuse me -- we deleted the WAECO refrigerator.
4 Why we have a refrigerator in an ambulance is for drugs and
5 narcotics. Some of them have to be at a certain temperature.
6 Without that, I can't haul necessary drugs that are -- that we
7 need to be hauling. So it's -- it's becoming common practice more
8 and more and more to have refrigerators in there. So instead of
9 having one this big, I had them -- because room is always an
10 issue -- Braun builds their own any size you want. And they
11 usually design them so the compressor's where you can get at to
12 service them or recharge them or whatever is for that. So the
13 trade difference from getting rid of the big one and putting in
14 one they design to fit the space we had is \$500.

15 Cargo net from the front of the bench, safety issue, because
16 somebody sitting on the bench in a front-end collision, they have
17 nothing to protect them. So everybody's getting on to these cargo
18 nets to catch the people, the attendants on the bench. Also, if
19 you have more than one patient, as Patsy knows, they have them on
20 a backboard on a bench, you can buckle them in. That really
21 doesn't -- in a front-end collision does nothing for them.
22 They'll be able to slide right up and crash into the cabinets.
23 The cargo net catches them. And that's another 350 for the
24 installation of that.

25 The highest dollar item I see is an electric step on the
26 curb side. Ambulance sides are kind of tall. I really don't
27 have too much problem getting in and out of them. But not
28 everybody's my -- my size. We have smaller people that work
29 there. The step actually really helps. And it's an automatic
30 thing with no override switch. What that means is if you open
31 the door, it automatically comes out. It's there. You shut it,
32 it, automatically folds up, it's gone. No override means I
33 can't manually do it and accidentally leave it on and tear it
34 off because I bounced over a curb somewhere.

35 Attendant seat. They've always come stocked with a lap belt.
36 That's insufficient. To get a three-point harness in it is
37 another 150, trading the captain chairs out. They have one
38 designed with the shoulder harness also.

39 And another upgrade from that is a child safety seat that's
40 in the back that folds out of the seat. It's really not a

1 luxury. It's a necessity. We have the room to carry one child
2 seat. I don't have room to carry two. So what size do I pick?
3 So I get a standard one that will fit a 30-pound baby. Now, I
4 get a neonate, I have nothing to fit it. Now I do in the chair.
5 So I don't have to store a second one I don't have room for.
6 It's automatically in the seat. And there's a picture of it
7 right down there. And it just looks like a bucket seat, but it
8 pops down.

9 Other than that, the only -- and this -- this was kind of my
10 no-brainer. I didn't realize it didn't have light bar on it. So
11 by the time they finished into the light bar, it ran into over a
12 thousand dollars also.

13 I guess the bottom line is what I'm asking for, I think --
14 is this the figure sheet? Fifty?

15 KEITH WESTENGARD: Fifty-three.

16 RICK BELL: Okay. We're needing another \$5,325 to
17 facilitate the upgrade changes.

18 COMMISSIONER MASON: Are these estimates or are they actual
19 costs?

20 RICK BELL: They're actual costs. These are the change
21 orders.

22 COMMISSIONER MASON: Installed?

23 RICK BELL: Installed.

24 COMMISSIONER WAITS: My --

25 COMMISSIONER MASON: And how long is this ambulance -- is
26 this ambulance brand new?

27 RICK BELL: It's being built as we speak.

28 COMMISSIONER MASON: Okay.

29 RICK BELL: And that's where the rewiring --

30 COMMISSIONER MASON: They're going to install these in
31 while it's being built?

32 RICK BELL: Yes. The architects design it according to
33 what you want in there.

34 I never went through the system. Donnie did for us before.
35 So I really didn't know how it worked. A lot of this is my
36 stupidity. The only thing I was involved in buying ambulances
37 before is we specked out everything we needed, then we got a --
38 a bid on it, you know, send around to different companies. I
39 had no idea it works like this. Now I do. I apologize.

40 COMMISSIONER MASON: What -- what is the expectant life of

1 this ambulance miles-wise?
2 RICK BELL: You're probably looking at about 90,000.
3 COMMISSIONER MASON: That's all?
4 RICK BELL: Yeah. That's on a good year.
5 The nature of them, Dave, is -- is you're either got your
6 foot clear on the floor because you're going to an emergency or
7 your foot on your brake because you're going too fast to stop at
8 the emergency. It's an emergency vehicle. It's kind of like a
9 cop car. That's just how the nature -- the nature of the
10 business.
11 COMMISSIONER MASON: So we've already budgeted for the
12 ambulance itself; right?
13 RICK BELL: Yes.
14 COMMISSIONER MASON: So what's the total cost here? I
15 don't have that number in front of me? Ambulance and
16 improvements?
17 KEITH WESTENGARD: The -- it was budgeted for \$150,000.
18 That's what was approved. So with the additions, it would be
19 for an additional \$5,325, making the total cost of the ambulance
20 \$155,325.
21 COMMISSIONER MASON: I'm going to ask Brian: Is that a
22 good deal?
23 You're an ambulance driver.
24 Do you have an opinion on it? You've got the experience.
25 CHAIRMAN GARNER: Yeah, it's -- it's -- it's -- just a new
26 pickup's 65,000. So -- I mean, yeah, it's a good deal. Some --
27 a lot of this is necessity.
28 RICK BELL: You want an ambulance that's --
29 CHAIRMAN GARNER: There's a few -- there is a few perks.
30 But I've been on several occasions where we have multiple child
31 -- children. There's no place to put multiple children. We
32 have no -- for years, we didn't have any car seat. Now, we have
33 at least a car seat. Now, we'll have two car seats.
34 You know, there's -- a lot of this stuff is -- it reduces
35 the on-scene time of multiple accidents happening that's
36 becoming more of an issue is the accident after the accident.
37 And a lot of this reduces the -- the time on scene so you can
38 get going.
39 COMMISSIONER MASON: In your opinion with proper
40 maintenance, how many miles are we going to get out of this

1 thing?

2 CHAIRMAN GARNER: About a hundred thousand.

3 COMMISSIONER MASON: That's it; huh?

4 CHAIRMAN GARNER: Well, if somebody woke you up in the
5 morning and put you -- put you in high speed all day long and
6 turned you off, you know.

7 COMMISSIONER MASON: I got it.

8 CHAIRMAN GARNER: I mean, that's all they do is they go 90
9 miles an hours and sit there and idle. And idling is bad for
10 them. And 90 mile an hour is bad for them. But that's what
11 they're designed for. They don't -- they don't cruise down the
12 road at 70. They don't set the cruise at 70. They --

13 COMMISSIONER MASON: Well, that's helpful. Thanks.

14 CHAIRMAN GARNER: Yeah.

15 COMMISSIONER WAITS: Rick, I sincerely appreciate your
16 detailed information. I did go through everything.

17 My -- my first concern was we're not within budget. But
18 the 150- you'd think we'd have these things that we absolutely
19 needed. And I don't know if any of those negotiations can go
20 back or not. Because I know we've looked at ambulances before
21 and they were often negotiable with the salesperson that
22 we're -- we're dealing with here.

23 And I certainly don't want us to -- to have anything that --
24 that we don't need on here. But I want to be sure we have all the
25 safety items.

26 And when I look at \$150 for the extra three-point seat,
27 I -- I don't understand that.

28 I do understand your glove things. But those are like \$350 a
29 piece to have them right there. I'm going, okay, so put an extra
30 set in your pocket.

31 I mean, I -- I think there's some things we can -- can --
32 can look at that it doesn't have to be the cream of everything
33 when it's not a safety item.

34 As far as the children's seats, extra things like that, I'm
35 fine.

36 I'm -- I'm real disappointed that we're over. And I know
37 it's not a great deal of money. But this commission has done a
38 lot with a thousand dollars over budget and 2,000 over budget
39 and such.

40 So I don't know if you have anything in there that you can

1 take another look's at, because I think there's some things that
2 I took another look at that I'm going, well, cream of the crop.
3 But I don't know how -- how they will work with you on it. That
4 maybe they have a little more latitude, they, the company, that
5 we can stay, we're over budget. And we just can't get all the
6 extra for you. So what can you give us? You work with us,
7 guys. And --

8 KEITH WESTENGARD: Let me address the -- the seat belt
9 issue. The seat belt, it's a regular seat belt. When you're
10 talking about the three point. It comes with a regular belt,
11 and that's it for the attendant in the back. This is to add a
12 three-point harness, which will enhance -- they'll have the
13 safety of the attendant being strapped to the seat. So in the
14 event of a rollover, it's not just a lap belt. It's a -- it's a
15 three-point --

16 COMMISSIONER WAITS: I understand that.

17 KEITH WESTENGARD: -- harness.

18 COMMISSIONER WAITS: But let's face it most of the time the
19 attendants are not sitting down.

20 KEITH WESTENGARD: That's true.

21 COMMISSIONER WAITS: I think they're really not.

22 KEITH WESTENGARD: That's true.

23 COMMISSIONER WAITS: And -- and -- and I know we could --
24 we could probably put a helmet on them too. But, I -- come on,
25 guys, I just -- I think we can work with something here.

26 COMMISSIONER MASON: Well, some -- wait a minute. I think
27 it is important because you have -- in a lot of cases you have
28 immediate family as passengers; is that not right?

29 CHAIRMAN GARNER: Mm-hm.

30 KEITH WESTENGARD: They'll be up front though. They --
31 they don't ride in the back.

32 RICK BELL: Not always.

33 CHAIRMAN GARNER: Not always.

34 RICK BELL: Just depends on who's in there (indiscernible).

35 KEITH WESTENGARD: So yeah, there could be family in the
36 back. That's correct.

37 CHAIRMAN GARNER: I think all of it's -- I think even the
38 gloves in the back door.

39 I roll up on scene sometimes as a passerbyer. And I know
40 where the gloves are. I open the door. And I -- and I don't

1 want to go digging through other people's stuff to find gloves.
2 But if they need an extra hand, that's what you do. You stop
3 and give an extra hand.

4 And most -- I know Humboldt County -- I know Eureka County,
5 you just open the door, there's gloves. Everybody gloves up.
6 It's just part of the nature of the beast anymore. But if you
7 have to get up in there, dig around to find the gloves in
8 compartments that you shouldn't -- because sometimes they have
9 meds in some those compartments and -- I don't know. I just --
10 I see --

11 COMMISSIONER WAITS: I -- I understand.

12 CHAIRMAN GARNER: -- the ease of that. I see -- I've put
13 passengers -- I've put pa- -- patients and family members in the
14 back before with no safety restraints. I mean, there's a lot of
15 --

16 COMMISSIONER WAITS: I understand that there's two -- two
17 areas that they want for gloves. And personally, I carry all
18 the gloves in my own personal car so --

19 CHAIRMAN GARNER: Yeah, but --

20 COMMISSIONER WAITS: -- I don't have to --

21 CHAIRMAN GARNER: ~~But I~~ --

22 COMMISSIONER WAITS: I don't have to --

23 CHAIRMAN GARNER: But when I --

24 COMMISSIONER WAITS: -- poach another ambulance.

25 CHAIRMAN GARNER: But when I --

26 COMMISSIONER WAITS: But I understand what you're saying,
27 --

28 CHAIRMAN GARNER: But when I'm driving by --

29 COMMISSIONER WAITS: -- but there's two of them.

30 CHAIRMAN GARNER: -- in my personal vehicle and I stop
31 because I see them -- and that's what we do because that's the
32 brotherhood of the beast is we stop and we help. And when I
33 don't carry gloves in my truck because it's my work truck. But
34 I go, I get the gloves out of the door, and then I go help.

35 RICK BELL: Patsy, you're right. There is two areas for
36 them. And there's one above the side door. And I had those
37 deleted.

38 COMMISSIONER WAITS: And they're 400 bucks a piece.

39 RICK BELL: I had them deleted.

40 COMMISSIONER WAITS: So, you know, do we need two? And

1 that's all. I'm just -- I'm glad it's not over --

2 KEITH WESTENGARD: When we purchased --

3 COMMISSIONER WAITS: -- the 5,000, what you expected. But
4 I guess I really am surprised this isn't all encompassing. And
5 I understand your comments about, I haven't done this before.
6 But I guess I'm looking to the company to give us a little
7 extra.

8 KEITH WESTENGARD: When we purchased the ambulance, it was
9 done through basically a fleet-type purchase.

10 So they say, here's your ambulance. And then we would add
11 and delete things as we saw fit.

12 COMMISSIONER WAITS: Mm-hm.

13 KEITH WESTENGARD: So we already get a good base price so
14 to speak, and then we can add things and delete things. And
15 once we added the things we thought we would need and took away
16 the things we didn't see we needed, we still came up with --
17 with this overage.

18 And it's completely up to the commission what you guys want
19 to do. But we -- there were other things that we decided to leave
20 off that we didn't think were, like, the cream of the crop so to
21 speak. So these are things that we felt would be beneficial.

22 The gloves on the back, I mean, pretty much everybody here
23 knows how people get excited. Somebody goes running up to the
24 ambulance to grab a set of gloves. They go to step in. They
25 fall down. They miss a step. Now we have, rather than a \$400
26 gloves on the back where they can open it and grab it, we have
27 broken teeth or we have an injury that adds to our workers comp.

28 There's other things that we looked into when we were
29 putting this list together, not just the ease of opening the
30 door and grabbing gloves. Passerbys can grab -- people --
31 additional people that show up on the scene that don't have the
32 gloves, that don't carry them like you do in your -- in your
33 vehicle. People get excited. They try to get -- they get in a
34 hurry. They fall down. You just open the gloves, rather than
35 having them step in or out of the ambulance or come out of the
36 ambulance and roll an ankle. These are items that we felt were
37 truly beneficial in every sense.

38 COMMISSIONER WAITS: Well, I understand -- I understand the
39 point on the gloves. I just didn't understand why we needed
40 two. If we're going to do them in the back, let's do them in

1 the back and save the other 400.
2 The other concern I had was the lights. Are you saying we
3 don't have lights at all?
4 We -- forgot the --
5 RICK BELL: Didn't have the --
6 COMMISSIONER STIENMETZ: The light bar.
7 RICK BELL: Yeah, they don't -- I didn't know they didn't
8 --
9 COMMISSIONER WAITS: Okay, because --
10 RICK BELL: -- spec it out --
11 COMMISSIONER WAITS: -- when I read it, --
12 RICK BELL: -- with the lights.
13 COMMISSIONER WAITS: -- it sounded like we were just
14 changing color.
15 RICK BELL: We are changing the color to match everything
16 else.
17 CHAIRMAN GARNER: But there was no bar.
18 KEITH WESTENGARD: There's different lighting packages.
19 COMMISSIONER WAITS: Uh-huh.
20 KEITH WESTENGARD: So we -- we went with this lighting
21 package in order to --
22 COMMISSIONER WAITS: Okay.
23 KEITH WESTENGARD: -- sufficiently --
24 COMMISSIONER WAITS: Because we've got almost \$1500 in here
25 for lights, and I'm saying, it didn't come with lights at all?
26 RICK BELL: It comes with flashers but not a light bar.
27 COMMISSIONER WAITS: Okay, but this is the bar and lights?
28 KEITH WESTENGARD: These are emergency warning lights.
29 COMMISSIONER WAITS: So we need all three?
30 KEITH WESTENGARD: Yes.
31 COMMISSIONER WAITS: Okay.
32 RICK BELL: We have to comply with KKK-standards. It's
33 kind of the law of the land.
34 COMMISSIONER WAITS: Okay, because when I read it, it
35 looked like we were changing from red lights to blue lights.
36 And I'm going, why are we spending \$600 to change from red to
37 blue lights? I -- I didn't understand that. So --
38 KEITH WESTENGARD: We're just trying to meet a standard is
39 what we're -- a Nevada standard.
40 RICK BELL: It's nationwide.

1 KEITH WESTENGARD: Or nationwide. I'm sorry. Yeah.
2 COMMISSIONER WAITS: I --
3 COMMISSIONER BULLOCK: Nan, where's the money coming from?
4 NAN ANCHO: Well, it either can come from the ending fund
5 balance or maybe Keith could donate from safety.
6 COMMISSIONER WAITS: Have you taken it to the hospital
7 board?
8 KEITH WESTENGARD: That -- that's fine.
9 COMMISSIONER WAITS: Do they want to step up --
10 KEITH WESTENGARD: I can do that.
11 COMMISSIONER WAITS: -- and pay a little bit extra to --
12 KEITH WESTENGARD: Taking lessons from Rogene.
13 COMMISSIONER WAITS: -- get all these things?
14 RICK BELL: Actually, less than a week ago is when I got
15 the final change orders. I didn't know there was going to be
16 money changing. And it's -- if you look -- I don't know if you
17 have the same list I do -- if you look down through there, most
18 of it's no charge, or I've already deleted. One thing I did
19 leave on, which is not even in the specs is an electric O₂
20 bottle discharger to where when it's time -- you've changed an
21 O₂ bottle in an ambulance, Patsy.
22 COMMISSIONER WAITS: I try not to. I try to get somebody
23 else to do it for me.
24 RICK BELL: I totally understand. This is an electric
25 switch you push. And it drops the bottle down on the ground for
26 you. So you unscrew it and roll it out and roll a new one in,
27 because I'm worried about your back. I don't want the insurance
28 claim. You don't need it. So things like that I don't want to
29 delete or trade for something.
30 That's kind of where my -- my head was when I was trying to
31 put it together.
32 COMMISSIONER MASON: Nan, what was your last comment?
33 Where is this money c- -- what account is it coming out of?
34 NAN ANCHO: It's coming out of --
35 COMMISSIONER STIENMETZ: Keith's budget.
36 NAN ANCHO: It was coming out -- it was -- 150,000 was
37 budgeted in the First Responder 057. And if you want -- if you
38 approve it, we have to take it -- augment the budget, add the
39 money there. Or like I said, make it come out of Keith's
40 safety.

1 COMMISSIONER MASON: All right. Well, this is emergency
2 equipment. And it affects all of us one way or another. I
3 think it's important that we have it.

4 I have a question about the life of the ambulance again.
5 And let's say that 90 thou- -- a hundred thousand miles is gone,
6 and -- what's it going to cost to replace the tranny and the
7 engine if we did it that way?

8 Do have a rough idea? Is this a special transmission,
9 special engine? Is it a higher cost, what?

10 KEITH WESTENGARD: It's just a standard engine. It's a
11 diesel se- --

12 RICK BELL: 7.3.

13 KEITH WESTENGARD: Seven point --

14 COMMISSIONER WAITS: This one isn't even --

15 KEITH WESTENGARD: What -- what's the motor spec on it?

16 COMMISSIONER WAITS: -- the four by; is it? This is just
17 --

18 KEITH WESTENGARD: What's the motor spec --

19 COMMISSIONER WAITS: This is just a regular --

20 RICK BELL: We have four bys. We're beating them to death
21 every time we go to Reno.

22 COMMISSIONER WAITS: I know.

23 RICK BELL: This is a --

24 COMMISSIONER MASON: I mean the life of the ambulance
25 itself is not just based on the engine and tranny. It's based
26 on the --

27 RICK BELL: Entire box?

28 COMMISSIONER MASON: Yeah, and it's use, overall use. And
29 can we get more life out of it if we put a new engine and
30 tranny. My question is: What do you think that would cost?
31 Donnie?

32 DONALD NEGRO: For an engine transmission? Probably --

33 COMMISSIONER MASON: Yeah.

34 DONALD NEGRO: Probably 25 grand. Twenty-five thousand.

35 COMMISSIONER MASON: Is that something that's normally
36 done?

37 CHAIRMAN GARNER: You're up the subject, Dave. We've got
38 to get back on the subject.

39 DONALD NEGRO: Yeah.

40 COMMISSIONER WAITS: Mm-hm.

1 COMMISSIONER BULLOCK: I make a motion we approve change
2 order #2 in the amount of \$5,325 for additional equipping of
3 safety devices for the new Battle Mountain ambulance.
4 COMMISSIONER MASON: I second it.
5 CHAIRMAN GARNER: Any public comment?
6 (No comment.)
7 CHAIRMAN GARNER: All those in favor?
8 COMMISSIONER MASON: Aye.
9 CHAIRMAN GARNER: Aye.
10 COMMISSIONER WAITS: Aye.
11 COMMISSIONER STIENMETZ: Aye.
12 KEITH WESTENGARD: Thank you, guys.
13 COMMISSIONER BULLOCK: Aye.
14 COMMISSIONER STIENMETZ: Don't we need to state where the
15 money's coming out of?
16 KEITH WESTENGARD: I'll get with Nan, --
17 COMMISSIONER STIENMETZ: All right.
18 KEITH WESTENGARD: -- and we'll -- we'll work it out.
19 COMMISSIONER STIENMETZ: Work it out together. Thank you.
20
21

22 **ROAD AND BRIDGE SOUTH**

23
24 4) **Discussion for possible action regarding operations and**
25 **projects for the Road and Bridge South Department, and other**
26 **matters properly related thereto.**
27

28 CHAIRMAN GARNER: Four, discussion for possible action
29 regarding operations for projects of the Road and Bridge South
30 Department, and other matters properly related thereto.

31 COMMISSIONER STIENMETZ: Hey, Bert.

32 BERT RAMOS: Good morning. Well, everything's been
33 operating normal. I did get with Summit on some of our roads.
34 And we do have a fair amount of roads that are already currently
35 in the county right-of-way that there is no property boundary
36 problems with.

37 So we started our grinding. And we're -- we're moving
38 along. And everything seems to be going -- going as planned.

39 We hauled all the material we needed for the airport, the
40 drain rock and fill sand and then just some regular pit run for

1 the back fill.

2 And other than that, that's what we're up to.

3 CHAIRMAN GARNER: Thanks, Bert.

4 Thanks, Bert.

5 COMMISSIONER MASON: Thanks, Bert.

6 COMMISSIONER STIENMETZ: Thanks. Now we go to next one for
7 you, Bert.

8

9 5) Discussion for possible action regarding rejection or
10 affirmation of the bid protest submitted by A&K Earth Movers,
11 Inc. for the Austin 2014 Road Maintenance Project; and other
12 matters properly related thereto.

13

14 CHAIRMAN GARNER: Five, discussion for possible action
15 regarding rejection or affirm- -- affirmation of the bid protest
16 submitted by A&K Earth Movers, Inc., for the Austin 2014 road
17 maintenance project, and other matters properly related thereto.

18 BERT RAMOS: And there doesn't have to be any action on
19 because they never did post their bond for the --

20 CHAIRMAN GARNER: Okay.

21 BERT RAMOS: -- bid protest so it dies. It was just put
22 back on the agenda in case they did post that bond.

23 CHAIRMAN GARNER: Okay.

24 COMMISSIONER STIENMETZ: All right.

25 CHAIRMAN GARNER: Thanks, Bert.

26 COMMISSIONER STIENMETZ: Thanks.

27 COMMISSIONER WAITS: Thank you.

28

29

30 ROAD AND BRIDGE NORTH

31

32 6) Discussion for possible action regarding operations and
33 projects for the Road and Bridge North Department and other
34 matters properly related thereto.

35

36 CHAIRMAN GARNER: Six, discussion for possible action
37 regarding operations and projects for the Road and Bridge North
38 Department, and other matters properly related thereto.

39 DONALD NEGRO: Road and Bridge North. Donald Negro.

40 Pretty much business as normal. We're improving, like, our

1 Hill Top Road over the top.
2 We brought our crew from the other side over to this side and
3 put material on it. And then we'll start doing Lewis Canyon.
4 Right now we're -- we're kind of -- not slow, but we got our water
5 truck drivers on water trucks so we can use them hauling material.
6 So we do a lot of maintenance now.
7 CHAIRMAN GARNER: That's it?
8 DONALD NEGRO: Questions?
9 CHAIRMAN GARNER: How's the property?
10 DONALD NEGRO: Property? Property's moving along great.
11 I think you guys probably signed the check for the final
12 payment on it. And within the next -- as soon as we get the deed
13 signed it over and everything, start moving dirt.
14 CHAIRMAN GARNER: Cool.
15 DONALD NEGRO: Expand our yard.
16 CHAIRMAN GARNER: Thanks, Donnie.
17 COMMISSIONER STIENMETZ: Thanks, Donnie.
18 DONALD NEGRO: Thank you.
19 COMMISSIONER BULLOCK: Thank you.
20 COMMISSIONER WAITS: Thank you, Donnie.
21
22

23 **PUBLIC WORKS**

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

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

32 Jake's on vacation. Somebody taking his?

33 JAN MORRISON: Passed through the public works. Jan
34 Morrison, community officer -- services officer.

35 You have a packet on you on Kayci Avenue. And I think this
36 issue has drifted along a little while. I was approached a month
37 or so ago by --

38 COMMISSIONER WAITS: That's --

39 JAN MORRISON: -- local residents to bring it before you.

40 COMMISSIONER WAITS: That's a different agenda.

1 COMMISSIONER BULLOCK: Next item.
2 JAN MORRISON: Oh. How come -- I'm so sorry. I thought --
3 I thought. I couldn't hear you. I thought you had passed on
4 public works.
5 CHAIRMAN GARNER: I thought you were stepping in for Jake.
6 DONALD NEGRO: Oh.
7 JAN MORRISON: No, I'm not. I'm so sorry. Thanks a lot.
8 DONALD NEGRO: Jake's not here.
9 CHAIRMAN GARNER: Okay.
10 COMMISSIONER STIENMETZ: There's nothing to report.
11 CHAIRMAN GARNER: We'll pass seven. Nothing to report.
12
13

14 **PLANNING COMMISSION**

15
16 8) **Discussion for possible action regarding approval/disapproval**
17 **to accept Kayci Avenue into the Lander County Rural Road**
18 **System, and other matters properly related thereto.**
19

20 CHAIRMAN GARNER: Eight, discussion for possible action
21 regarding approval/disapproval to accept Kayci Avenue into the
22 Lander County Rural Road System, and other matters properly
23 related thereto.

24 JAN MORRISON: All right. So your packet contains a
25 backup, information on Kayci Avenue. It might be
26 self-explanatory. I'll be glad to answer any questions.

27 But this issue has kind of floated around. I did some --
28 hopefully -- some discovery work on it for you.

29 The -- I do believe some of the residents on Kayci are
30 here. And they may want to speak.

31 But basically, it was brought forward to the county
32 commission to make some kind of a final determination on it.

33 COMMISSIONER WAITS: I've read through all the information.
34 I'm -- I'm not sure why we weren't maintaining it. So Donnie,
35 can you fill me in on what -- the other side --

36 DONALD NEGRO: Because it never has been approved into the
37 county maintenance -- maintenance schedule.

38 I talked to Roger Sutton about two years ago. And he said it
39 never has been accepted. So that's why it never has been.

40 COMMISSIONER WAITS: Never has been accepted by whom? By

1 the commissioners?
2 DONALD NEGRO: By the commissioners or the planning
3 commission.
4 CHAIRMAN GARNER: The county.
5 COMMISSIONER WAITS: Well, --
6 DONALD NEGRO: It has been accepted for easements, but
7 never has been accepted for -- for the maintenance program.
8 It's --
9 COMMISSIONER WAITS: Well, I'm looking at the signatures on
10 the July 25th, 2005, approval. And -- and Jan even had it blown
11 up for us here if you can't read it exactly. But it -- it does
12 say the roads. It does say the streets that we've accepted the
13 streets. So I guess I don't --
14 COMMISSIONER BULLOCK: Well, that's a parcel map.
15 DONALD NEGRO: It's a parcel --
16 VON RASMUSSEN: No. No, it's not. I talked to --
17 COMMISSIONER BULLOCK: Come up and state your name if you
18 want to say something.
19 VON RASMUSSEN: My name is Von Rasmussen.
20 COMMISSIONER BULLOCK: Mm-hm.
21 VON RASMUSSEN: And I've been fighting this for a year and
22 a half. And Mickey Yarbrow signed this. He said the reason --
23 and everything in this deal he signed, it's law.
24 The road was accepted. I spoke to Roger Sutton too. I got
25 the minutes where it was accepted, where it was deferred for them
26 to get the easement on the Wright family property. The reason
27 that Kayci Avenue has that little zig in it is because David
28 couldn't get the easement from the Wrights. You guys -- he gave
29 you the easements and everything, and it was accepted. And in the
30 package you read, it says, road and maintenance and utilities.
31 COMMISSIONER BULLOCK: Okay. Can I -- can I finish now?
32 Okay. So what they had is a parcel map that came out. Okay.
33 My explanation when I talk to any engineering firm or anybody
34 else is no different than when you build a house.
35 You get a permit to build that house.
36 Okay.
37 That doesn't mean that you can live there. You can't move
38 right in. It is not accepted totally by the building inspector
39 that it is finished. So until everything is finished, then it is
40 totally accepted.

1 Okay. The road never was brought to standard.
2 So --
3 COMMISSIONER WAITS: Well, we didn't have standards --
4 UNIDENTIFIED PARTICIPANT: Yeah.
5 COMMISSIONER WAITS: -- at time we built the road, right?
6 Our rural standards --
7 (Simultaneous cross talk)
8 COMMISSIONER WAITS: -- didn't go in until a couple of
9 years later.
10 JAN MORRISON: And that's why I sent it over to the DA,
11 because we don't do this process anymore, the old way of doing
12 --
13 COMMISSIONER BULLOCK: Mm-hm.
14 JAN MORRISON: -- the pro- -- the parcel maps. Now we have
15 a process. So if a parcel map is filed -- and you're correct --
16 it's like the C of O. You don't do it until you get the
17 improvements.
18 Back in the 2005, our rural roads standards ordinance was
19 not adopted until 2007, two years later. So at the time 2005
20 this went through, the parcel map states that it's accepted the
21 dedications and the improvements thereon.
22 So we don't do that anymore. And that's why I sent it over
23 to the DA's office, because I -- I thought that's where it would
24 belong for a decision.
25 But as you can see with the posting on it, it was sent back
26 to put on your agenda. So, you know, I can only te- -- I can
27 only give to you the facts.
28 So it was -- the road was put in two years before. It
29 looks like the parcel map -- by signing the parcel map, the
30 commissioners then accepted it?
31 I can only say that's not the process we use now. And --
32 COMMISSIONER MASON: Does the road meet all the conditions
33 now, Donnie?
34 DONALD NEGRO: No.
35 COMMISSIONER WAITS: No, it's does not.
36 JAN MORRISON: It's nine years later with -- with no
37 maintenance. And it doesn't. Donnie --
38 COMMISSIONER WAITS: There's a report in there. It does
39 not.
40 JAN MORRISON: -- did a test. And, of course, it doesn't.

1 DONALD NEGRO: We had Summit Engineering come in and do a
2 test on it. And it failed.

3 JAN MORRISON: And that's the issue of course is --

4 COMMISSIONER BULLOCK: It never met the standards to begin
5 with.

6 JAN MORRISON: And I don't know what -- I couldn't find any
7 standards prior to 2007 by the way. All I could find is the
8 county rural standards adopted in 2007. I couldn't find any
9 standards, and there may have been some in 2005, but I couldn't
10 find it by ordinance.

11 COMMISSIONER BULLOCK: So let's go back to precedence. The
12 Echo Bay subdivision was put in by Echo Bay, which is across the
13 freeway. Okay.

14 They had their maps all out and everything. The road was not
15 accepted until '99.

16 Now that Echo Bay subdivision was built roughly in '89, '88,
17 somewhere in that area. It was not accepted. The commissioners
18 in '99 decided finally at that time to accept it.

19 So even though there was a parcel map ahead of time that road
20 was not accepted, should have never been accepted in '99, but it
21 was accepted by the commission.

22 Okay.

23 So there is a precedent that was set by the commission that
24 just because you have a parcel map doesn't mean that the road is
25 accepted for county maintenance.

26 Now, that's just a precedent that was set before.

27 If we're going to accept everything to begin with, we've got
28 to accept every road, we better, you know, start -- what do I want
29 to say? -- any road we've got out here, we better go in and start
30 maintaining them and everything else even though they weren't to
31 standards when they were built. This is the issue I have at hand.

32 There is a matter of implying that you will have the road to
33 standard when we accept it.

34 VON RASMUSSEN: Can I speak again, Dean?

35 Then if that's the case, how did my road out at Hill Top
36 get paved?

37 Because I installed that road. I installed it with a
38 tractor. And there was five loads of chert is all on that. They
39 didn't approve it. County didn't come in and approve it. The guy
40 that lived next to me said they came in and paved it one day.

1 That did not meet standards.
2 Like I say.
3 COMMISSIONER BULLOCK: I can't answer to that. I wasn't
4 commission then.
5 VON RASMUSSEN: Well, here's -- here's -- they paved it
6 when you was a commissioner. They just paved it not too long
7 ago out at Hill Top. So how does that work?
8 COMMISSIONER BULLOCK: Was it already accepted by the
9 county?
10 VON RASMUSSEN: No, it never was.
11 DONALD NEGRO: The roads we paved on Hill Top, Gina went
12 through and researched them. And they'd been -- they'd been
13 accepted into them because they've been blading them.
14 VON RASMUSSEN: No, they haven't. Never once did they
15 blade my road. Never.
16 And I'll tell you that right now. And I'll get Dick Gray to
17 come out too. Because not one time ever that I lived there or
18 after I moved into town did they ever maintain that road. I
19 maintained it with a tractor.
20 COMMISSIONER MASON: These four lots that are the subject
21 is this particular road here that we're talking about. And
22 these four lots have been sold and owner occupied with houses;
23 correct?
24 DONALD NEGRO: Yeah.
25 COMMISSIONER MASON: So --
26 JAN MORRISON: There's actually three --
27 COMMISSIONER MASON: -- we don't have a developer anymore.
28 JAN MORRISON: -- three parcel --
29 COMMISSIONER MASON: -- a developer --
30 JAN MORRISON: -- parcel maps, Dave.
31 COMMISSIONER MASON: -- anymore?
32 JAN MORRISON: Right.
33 COMMISSIONER MASON: What are you proposing?
34 JAN MORRISON: What am I proposing?
35 COMMISSIONER MASON: Well, what would we have to do to get
36 this road finished?
37 JAN MORRISON: Well, so, Dave, there are three parcel maps.
38 And there are 11 parcels all together. So -- and 12. So
39 there -- there are a dozen property owners along there.
40 I can only recommend. I did the discovery work. I can

1 only recommend that the commissioners make a decision on it.
2 I'm not the expert in this case. I just did the background data
3 for you and for the neighbors.

4 COMMISSIONER MASON: Well, we can't go backwards. It's
5 not -- it's -- it's already a done deal. The lots are sold.
6 The developer's gone.

7 JAN MORRISON: Right.

8 COMMISSIONER MASON: So it's now the county responsibility,
9 the way I see it, to get this thing upgraded and in the record.

10 JAN MORRISON: Yeah, I think I've been before you before on
11 a road issue where probably -- I think we're going to be doing
12 cleanup on these road issues over -- probably for another year
13 or two.

14 COMMISSIONER MASON: Let's just stay with this piece that
15 you've got in front of us.

16 JAN MORRISON: Right. But this is -- this is because these
17 procedures were not in place before or -- or they weren't used.

18 COMMISSIONER MASON: Well, I understand that. I'm saying
19 what are we going to do?

20 JAN MORRISON: That's your decision.

21 COMMISSIONER MASON: Donnie?

22 DONALD NEGRO: On October 10th, Kristine Itza, Dave Itza's
23 wife, went in and filed an application to get it accepted into
24 the road standards.

25 Okay.

26 So she's right there saying that, you know, we didn't develop
27 it into the road standards. And we're going to do it now.

28 So we had a -- your tax dollars spent \$16,000 to have it
29 inspected by Summit Engineering. And it didn't pass.

30 COMMISSIONER MASON: So what -- you know, what's required
31 to make it pass?

32 DONALD NEGRO: Eight inches of gravel. It's right there in
33 your packet what it needs to be done to it.

34 COMMISSIONER MASON: Okay.

35 DONALD NEGRO: At the same time, we had Northern Lights,
36 which is Jay Wintle's road that he -- that he put in himself for
37 a subdivision. It was inspected at the same time. It passed.

38 They -- it really -- it didn't pass, but the shoulders were
39 the only -- the only thing that didn't pass. And when they --
40 when they pave it --

1 COMMISSIONER MASON: I remember that.
2 DONALD NEGRO: -- they will bring it up to standard.
3 COMMISSIONER MASON: Yeah, but we approved that.
4 DONALD NEGRO: Okay.
5 COMMISSIONER MASON: So what do we have to do to approve
6 this?
7 DONALD NEGRO: It's up to you guys.
8 COMMISSIONER MASON: Put in the eight inches of gravel and
9 -- budget it?
10 DONALD NEGRO: Somebody does.
11 COMMISSIONER MASON: Okay. So do you have an estimated
12 cost?
13 DONALD NEGRO: To do 1900 feet, Jay Wintle put -- spent 30
14 gra- -- \$30,000.
15 COMMISSIONER STIENMETZ: How long is this?
16 COMMISSIONER MASON: Well, we need to get it finished
17 because it's our responsibility now to see to it. We can't go
18 backwards. We can't drag in a developer. The lots are sold.
19 Everything's finished. And now we don't have a completed road.
20 DONALD NEGRO: And that should be -- the developer should
21 be -- it's up to the developer to develop the -- the lots. He's
22 reaping the benefits. Why should his tax dollar pay for Dave
23 Itza to take and make the money? That's the way I look at it.
24 and the reason -- what I want is for the road to be up to
25 standards so when we pave it, it will last a long time. If you
26 go out there and pave over bug dust, it's not going to last.
27 I'll tell you right now.
28 COMMISSIONER MASON: I'm just trying to get it simple so we
29 can get it -- by it, you know, get through it and maintain it as
30 a county road.
31 DONALD NEGRO: I'm just looking out for your tax dollar.
32 VON RASMUSSEN: That tax dollar is my tax dollar too.
33 DONALD NEGRO: Yeah. I agree.
34 VON RASMUSSEN: I'm paying for road and bridge dearly.
35 DONALD NEGRO: I agree.
36 VON RASMUSSEN: Everybody out in that area is paying for it
37 dearly.
38 COMMISSIONER MASON: Well, Jan? Nan?
39 COMMISSIONER STIENMETZ: So am I.
40 COMMISSIONER MASON: What about next year's budget? Would

1 we schedule it for that?
2 NAN ANCHO: That's when you'd want to look at it. But
3 not -- not this year.
4 COMMISSIONER MASON: We don't have any money for this now,
5 right?
6 COMMISSIONER STIENMETZ: Uh-uh.
7 COMMISSIONER MASON: Is that what you're saying?
8 COMMISSIONER STIENMETZ: It's not budgeted.
9 NAN ANCHO: You'd have to make a decision on it before I'd
10 comment on it.
11 CHAIRMAN GARNER: What?
12 What le- -- legal repercussions to the -- to go back to the
13 developer to legally -- to get our money back from the developer?
14 DEPUTY DISTRICT ATTORNEY TING: As far as bringing suit
15 against the developer to --
16 CHAIRMAN GARNER: Mm-hm.
17 COMMISSIONER MASON: I think there's a problem there
18 because her research -- Jan's research says that we didn't have
19 anything in place at the time this --
20 CHAIRMAN GARNER: Yeah, it's kind of --
21 COMMISSIONER MASON: -- was developed.
22 CHAIRMAN GARNER: I think you --
23 DEPUTY DISTRICT ATTORNEY TING: If that's the decision that
24 the commission wants to go is to bring suit against the original
25 developer, that's something that could be done.
26 COMMISSIONER WAITS: Well, I think there's --
27 DEPUTY DISTRICT ATTORNEY TING: I don't know how
28 meritorious it would be.
29 COMMISSIONER WAITS: I think there's a legal issue on it
30 too. If it looks like it was signed off on the parcel map and
31 if that was the custom of that time, then -- then I think that's
32 why it ran before the DA's office. But we didn't get any
33 decision, any research from you. You simply just passed it on
34 to us and said, work on it. Well, we're saying legally I think
35 we need some advice.
36 COMMISSIONER BULLOCK: But -- and well, that's what you're
37 saying. But when you sign that, that's before they ever start
38 developing.
39 That map was signed before one ounce of dirt was moved.
40 COMMISSIONER MASON: That's the way it should have been.

1 COMMISSIONER BULLOCK: So you're under the --
2 CHAIRMAN GARNER: Impression.
3 COMMISSIONER BULLOCK: -- impression --
4 COMMISSIONER WAITS: Impression.
5 COMMISSIONER BULLOCK: -- that it's going to done according
6 to standards. I don't care what the precedent -- or what the
7 policy is. You are under the understanding that, hey, things
8 are going to be done as they're set out on this map.
9 So yeah, it was assigned, approved that you will have it done
10 according to what is here.
11 COMMISSIONER WAITS: Okay, but --
12 UNIDENTIFIED PARTICIPANT: There's no rules and
13 regulations.
14 COMMISSIONER BULLOCK: Because you --
15 COMMISSIONER WAITS: But if we did --
16 COMMISSIONER BULLOCK: -- haven't moved any dirt at a
17 point -- that map was approved before any dirt or anything had
18 been sold.
19 COMMISSIONER WAITS: But if we didn't take any action to
20 say this road is not compliant with what we feel it should be,
21 and we didn't have anything to tell them what it should be, and
22 then we have a statute of limitations, I mean, I -- I think we
23 need some more research from our -- from our district's
24 attorney's office. I really would like to know where we stand
25 on this.
26 DEPUTY DISTRICT ATTORNEY TING: I think it's a
27 commissioner's decision. I mean, if you could be more specific
28 on the legal research you want done, but I think it's the
29 commissioner's decision of whether you want to accept it or not
30 or go after the developer or what you want done.
31 JAN MORRISON: And may -- I don't know if the copies came
32 out -- well, can I read what's on the parcel map that we don't
33 necessarily have now? Do you want me to --
34 COMMISSIONER BULLOCK: I understand that, --
35 JAN MORRISON: Okay.
36 COMMISSIONER BULLOCK: -- but my point is not one ounce of
37 dirt was moved when that parcel map was signed.
38 JAN MORRISON: And I --
39 COMMISSIONER BULLOCK: Nothing was done.
40 JAN MORRISON: That's right. And I found parcel maps --

1 COMMISSIONER BULLOCK: So you're under the --
2 VON RASMUSSEN: Are you sure of that, Dean?
3 COMMISSIONER BULLOCK: You're under the implication that
4 that's going to be done. You legally can't sell anything or
5 move anything until that parcel map is done -- signed.
6 VON RASMUSSEN: That's not the way it used to work. I
7 built my road out at Hill Top before I ever put anything in
8 because that's what they told me --
9 JAN MORRISON: Yeah.
10 VON RASMUSSEN: -- I had to do.
11 JAN MORRISON: I also have a couple parcel maps that were
12 approved in the last couple of years that were approved without
13 road agreements before anything was moved also. So I don't
14 know.
15 COMMISSIONER BULLOCK: But --
16 JAN MORRISON: It's --
17 BERT RAMOS: There's the Orange Book standards I believe we
18 were using before.
19 DONALD NEGRO: They've been around a long time.
20 COMMISSIONER STIENMETZ: Yeah.
21 BERT RAMOS: They've been around since, I think, in the
22 late '70s.
23 COMMISSIONER STIENMETZ: Mm-hm.
24 BERT RAMOS: And that's what the county was kind of based
25 off of before we actually implemented our own.
26 COMMISSIONER MASON: Did this parcel meet those old
27 standards?
28 COMMISSIONER STIENMETZ: No.
29 DONALD NEGRO: And that's what Summit inspects your roads
30 too is the Orange Book standards. And they're pretty standard
31 around the whole state.
32 CHAIRMAN GARNER: Art, you had a question?
33 COMMISSIONER BULLOCK: I mean, I'd give anything to have
34 this road done and paved. Trust me.
35 JAN MORRISON: I know.
36 COMMISSIONER STIENMETZ: Mm-hm.
37 JAN MORRISON: Well, and this is what --
38 COMMISSIONER BULLOCK: I'm just afraid of setting of a
39 precedent, because then we're going to have go in and upgrade
40 every road and pave every road of anybody that thinks, hey, I

1 was approved.

2 JAN MORRISON: Well, and let me say only by parcel map
3 process, and there aren't that many.

4 This is -- this is what I was hoping the DA's office would
5 clarify is: The board does hereby accept all streets and
6 easements herein offered for utility, drainage, and access
7 purposes as dedicated for public use.

8 And that's what I was hoping that the DA's office would
9 give clarification on as to if that truly means what it -- it
10 seems to say. I don't know if it does or not. And -- and
11 that's what I was hoping we'd get.

12 And then that would make --

13 DEPUTY DISTRICT ATTORNEY TING: So that's kind of a --

14 JAN MORRISON: -- it easier.

15 DEPUTY DISTRICT ATTORNEY TING: -- that's kind of a factual
16 determination, something -- something that they want to
17 determine what that means.

18 It's -- it's really -- it's -- it's not really like legal
19 determ- -- a legal interpretation. It's more of a factual
20 interpretation, like a -- like the fact finder, like a judge or
21 like a public body would make of how -- of what they want to
22 interpret it as.

23 COMMISSIONER MASON: I think the -- the DA's department
24 ought to look at this particular agenda item and give us a
25 report on how we proceed.

26 I mean, how does our Road and Bridge Department proceed with
27 this development right here? This one?

28 CHAIRMAN GARNER: That's up to us.

29 COMMISSIONER MASON: Not the whole county.

30 COMMISSIONER STIENMETZ: That's up to us. That's not up to
31 the --

32 COMMISSIONER BULLOCK: My opinion -- my opinion is we do
33 it.

34 CHAIRMAN GARNER: That's my opinion.

35 COMMISSIONER BULLOCK: But we do it, but then we go look at
36 this legally and see if we need to go back into a lawsuit to go
37 to the former developer for having to go in there and fix it up.

38 DONALD NEGRO: Well, then you go into the problem like out
39 on Hill Top, everybody is under the impression that because they
40 gave the easement that it's a county road.

1 You know, and I've got --
2 COMMISSIONER STIENMETZ: Yeah.
3 DONALD NEGRO: -- roads out on Hill Top that are -- you
4 know, we've to move fences and you know or they -- the -- you
5 know, the legal had to get into it. And people don't understand
6 that just because there's an easement, --
7 COMMISSIONER STIENMETZ: That doesn't mean it's a road.
8 DONALD NEGRO: -- it's not a road.
9 COMMISSIONER BULLOCK: I understand that.
10 COMMISSIONER MASON: And it's not a dedicated road.
11 DONALD NEGRO: No.
12 COMMISSIONER BULLOCK: I do sympathize with the people
13 living there. Don't get me wrong. And that's why I'm saying,
14 at some point, we've got to look at -- it's got to be corrected.
15 And that may take a while going through legal battles.
16 So the point is: Do we go ahead and correct it ourselves
17 then fight the legal battle? Or do we fight the legal battle
18 and not do anything?
19 CHAIRMAN GARNER: Well, I think we need to -- I think we
20 need to correct it now, the road, because we have public safety
21 issues. We have a lot of residents, but we also have fire
22 engines that need --
23 COMMISSIONER STIENMETZ: Yep.
24 CHAIRMAN GARNER: -- to get up and down that road. And we
25 have fire standards on that road already. And the road's not --
26 so I think we need to bring it up to speed, the road. But I
27 think we also need to look at legal going backwards to look
28 deeper into maybe going back against the developer.
29 But I think the road needs to be brought to standards right
30 now for public safety.
31 DONALD NEGRO: But do you want to open the can of worms
32 to --
33 COMMISSIONER STIENMETZ: All the other roads that we have
34 to --
35 DONALD NEGRO: Yeah. Yeah.
36 CHAIRMAN GARNER: We might -- we might have to.
37 I mean, do they have -- do they have hydrant access? And are
38 they populated roads though? Or are they secondary? Do you see
39 what I'm trying to say?
40 Where that is a -- the -- the amount of houses on it,

1 Donnie?

2 DONALD NEGRO: Hm?

3 CHAIRMAN GARNER: And has fire hydrants of which that
4 district -- versus a road that might have two houses on it, and
5 it's the dead-end road.

6 Yeah, we might have to go back into certain -- you know
7 what I mean? I don't know. That'd be a big -- I think it's all
8 going to be a base-by-base situation. If people bring it to us,
9 it's going to have to be a -- it's a -- each one of them would
10 have to be a single issue.

11 COMMISSIONER STIENMETZ: Kathy, has a question.

12 KATHLEEN ANCHO: I have to -- I think that it would be -- I
13 live out in that area -- to be the right thing to fix the road.
14 But definitely hold the developer accountable. Because if you
15 don't, it's just opening everybody saying, oh, I'm going to have
16 to use my -- I'm going to have to do everything. And then
17 you're just going to be throwing good money after bad money.
18 It's just a mess. But he needs to be held accountable for that
19 and to the people who bought that property thinking that road
20 was going to be --

21 CHAIRMAN GARNER: But le- --

22 KATHLEEN ANCHO: -- corrected.

23 CHAIRMAN GARNER: But legally -- Kathy Ancho for the
24 record -- but legally how accountable --

25 KATHLEEN ANCHO: For the cost of how --

26 CHAIRMAN GARNER: We are going to go back and see how much
27 accountable --

28 COMMISSIONER STIENMETZ: He is based on --

29 KATHLEEN ANCHO: The cost --

30 CHAIRMAN GARNER: -- he is.

31 KATHLEEN ANCHO: -- of bringing it to standard, --

32 CHAIRMAN GARNER: Exactly.

33 KATHLEEN ANCHO: -- whatever that would be, to bring it to
34 the standard before it could be paved would be -- he would be
35 responsible just like all the other roads that had to be brought
36 to code.

37 CHAIRMAN GARNER: How many others do we have, Donnie, that
38 are marginal?

39 DONALD NEGRO: Probably 20 or 30.

40 CHAIRMAN GARNER: Just roads that people developed

1 themselves or --
2 DONALD NEGRO: That need to be developed.
3 JAN MORRISON: Would they have been created by a parcel
4 map?
5 CHAIRMAN GARNER: But it -- but it doesn't say we have to
6 pave every road in this --
7 DONALD NEGRO: Yeah.
8 CHAIRMAN GARNER: -- community either.
9 DONALD NEGRO: The reason we paved out on Hill Top is we
10 had excess money.
11 CHAIRMAN GARNER: Yes.
12 DONALD NEGRO: And as soon as the golden goose is gone,
13 which is just around the corner, you won't -- won't see much
14 paving. When Roger was here, he paved one mile of road a year.
15 Two years ago we paved -- paved 17 miles, you know, because we
16 have, you know, you were gracious enough to give us the money.
17 That's kind of what my goal was to pave all the streets and the
18 roads in Battle Mountain. But we're getting them slow but sure.
19 But 26th street where she lives was Lyle Malone built the
20 road probably in the '90s. And I'm -- I'm not sure who the --
21 the Road and Bridge foreman was, but it was built to standard.
22 Ninety-seven I was in the trucking business. We built roads
23 out on 3300. They were built to standard, because we had to
24 bring, you know, bring them up to standard. We got rejected twice
25 and had to haul more material.
26 COMMISSIONER MASON: So this is just -- this is after '97
27 or what you're talking about, this particular subdivision.
28 CHAIRMAN GARNER: '05?
29 COMMISSIONER MASON: This was '05. And they weren't --
30 CHAIRMAN GARNER: '05.
31 COMMISSIONER MASON: -- built to standard. How did that
32 slip through the cracks? You know?
33 DONALD NEGRO: No one was building roads. We went through
34 a really, really dead time. There was no development around
35 Battle Mountain. Things were, you know, bottom -- bottom out.
36 COMMISSIONER MASON: I mean, it went -- let me step you
37 through it. It went -- if I owned one of those lots, I got
38 title insurance. I got the road. I got everything. But I
39 didn't get the paved road.
40 I mean, I got my lot. And I got any utilities. And I'm

1 living there.

2 DONALD NEGRO: That's the developer.

3 COMMISSIONER MASON: I got my house.

4 DONALD NEGRO: The developer put that in.

5 COMMISSIONER MASON: Yeah.

6 COMMISSIONER BULLOCK: Even now there's nothing saying we
7 have to pave the road. We just got to bring it up to standards.
8 Now I -- that's the thing. There's nothing -- there's no
9 implication that we have to pave it. We can just go in and
10 maintain it and keep it up to standards. That is not what I
11 would recommend. I'm saying we need to go through it. It does
12 need to be paved. I'll be to the first to agree on that. So
13 Bert.

14 BERT RAMOS: One thing you guys might consider as well,
15 Wintle put a lot of money into his to bring it up to standard.
16 And if I was in his shoes, I wouldn't be real happy with the
17 county bringing other peoples' up to standard.

18 COMMISSIONER BULLOCK: I -- and I guess I understand that
19 point. But at the same point, if we bring it to standard, it's
20 not like we're -- we're saying we give.

21 We still need to go back into the issues and look at the
22 developer.

23 If you've been out on the road, it is a disaster.

24 I'll be the first to agree. And unfortunately, it was an
25 implication that we were going to take care -- and the disaster.

26 I guess my question is: Can we go in and correct these
27 problems without accepting it into the Lander County rural
28 system?

29 Because if we accept it, then we're saying, okay, we're good.
30 So I have no problem approving, let's go in and fix it up and pave
31 it, but not accepting it into the rural road system.

32 JAN MORRISON: So the process to accept it into the rural
33 road system would go through the regular process. And although
34 an application was filed two years ago, it was never logged in,
35 never went anyplace.

36 So unless somebody --

37 COMMISSIONER BULLOCK: I'm saying if we accept it into the
38 road system, then we've automatically said --

39 JAN MORRISON: Well, the only way --

40 COMMISSIONER BULLOCK: -- we're doing it.

1 JAN MORRISON: -- you can accept it in the rural road
2 system under our current ordinances is to file an application,
3 goes through planning, and then comes back to you.

4 So, I mean, DA's office would -- would -- could say
5 otherwise.

6 But I don't see how it could automatically be accepted. It
7 has to go through the current process. And somebody would have
8 to initiate that.

9 COMMISSIONER BULLOCK: But we can approve to -- to get it
10 up to standards with- -- without it being in the system.

11 DONALD NEGRO: If you put a blade on it, you're -- you're
12 going to accept it. I'll guarantee you.

13 CHAIRMAN GARNER: Because then you're setting a precedent.

14 DONALD NEGRO: Because I've got guys now -- well, Wintle's
15 one of them and Lyle Malone are saying, how come you're letting
16 this one get away with this? Randy Clark's road on Chukar
17 Ranchette, -- isn't it? -- the one down -- he brought it up to
18 standard. We paved it. Chukar, we didn't pave it because sewer
19 and water has to go down through there. That's the hold up on
20 it.

21 COMMISSIONER MASON: Is there a legal way, Nicole, to
22 isolate this legally so that it's -- it's not going to overflow
23 the rest of the county?

24 Do you know what I'm saying?

25 DEPUTY DISTRICT ATTORNEY TING: No.

26 COMMISSIONER MASON: Can we take this project, these four
27 lots, and put a legal strap around them, so we're not --

28 JIM OLSON: (Indiscernible) don't create a --

29 COMMISSIONER MASON: I guess it's not going to work.

30 COMMISSIONER WAITS: An exception or waiver? I don't think
31 so on a road.

32 JIM OLSON: (Indiscernible.) Wouldn't it?

33 DONALD NEGRO: And the road that you're talking about is
34 four tenths of a mile long. That's 2,000 feet approximately.

35 COMMISSIONER MASON: You know how you did the Golf Course
36 Road last year or the year before?

37 DONALD NEGRO: Mm-hm.

38 COMMISSIONER MASON: That was extra cash that flowed
39 through the system after your road work was done for the year?

40 DONALD NEGRO: Mm-hm.

1 COMMISSIONER MASON: Would that work here?
2 DONALD NEGRO: Sure.
3 COMMISSIONER BULLOCK: That was a county road also.
4 DONALD NEGRO: It was a county road. It was an accepted --
5 COMMISSIONER BULLOCK: We've got one back here.
6 KENT TAYLOR: My name is Kent Taylor. I live on Kayci.
7 There was a portion of road there. It's 26nd Street before it
8 goes into Kayci that also has to be paved.
9 And like I say, a school bus goes up and down that road.
10 We all pay taxes.
11 Like I say, I don't -- I think you need to go ahead and pave
12 it and go after Itza, because he should have approved it.
13 COMMISSIONER MASON: Okay. Through all this discussion,
14 how are we going to do this?
15 Do you have an idea?
16 DONALD NEGRO: I've been -- I've been living this for five
17 years. I don't know. I don't know an answer that you could set
18 a precedent down the road. Yeah. I don't know.
19 CHAIRMAN GARNER: I can't make a motion.
20 COMMISSIONER BULLOCK: I know. I just -- we're going to
21 have to fight the legal battles. But I make a motion that --
22 that we approve to go ahead and bring the road up to standards
23 and get it paved so we can move on with the issues and let the
24 legal take care of it afterwards.
25 COMMISSIONER MASON: I'm going to second that.
26 CHAIRMAN GARNER: Any public comment?
27 DONALD NEGRO: Now, do you want to have the contractor do
28 it, say, have Hunewill do it? That way you have --
29 CHAIRMAN GARNER: You can bring that --
30 DONALD NEGRO: -- a paper trail of what's going on?
31 CHAIRMAN GARNER: Yeah. Because we have a --
32 DONALD NEGRO: It's up to you.
33 CHAIRMAN GARNER: -- cost analysis.
34 DONALD NEGRO: Because I have a couple of dollars out of my
35 paving budget that we can --
36 COMMISSIONER BULLOCK: Well, we don't need -- yeah, I would
37 definitely say the contractor needs to do it. But also we've
38 just gotten 700 some odd thousand dollars in CCPs from net
39 proceeds that aren't budgeted. So there is money available
40 there.

1 DONALD NEGRO: Okay.
2 COMMISSIONER STIENMETZ: You said I had to say something.
3 I said it. So --
4 CHAIRMAN GARNER: Any public comment? Other?
5 (No comment.)
6 CHAIRMAN GARNER: All those in favor?
7 COMMISSIONER MASON: Aye.
8 CHAIRMAN GARNER: Aye.
9 COMMISSIONER WAITS: Aye.
10 COMMISSIONER STIENMETZ: Aye.
11 COMMISSIONER BULLOCK: Aye.
12 DONALD NEGRO: Ta da.
13 JAN MORRISON: Thank you.
14 VON RASMUSSEN: Thank you, guys, (inaudible). Thank you.

15
16 CHAIRMAN GARNER: Recess the meeting of the Lander County
17 Board of Commissioners and convene the meeting of the Lander
18 County Liquor Board.

19
20 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
21 **RECESSED.)**

22
23 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD CONVENED.)**

24
25
26 **SHERIFF**

27
28 9) **Discussion for possible action regarding issuance of an**
29 **on-site liquor license to Tonia Bakker for Bakkers Brew**
30 **located at 1005 Broyles Ranch Road, Battle Mountain, NV, and**
31 **other matters properly related thereto.**

32
33 CHAIRMAN GARNER: Nine, discussion for possible action
34 regarding issuance -- do I have a motion for that?

35 COMMISSIONER BULLOCK: Uh-uh.

36 CHAIRMAN GARNER: Discussion for possible action regarding
37 issuance of on-site liquor license to Tonia Bakker for Bakkers
38 Brew located at 1005 Broyles Ranch Road, Battle Mountain,
39 Nevada, and other matter properly related thereto.

40 COMMISSIONER WAITS: Good morning.

1 KATHY ANCHO: All right.
2 The liquor -- on-site liquor license --
3 COMMISSIONER BULLOCK: Name, please.
4 COMMISSIONER STIENMETZ: Name.
5 KATHY ANCHO: Kathy Ancho from the sheriff's office.
6 Sorry.
7 TONIA BAKKER: Tonia Bakker for Bakkers Brew.
8 KATHY ANCHO: For an on-site liquor license for Bakkers
9 Brew.
10 CHAIRMAN GARNER: Okay.
11 COMMISSIONER BULLOCK: No issues?
12 KATHY ANCHO: No, the only concern that we had was because
13 they're -- that's -- lots of children go in and out of there is
14 there has to be a cutoff time where -- for an example -- I'm
15 just like -- from 6:00 on in the evening it's closed and there's
16 no juveniles going in and out.
17 We have over the years issued liquor licenses to different
18 areas that, like, fall under like the restaurant-type thing that
19 sell food. Well, they sell food. The only issue we had was
20 the -- the foot traffic of children, if you could cut that off
21 and no children were allowed in after a certain point of when
22 they were going to serve alcohol, then the sheriff didn't have a
23 problem with that. Just make sure there were some guidelines
24 put in place.
25 And I wasn't sure how it works. And I was going to ask
26 you, Dean, how you do it when you're selling alcohol that --
27 that -- is there always somebody in your establishment that's 21
28 that's serving alcohol?
29 Okay. And that's what I had assumed.
30 That was the other issue I brought up that if you're going
31 to sell on-sell [sic] alcohol that you had to have someone
32 always there working over the age of 21 to serve the alcohol and
33 that the minors had --
34 CHAIRMAN GARNER: But --
35 KATHY ANCHO: -- didn't get -- that were working there
36 didn't have access.
37 COMMISSIONER BULLOCK: Only it's -- it's a matter of
38 serving, when you're talking serving. Now, yes, I always have
39 somebody there, but I have draft.
40 KATHY ANCHO: Mm-hm.

1 COMMISSIONER BULLOCK: If you're 18, you can sell a bottle
2 as long as you don't open it.
3 KATHY ANCHO: Yeah.
4 COMMISSIONER BULLOCK: But if you're actually serving any
5 kind of alcohol, then there has to be somebody over 21.
6 TONIA BAKKER: I don't -- yeah, I don't plan on serving
7 alcohol until after 8:00 o'clock at night. So --
8 CHAIRMAN GARNER: But is this something you guys negotiate?
9 I've never heard of this, but is this something you've
10 negotiated? I mean.
11 KATHY ANCHO: Negotiated?
12 CHAIRMAN GARNER: I mean, as far as there's time limits for
13 when. You want time limits?
14 KATHY ANCHO: We wanted -- yeah -- we did -- yeah, we
15 didn't want there to be there in a mixture of -- because there's
16 a lot of kids from school that go over there and use it all year
17 long. So we had -- but our biggest concern were having, you
18 know, adults in there drinking alcohol and kids in there eating
19 ice cream. That was --
20 CHAIRMAN GARNER: (Indiscernible.)
21 KATHY ANCHO: -- a concern.
22 COMMISSIONER BULLOCK: But as long as it's sold in a
23 bottle, --
24 KATHY ANCHO: So I don't know. That's --
25 COMMISSIONER BULLOCK: -- I don't know how you can put
26 that.
27 KATHY ANCHO: Well, --
28 COMMISSIONER BULLOCK: As long as it's unopened and they
29 open it themselves, I don't know where you can come up with that
30 stipulation.
31 KATHY ANCHO: We didn't know. That's what we were a- --
32 that's one of the questions we were having because we weren't
33 sure how that works. We haven't had this issue before. So it's
34 kind of a --
35 CHAIRMAN GARNER: I think it -- I think that's -- I think
36 it's unreasonable to ask that because every restaurant in town
37 has kids go in it --
38 COMMISSIONER BULLOCK: Mm-hm.
39 CHAIRMAN GARNER: -- and every restaurant in town serves
40 liquor.

1 KATHY ANCHO: But it's not prominent childr- -- like at
2 lunchtime example.

3 And I'm not trying to fight that. I just want to know
4 what's right, that we do the right thing to begin with. That's
5 -- I'm not against it. I'm not --

6 CHAIRMAN GARNER: Nothing against.

7 KATHY ANCHO: Well, and that's not what I'm saying. We
8 just were -- because we haven't had this issue before where it
9 was prominent, mostly children that, like, during the day the
10 kids that go over there. That was our only -- the only concern.

11 COMMISSIONER STIENMETZ: (Indiscernible.)

12 KATHY ANCHO: And if that's how it works --

13 COMMISSIONER BULLOCK: Yeah. I don't know if I want to
14 set --

15 KATHY ANCHO: -- so if you're opposed.

16 COMMISSIONER BULLOCK: -- the precedent there.

17 KATHY ANCHO: Well, no -- so but -- so how -- this is a
18 question. So if, for example, they're doing wine and if it's --
19 you -- you can show them this, because I don't know.

20 UNIDENTIFIED PARTICIPANT: (Indiscernible.)

21 KATHY ANCHO: This is the thing they want to use. And they
22 can explain it to you.

23 COMMISSIONER WAITS: So --

24 TONIA BAKKER: It's a self-serve wine vending machine.

25 COMMISSIONER WAITS: So is it your intent then, to turn
26 into a bar after 8:00 o'clock at night? Is that what we're
27 saying?

28 TONIA BAKKER: I just want to try it out on Friday,
29 Saturday nights. I've had a couple of clubs in town that have
30 asked me if they could rent it for meetings or, you know, hold
31 activities there after hours where alcohol would be available to
32 them -- like sororities, car club meetings.

33 COMMISSIONER WAITS: Yeah, I'm -- I'm having a problem
34 with, I'm this during the day, and I turn into this in the
35 evenings. And I think --

36 TONIA BAKKER: There's coffee and wine bars all over.

37 COMMISSIONER WAITS: -- that's difficult because that's not
38 how our ordinance reads.

39 What the ordinance does say, if you are a cafe or a
40 restaurant and serving regular meals, then someone under 21 can

1 be there.
2 So you're not a regular restaurant serving regular meals, so
3 --
4 KATHY ANCHO: Except --
5 COMMISSIONER WAITS: -- we can't have anybody in there --
6 KATHY ANCHO: You can't define what a regular meal --
7 COMMISSIONER WAITS: -- under 21.
8 KATHY ANCHO: -- is because they have food --
9 CHAIRMAN GARNER: Mm-hm.
10 KATHY ANCHO: -- in there, whether it's a --
11 COMMISSIONER WAITS: Well, --
12 KATHY ANCHO: -- glass of --
13 COMMISSIONER WAITS: -- I understand --
14 KATHY ANCHO: -- water --
15 COMMISSIONER WAITS: -- there's not a --
16 KATHY ANCHO: -- or a biscuit.
17 COMMISSIONER WAITS: -- a true definition. But on the
18 other hand, a regular meal is not a muffin. I mean, you --
19 KATHY ANCHO: You can't define that though, honestly. I'm
20 not arguing. I'm just saying, you --
21 COMMISSIONER BULLOCK: Mm-hm.
22 COMMISSIONER WAITS: Yeah.
23 COMMISSIONER STIENMETZ: Yeah.
24 KATHY ANCHO: -- can't define that, --
25 COMMISSIONER WAITS: I don't know. It's all things --
26 KATHY ANCHO: -- what a regular meal is.
27 COMMISSIONER WAITS: -- it's all things we'd have to look
28 at.
29 But I don't see how we can go with just a -- a timeframe.
30 I should think if we give a liquor license that it would be --
31 CHAIRMAN GARNER: It's a general.
32 COMMISSIONER WAITS: -- all the time.
33 CHAIRMAN GARNER: It's a general.
34 COMMISSIONER WAITS: And that's a real concern.
35 COMMISSIONER BULLOCK: And that's up to the establishment
36 to set if they want to have hours, but for us --
37 COMMISSIONER STIENMETZ: Yeah.
38 COMMISSIONER BULLOCK: -- to stipulate --
39 CHAIRMAN GARNER: We can't.
40 COMMISSIONER BULLOCK: -- that's where --

1 KATHLEEN ANCHO: Which is fine. I understand that. I
2 respect that. I just -- we didn't know how it worked. This is
3 new.
4 So I guess that what would happen is you would issue an --
5 a regular liquor license. And if there was a problem that came
6 up, then it would be addressed at that time --
7 CHAIRMAN GARNER: Mm-hm.
8 KATHY ANCHO: -- instead of precluding and saying, hey,
9 we're going -- we're watching out so we're --
10 COMMISSIONER BULLOCK: Mm-hm.
11 KATHY ANCHO: -- not going to. So we just --
12 COMMISSIONER STIENMETZ: Yeah.
13 KATHY ANCHO: So if there's problem, then it's dealt with
14 at the time of the problem.
15 COMMISSIONER BULLOCK: Mm-hm.
16 KATHY ANCHO: Does that sound fair?
17 CHAIRMAN GARNER: Mm-hm.
18 Yeah, you're forming prejudice against --
19 KATHY ANCHO: Yeah. Exactly.
20 CHAIRMAN GARNER: -- if you -- if you --
21 KATHY ANCHO: And I -- we just didn't know if --
22 CHAIRMAN GARNER: -- do that now then you're forming a
23 prejudice against them. If there's an issue later, you can --
24 KATHY ANCHO: Deal with that issue.
25 CHAIRMAN GARNER: -- document through the
26 sheriff's department and --
27 KATHY ANCHO: So who -- because we didn't know --
28 CHAIRMAN GARNER: -- different matter.
29 KATHY ANCHO: -- because this is kind of new. So --
30 CHAIRMAN GARNER: Yeah. It's kind of forming prejudice
31 against them off the -- right of the -- right out of the gate.
32 KATHY ANCHO: So other than that, there wasn't an issue.
33 We just weren't sure how to approach.
34 COMMISSIONER BULLOCK: I make a motion we approve the
35 on-site liquor license to Tonia Bakker for Bakkers Brew located
36 at 1005 Broyles Ranch Road, Battle Mountain, Nevada.
37 COMMISSIONER STIENMETZ: And I'll second the motion.
38 CHAIRMAN GARNER: Any public -- any public comment?
39 (No comment.)
40 CHAIRMAN GARNER: All those in favor?

1 COMMISSIONER MASON: Aye.
2 CHAIRMAN GARNER: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER STIENMETZ: Aye.
5 COMMISSIONER BULLOCK: Aye.
6 TONIA BAKKER: Thank you.
7 CHAIRMAN GARNER: Thank you. Adjourn the meeting of the
8 Lander County Liquor Board and convene the meeting of the Lander
9 County Board of Commissioners.

10
11 *(MEETING OF THE LANDER COUNTY LIQUOR BOARD ADJOURNED.)*

12
13 *(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS*
14 *RECONVENED.)*

15
16 CHAIRMAN GARNER: We'll take a five-minute break.

17
18 (Break between 10:31 a.m. and 10:38 a.m.)

19
20 CHAIRMAN GARNER: Call the meeting back to order.

21
22
23 EXECUTIVE DIRECTOR

24
25 10) Discussion for possible action regarding approval and
26 adoption of the 2014 Personnel Policy for Lander County, and
27 other matters properly related thereto.

28
29 CHAIRMAN GARNER: Number ten, discussion for possible
30 action regarding approval and adoption of the 2014 --
31 Hey.

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

35 Who put this on?

36 COMMISSIONER BULLOCK: Jim.

37 CHAIRMAN GARNER: What do you think?

38 JIM OLSON: This is the adoption of the -- the Personnel
39 Policy Manual based on POOL/PACT, just bringing it up to date.

40 CHAIRMAN GARNER: I got through half of it.

1 JIM OLSON: I think the last version was done in 2011.
2 COMMISSIONER MASON: Is this the last version?
3 JIM OLSON: It's the --
4 CHAIRMAN GARNER: Latest.
5 JIM OLSON: I think it's the latest version, incorporates
6 all the NRS regulations.
7 COMMISSIONER MASON: But I mean, what's the date on it?
8 JIM OLSON: This one is 2014.
9 COMMISSIONER MASON: Okay.
10 JIM OLSON: It was just done for us by POOL/PACT.
11 CHAIRMAN GARNER: But there was hardly any changes that I
12 could see.
13 COMMISSIONER WAITS: Mm-hm.
14 JIM OLSON: There was very, very minor changes.
15 CHAIRMAN GARNER: Yeah. I couldn't even find --
16 COMMISSIONER MASON: I want to discuss one point with the
17 board.
18 Four years ago, when I became a commissioner, it was
19 understood -- I didn't read it -- it was just understood that
20 complaints were to be ignored unless they were in the writing
21 and dated and signed -- date.
22 And these are complaints that come in about personnel that
23 work for the county.
24 JIM OLSON: Right.
25 COMMISSIONER MASON: There's nothing in here like that.
26 And it's my opinion that we ought to amend this in Section
27 2.3 or 2.3.3, wherever you want to put it, to include, quote, all
28 complaints must be in writing, dated, and signed to be
29 acknowledged.
30 JIM OLSON: Okay.
31 COMMISSIONER MASON: That's for the protection of the
32 people that work for the county.
33 CHAIRMAN GARNER: What page is that on, Dave?
34 COMMISSIONER MASON: I'm on 2.3. Page 11 or 12. Either
35 way you want to look at it.
36 JOY SWEENEY: The personnel policy and procedures are for
37 county employees. It's not meant to -- I mean, that would be
38 something that Jim would handle.
39 Personnel, policies and procedures are for county
40 employees, for, you know, how they're supposed to -- be --

1 they're behavior and their job duties and their job functions.
2 To put in something from the public, it should not go in the
3 Personnel Policy.

4 COMMISSIONER WAITS: This isn't for the public, Joy.

5 COMMISSIONER MASON: It isn't. It's for --

6 COMMISSIONER WAITS: This is for one employee --

7 COMMISSIONER MASON: -- the protection of the employees.

8 COMMISSIONER WAITS: -- for another employee.

9 JOY SWEENEY: Oh, employee and empl- -- I'm sorry.

10 COMMISSIONER WAITS: Employee.

11 COMMISSIONER STIENMETZ: Yeah. Employee to --

12 COMMISSIONER WAITS: That's okay.

13 COMMISSIONER STIENMETZ: -- employee is what he's looking
14 at.

15 JOY SWEENEY: Okay. I misunderstood you. Thank you.

16 COMMISSIONER MASON: Other than that, I'm fine with --

17 CHAIRMAN GARNER: You just want everything in writing?

18 COMMISSIONER STIENMETZ: Yeah.

19 COMMISSIONER MASON: Yes.

20 JIM OLSON: That's fine. We'll add it.

21 COMMISSIONER MASON: Because things get garbled. And the
22 complaint was two weeks ago, say, and -- and now we're not
23 getting the right verbiage. It's not accurate. We need
24 affidavits to go by.

25 JIM OLSON: Okay.

26 DONALD NEGRO: Question for Jim. Now, are the drug
27 policies that Keith has been addressing, are they incorporated
28 into this one?

29 JIM OLSON: They should be.

30 DONALD NEGRO: Okay, that's --

31 JIM OLSON: I haven't checked it specifically.

32 DONALD NEGRO: Yeah, that's -- I think it should be. It
33 should be updated enough. But the policies and -- if we want to
34 sit down and read them, and I have, they're pretty updated and
35 pretty strict, a lot of phone policies.

36 Before -- the policies we had before, pretty much were dial
37 phones and now we're up to date with the cell phones and the do's
38 and don'ts.

39 COMMISSIONER WAITS: That was the new county drug and
40 alcohol policy. I think that basically stands alone. This is

1 personnel so we have -- but we'll have both of them.
2 But that doesn't become like an addendum to this one. That's
3 my understanding. It stands alone.
4 CHAIRMAN GARNER: They're standalones.
5 JIM OLSON: It should be. It talks about it -- on 2.10, it
6 talks about a drug- and alcohol-free workplace.
7 COMMISSIONER WAITS: Right, but we have a separate one.
8 JIM OLSON: Yes, we have a separate policy --
9 COMMISSIONER WAITS: Right. Right.
10 JIM OLSON: -- for that --
11 COMMISSIONER STIENMETZ: Yeah.
12 JIM OLSON: -- enforcing it and testing it.
13 COMMISSIONER STIENMETZ: Pretesting.
14 COMMISSIONER WAITS: I'll make a motion that we formally
15 adopt the 2014 Personnel Policy Manual to comply with current
16 regulations, including the recent amendment of the complaint.
17 COMMISSIONER STIENMETZ: I'll second the motion.
18 CHAIRMAN GARNER: Any public comment?
19 COMMISSIONER BULLOCK: I got a question. Does the union
20 have a copy of this?
21 DEPUTY DISTRICT ATTORNEY TING: I think.
22 JIM OLSON: I think they did.
23 DEPUTY DISTRICT ATTORNEY TING: I think they were provided
24 a copy of this when it -- when we originally started looking at
25 it a year ago. That was with Rogene. I can double check that
26 though and make sure they have a copy.
27 COMMISSIONER BULLOCK: And do we have their approval?
28 DEPUTY DISTRICT ATTORNEY TING: That I -- that I don't
29 know. Have you --
30 JIM OLSON: I can check and find out (indiscernible).
31 (Simultaneous cross talk.)
32 KATHY ANCHO: This may sound like a strange question. So
33 is that -- is that avoiding a whistle blower who wants to -- as
34 far as not putting something in writing and wants to say
35 something about another employee but is a whistle blower and
36 doesn't want to make a written complaint? So is that complaint
37 not valid unless that person -- I'm just making sure I'm
38 understanding.
39 If I want to complain about somebody as a whistle blower
40 and I'm afraid to put it in writing, is that going to say unless

1 you put it in writing, you can't say anything about it? You
2 can't complain? Is that what that's stating? Is that what you
3 guys mean by that?

4 COMMISSIONER MASON: It's saying that we don't acknowledge
5 it unless it is in writing.

6 KATHY ANCHO: That's a huge issue.

7 DONALD NEGRO: That's -- yeah -- that's against the law.

8 KATHY ANCHO: That's a huge issue and you know why?

9 Past -- go back 12 years, if you did that, I wouldn't have been
10 able to complain about our sheriff at the time --

11 COMMISSIONER WAITS: There --

12 KATHY ANCHO: -- because that sheriff -- because I didn't
13 do it in writing because I was too afraid to do it in writing.

14 COMMISSIONER WAITS: There is a whistle-blower part in here
15 though that --

16 KATHY ANCHO: Well, that's why I'm just asking --

17 COMMISSIONER WAITS: Yes.

18 KATHY ANCHO: -- to make sure that that's in there.

19 Because I'm not -- I'm would have -- there's no way I was going
20 to put that in writing. And if that's -- I just want to make
21 sure that that's covered in there because if somebody's who's
22 afraid to come forward on something as detrimental as that, then
23 it's not going to be taken serious unless I put my name on it.
24 Just food for thought.

25 DEPUTY DISTRICT ATTORNEY TING: Do -- do -- do you guys
26 want to change a certain portion?

27 COMMISSIONER WAITS: There is -- there is a separate
28 section in here on whistle blower, I know.

29 KATHY ANCHO: Okay. Just as long as --

30 COMMISSIONER WAITS: And so --

31 KATHY ANCHO: -- there's something to protect the employee.

32 COMMISSIONER WAITS: -- we want to verify that in the
33 terminology.

34 JIM OLSON: So it's 2.3, Dave?

35 COMMISSIONER MASON: Yeah, 2.3.

36 DEPUTY DISTRICT ATTORNEY TING: Page 48.

37 COMMISSIONER MASON: On page 11.

38 COMMISSIONER WAITS: Page 11?

39 CHAIRMAN GARNER: Whistle --

40 COMMISSIONER MASON: Dealing with allegations and

1 discrimination. Or dealing with investigation. I don't want
2 know where you want to put it, but it's that section.

3 It seemed like that would be the appropriate section to put
4 that statement in. If you could think of a better one, that's
5 fine.

6 DEPUTY DISTRICT ATTORNEY TING: I think the written portion
7 deals more with -- with the appeal, not the filing of the
8 original grievance.

9 COMMISSIONER MASON: I'm just trying to protect slurred
10 complaints that are not written down.

11 You know, you get phone call complaints. You get complaints
12 that affect literally the personnel working for this county and
13 then there -- there's nothing to go back on.

14 We follow this complaint and we beat somebody up. And then
15 now we don't know what the verbiage is because there's nothing in
16 writing, nothing signed, and nothing dated. And I don't think
17 that's good for the county employees.

18 DEPUTY DISTRICT ATTORNEY TING: From how -- from how I'm
19 reading this, a whistle-blower complaint does -- it does not --

20 COMMISSIONER MASON: That's a different issue?

21 DEPUTY DISTRICT ATTORNEY TING: It does not need to be in
22 writing. If you want to make it and change this that you want
23 to require it in writing, --

24 COMMISSIONER STIENMETZ: No, the whistle blower shouldn't
25 be.

26 DEPUTY DISTRICT ATTORNEY TING: -- you can make a motion.

27 COMMISSIONER MASON: Well, we're accepting this and
28 amending it as -- as it's written. We're amend -- we're
29 putting in an amendment: All complaints must be in writing,
30 dated, and signed to be acknowledged.

31 COMMISSIONER BULLOCK: And that was the motion; correct?

32 COMMISSIONER MASON: Yes, that's part of the motion to
33 accept this whole thing.

34 Right, but Kathy is checking on the whistle blower one. And
35 we want to be sure that that's still in there. Because that is an
36 exception on another type of complaint that is in here and needs
37 to be.

38 And then your concern was: Has the union even looked at
39 it? So do we need to defer this again?

40 CHAIRMAN GARNER: Yep.

1 COMMISSIONER STIENMETZ: Mm-hm.
2 COMMISSIONER BULLOCK: We've got a motion on the table
3 right now.
4 COMMISSIONER WAITS: The whistle blower protection is 2.26.
5 COMMISSIONER BULLOCK: I guess my other concern would --
6 too -- does this have to go to a public meeting hearing and be
7 publicized before we adopt it?
8 DEPUTY DISTRICT ATTORNEY TING: I don't know, but I can
9 check on that for you, though, Commissioner.
10 CHAIRMAN GARNER: Do I have a second?
11 DEPUTY DISTRICT ATTORNEY TING: I don't know. I think that
12 --
13 (Simultaneous cross talk.)
14 COMMISSIONER STIENMETZ: I seconded it. I'll withdraw my
15 second.
16 DEPUTY DISTRICT ATTORNEY TING: I think I'd actually -- I'd
17 ask Jim to defer to POOL/PACT. If -- since you're working with
18 POOL/PACT on this, will you ask them if we need to put this to a
19 public meeting.
20 JIM OLSON: Yeah, I'll ask them.
21 CHAIRMAN GARNER: Motion dies.
22 COMMISSIONER WAITS: I'll -- I'll withdraw the motion.
23
24 11) Discussion for possible action regarding approval for the
25 return of a cash bond, in the amount of \$111,112.50, held in
26 trust by the County Treasurer for Arnold Beck Construction,
27 LLC for the Turquoise Hills Estates, Phase 1 Project; and
28 other matters properly related thereto.
29
30 CHAIRMAN GARNER: Eleven, discussion for possible action
31 regarding approval for the return of a cash bond, in the amount
32 of \$111,112.50, held in trust by the County Treasurer for Arnold
33 Beck Construction, LLC, for the Turquoise Hills Estates Phase 1
34 Project, and other matters properly related thereto.
35 JIM OLSON: We had everything checked off by the various
36 department heads for that, for the roadwork that was done out
37 there, and it has been accepted.
38 CHAIRMAN GARNER: Good to go, Donnie?
39 DONALD NEGRO: Good to go.
40 CHAIRMAN GARNER: We don't have to come back on this one?

1 DONALD NEGRO: Even put a street light up.
2 CHAIRMAN GARNER: Roads meet spec?
3 DONALD NEGRO: Yeah.
4 COMMISSIONER WAITS: On Exhibit A, when they were signing
5 off, I see yours, Don, but is the other one Joe Lindsey?
6 DONALD NEGRO: Yeah.
7 COMMISSIONER WAITS: Right?
8 DONALD NEGRO: Yeah. Yeah.
9 COMMISSIONER WAITS: Okay. Thank you.
10 DONALD NEGRO: I think Jake signed it too.
11 COMMISSIONER WAITS: Okay. I wasn't sure about the
12 initials. I wanted to be sure it was our building inspector.
13 Thank you.
14 I'll make a motion we release the bond funds in the amount of
15 \$111,112.50 held in trust by the County Treasurer for Arnold Beck
16 Construction.
17 COMMISSIONER MASON: Second.
18 CHAIRMAN GARNER: Any public comment?
19 (No comment.)
20 CHAIRMAN GARNER: All those in favor?
21 COMMISSIONER MASON: Aye.
22 CHAIRMAN GARNER: Aye.
23 COMMISSIONER WAITS: Aye.
24 COMMISSIONER STIENMETZ: Aye.
25 COMMISSIONER BULLOCK: Aye.
26
27 12) Discussion for possible action regarding approval/disapproval
28 of Resolution No. 2014-08, a resolution to define parks and
29 recreation policies; to clarify various violations; and other
30 matters properly related thereto.
31
32 JIM OLSON: Number twelve's going to be handled by the
33 corporation of Municode.
34 So we don't have to deal with the parks and recreation issue.
35 So it would be -- be part of the code.
36 CHAIRMAN GARNER: Defer twelve?
37
38
39
40

1 13) Discussion for possible action regarding presentation by Brad
2 Van Woert and Angela Bigotti of Van Woert Bigotti Architects
3 on proposed layouts for the new recreation center and pool
4 for the community of Battle Mountain; approval to proceed
5 with the CMAR (Construction Manager at Risk) selection
6 process for design and building of the Battle Mountain
7 Recreation Center; and other matters properly related
8 thereto.
9

10 CHAIRMAN GARNER: Thirteen, discussion for possible action
11 regarding presentation by Brad -- Brad Van Woert and Angela
12 Bigotti of Van Woert Bigotti Architects on proposal layouts for
13 the new recreation center and pool for the community of Battle
14 Mountain; approval to proceed with the CMAR (Construction
15 Manager at Risk) selection process for design and building of
16 the Battle Mountain Recreation Center; and other matters
17 properly related thereto.

18 JIM OLSON: The -- the idea was to share the potential
19 design with the board so they kind of knew where we were and
20 we're moving forward, kind of a general approval before we move
21 into any greater detail.

22 ANGELA BIGOTTI: Sorry.

23 JIM OLSON: When we talked with the school board about
24 swapping land -- but before we get into that, I wanted to make
25 sure we had everybody in consensus on what we were trying to do.

26 COMMISSIONER MASON: Do you want to pass them down? I'll
27 just keep one and pass it.

28 BRAD VAN WOERT: Oh, you did? Oh, we're on.

29 ANGELA BIGOTTI: They're waiting.

30 BRAD VAN WOERT: Apologies.

31 Good morning. Brad Van Woert and my partner Angela Bigotti
32 from Van Woert Bigotti Architects back again.

33 Thank you for having us.

34 As you know, we're also the architects for the new rec
35 center, which is an exciting project for us. And it's -- it looks
36 like it's been a project kind of floating around. It's been on
37 wings. And it looks like it's getting some legs. And there's an
38 opportunity to find a site for it. And that site in particular is
39 the site adjacent to the Battle Mountain high school.

40 And what we were tasked to do is come up with some

1 preliminary site sketches to see if the original scope of what
2 the recreation center would be, which is about a 25,000-square
3 foot facility with an indoor swimming pool with retractable
4 roof, a multipurpose activity area, which would be classified as
5 a gymnasium or a place to show movies and a community gathering
6 place, kind of a fitness area. I think we have one handball,
7 racquetball court.

8 ANGELA BIGOTTI: Yes.

9 BRAD VAN WOERT: A number of meeting spaces and then locker
10 rooms and lobby and administrative space, all totaling about
11 25,000 square feet.

12 And if in fact it were to go on this lot adjacent to the
13 high school, would it in fact fit, provide all the services and
14 the parking and such. So that's what these sketches are related
15 to.

16 We'll start with the first sketch on the left. We
17 basically overlaying these sketches that we have. And they're
18 all preliminary onto a scaled Google map so you can kind of see
19 the relationship and roadways and things that are going to
20 relate to the facility.

21 So Angela will talk to you about the first one. And then
22 we'll segue into what the possibilities are down the road.

23 ANGELA BIGOTTI: Okay, so as Brad said, the proposed
24 property is here just north of the high school.

25 And we took about 25,000 square feet, which would be plenty
26 for the program that's projected for the rec center.

27 And that's represented here in this red kind of footprint.

28 And as you can see, as far as the scale of the site, it's
29 plenty of room for that kind of a facility with a splash pad on
30 the exterior, parking that would serve the facility.

31 So -- and there is room remaining on the west side. So the
32 site itself would serve you to put a 25,000 plus or minus square
33 foot building on. And plenty of access.

34 There's enough room to keep the route for the buses, which
35 is pretty critical for the school district to continue to
36 operate the way they need to operate.

37 So that was a good thing, I think, when we realized that.
38 And then as we continued to explore, we spoke to Jim about some
39 possibilities. What do you do with the existing pool building,
40 the hole in the ground in a sense?

1 So we started speculating: Are there supporting functions
2 to a rec center that might play into a good solution down the
3 road. And as Brad said, we have a couple of other solutions.
4 This is kind of just our study to make sure the site would serve
5 you for the rec center. And then we looked a little bit further
6 with the existing pool here, the idea of maybe an amphitheater.

7 So this is kind of the next step of our kind of exploration
8 for you as to putting a -- the rec center here. And we kind of
9 explored a couple of different ways you could approach the site,
10 different locations for the slash pad, different orientation,
11 and maybe taking the rec center and putting it on axis with an
12 amphitheater here over the existing pool area and creating maybe
13 a tree line connection so that you start to get some
14 cohesiveness between elements and you start to create more of a
15 community space.

16 You know, we're fortunate to be part of some pretty amazing
17 improvements for your community with these buildings. And I
18 think it might be important to start looking about what's the
19 space in between and the space outside the four walls and the
20 roof that you're doing on these facilities, I think is
21 important, I think, to look at as your community grows.

22 So as Brad and I explored, these ideas came about. And we
23 thought to maybe just share it with you just to see if there's
24 anything there for -- for the future for the community.

25 And so that's pretty much it. This -- these two schemes
26 pretty much just hold the property and the street edges as they
27 currently exist and work within those boundaries.

28 And then we kind of took it one step further. And I think
29 Brad and I will probably talk about this third scheme as a
30 possibility for the future. We're -- we're pretty excited about
31 it, just as a vision.

32 We've gotten to be kind of -- you've endeared yourselves to
33 us. We're kind of feeling part of your community. And when we
34 come here and we visit, it's a great community, though when you
35 come off the highway there's not much of a gateway or kind of a
36 place of arrival or signature of here we are. We're in Battle
37 Mountain. And this is kind of your first impression of Battle
38 Mountain. So the location of this potential site also offers up
39 the community, I think, with the idea of this sort of gateway to
40 the community.

1 And, you know, the building is what it is. And you've
2 already kind of speculated you'd be doing that. Looking further
3 with maybe a landscape statement to possibly reroute the street
4 that's right now fairly circuitous as you come in here at the
5 Allerton [sic] Road, bend around, and come into the school
6 district vicinity.

7 So the thought was to maybe make a more direct route coming
8 in off of the highway, coming in on this exit and entrance into
9 the community, seeing what could be a community, kind of regional
10 park, and tying together buildings, with high school, tying in
11 with this kind of community center, and bringing the street around
12 so that you have more of a direct route versus the circuitous
13 route.

14 And what you're left over with is this kind of improvement
15 to the community that adds to the quality of life here. There's
16 a lot of community here, a lot of community events. It's
17 wonderful, from the fireworks, to the crafts, and arts fairs to
18 what could be the outdoor performances that not only the
19 community uses, but then the high school could also utilize. So
20 it starts to become this center, this community center space.

21 And we got pretty excited about the potential. Wasn't sure,
22 you know, how the community would respond to it. But we think
23 it's maybe worthwhile to think about it as you start to move
24 forward for a recreation center, because it could have -- make a
25 difference as to how we place the building on this property,
26 whether you set it off the curb, push it in a little tighter so
27 you can make a future statement with more of a community park.

28 BRAD VAN WOERT: The whole idea about it is this is just --
29 this is just a couple of architects kind of broadening our
30 blinders a little bit to see what possibilities are. What we
31 don't want to do is hurt you in the wrong placement of the new
32 rec center to kind of understand that there could be some
33 possibilities down the line. And the whole idea of taking that
34 dog leg away and making this -- connecting point A to B in a
35 whole different kind of way. You can see there's the pool. And
36 that's kind of what's hindered this whole thing. And now what
37 you have is this whole idea of a contiguous piece of property,
38 one piece of land, adjacent to the high school, which basically
39 acts as a community center and then the ball fields and then the
40 other schools and then this track, which is going to be kind of

1 rendered back to the community, I think.

2 So this is nothing more than just a possibility. It's an
3 abstract drawing. It's not to be taken too literally. As you
4 can see, we've -- we've had our way with the Hide-A-Way and the
5 satellite dish and the insurance company. And I think that's
6 not our intention. It's just to kind of see what the
7 possibilities are of expanding the ability to have a more
8 community-based park. And that offering of a -- as Angela was
9 saying -- a gateway to the community as you come off the
10 highway, which I think is sorely needed now as the community
11 grows with all its new development.

12 So I think in a nutshell what it's showing us, if in fact
13 the rec center were placed here, in any of the schemes, I think
14 they will show themselves well. The building will have some
15 breathing room. And it will -- it will make itself comfortable
16 in its site with the adequate amount of parkings and facilities
17 and infrastructure. So that's number one.

18 Number two then as you go through time, whether it be now
19 or somewhere down the line, what are the possibilities to start
20 to integrate that site together and make it a more
21 community-based contribution to the city? And that's basically
22 what this is -- is showing.

23 COMMISSIONER MASON: Can I ask a question? I mean, I don't
24 want to interrupt you.

25 BRAD VAN WOERT: No, we're done.

26 COMMISSIONER MASON: Nan, what -- how much money we got set
27 aside for this pool?

28 Four million? Four and a half?

29 COMMISSIONER BULLOCK: Six and a half.

30 CHAIRMAN GARNER: Six point five.

31 NAN ANCHO: It was -- yeah, it was budgeted at six and a
32 half.

33 COMMISSIONER MASON: How much?

34 NAN ANCHO: Six and a half.

35 COMMISSIONER BULLOCK: Six and a half million.

36 COMMISSIONER MASON: Okay. So take number one --

37 COMMISSIONER STIENMETZ: We haven't gotten to the prices.

38 COMMISSIONER MASON: What's her name?

39 BRAD VAN WOERT: Angela.

40 COMMISSIONER WAITS: Angela.

1 COMMISSIONER MASON: Angela, get over to number one there.
2 And can we do that -- right there -- for under six and a half
3 million. Money is an issue here.

4 ANGELA BIGOTTI: The goal with this one is that, yes,
5 that's what this facility would do is it would -- it would be
6 built within that budget.

7 COMMISSIONER MASON: All right. Take the amphitheater and
8 number two and add it back to number one.

9 Can we do both --

10 CHAIRMAN GARNER: Uh-uh.

11 COMMISSIONER MASON: -- for six and a half million?

12 COMMISSIONER STIENMETZ: No.

13 ANGELA BIGOTTI: We speculate probably not. It might -- we
14 might be able to, depends on the extent of the program here.
15 Right now we're showing 25,000 square feet. There's been some
16 discussion as to whether or not every part of the program needs
17 to be realized with this building. We've got the gym, the
18 fitness center, and the pool as the primary components.

19 If this can get a little smaller and, you know, through the
20 process of design and that becomes a priority, then we'd have to
21 weigh that in and see if we can make that work.

22 COMMISSIONER MASON: Okay.

23 In the number one picture there, what's included underneath
24 your roof? What are you -- what are you thinking? A pool? An
25 L-shaped pool or a one -- what --

26 ANGELA BIGOTTI: Yeah.

27 BRAD VAN WOERT: That would be a -- yeah -- the original
28 scope was for a 25-yard six-lane pool, and indoor. And we've
29 done some investigations and our pool consultant says these
30 retractable roofs work so that you get year-round use of it, but
31 then you can let the sunlight and the air in. So it's, I think,
32 it's 25-yard six lanes.

33 COMMISSIONER MASON: So --

34 BRAD VAN WOERT: And it's out of -- that's the original
35 scope.

36 COMMISSIONER MASON: The pool is on the -- the north side,
37 the north building?

38 ANGELA BIGOTTI: We're -- we're actually thinking pool
39 would be there --

40 COMMISSIONER MASON: Okay.

1 ANGELA BIGOTTI: -- with the splash pad --
2 COMMISSIONER MASON: That's south.
3 ANGELA BIGOTTI: -- so you've got this kind of indoor,
4 outdoor connection with these two pieces. And this would be --
5 COMMISSIONER MASON: Oh, I see why the --
6 ANGELA BIGOTTI: -- as Brad was --
7 COMMISSIONER MASON: -- other was --
8 ANGELA BIGOTTI: -- explaining a retractable.
9 BRAD VAN WOERT: The blue is an outdoor splash pad.
10 COMMISSIONER MASON: Okay.
11 BRAD VAN WOERT: And it's -- it's been talked about.
12 They're -- they're income generators. So it might be one of
13 the -- an element that for little capital you can get some
14 pretty good revenues. It's a revenue source.
15 COMMISSIONER MASON: So in the wintertime, it gets pretty
16 cold here. That would be emptied out? The splash pad so to
17 speak?
18 ANGELA BIGOTTI: Right.
19 BRAD VAN WOERT: Yeah.
20 ANGELA BIGOTTI: Right.
21 COMMISSIONER MASON: I mean that could -- I mean, it's
22 designed that way.
23 ANGELA BIGOTTI: Right.
24 BRAD VAN WOERT: Correct.
25 ANGELA BIGOTTI: And you bring up a good point. I mean,
26 just in these kind of first initial studies, our initial
27 instinct is just to put the pool there because the on the south
28 side it gets the most natural light to warm it during the summ-
29 -- during the winter months. And then in the summer months, it
30 would have the retractable roof for the air flow.
31 COMMISSIONER MASON: So then we have the plaza. That's the
32 entrance. And inside the plaza building there is the locker
33 rooms, restrooms?
34 ANGELA BIGOTTI: There would be a central area which is
35 meeting room, lobby, locker rooms. That's pretty much the
36 receiving area of -- and then this would be the gymnasium.
37 COMMISSIONER MASON: The what?
38 ANGELA BIGOTTI: Gymnasium and fitness.
39 COMMISSIONER MASON: Okay.
40 I really like the idea of the amphitheater, but --

1 COMMISSIONER STIENMETZ: You can add that any time if we
2 get the money for it.

3 BRAD VAN WOERT: Yeah.

4 COMMISSIONER MASON: I think your design over here gets us
5 into the 15-million range.
6 You know.

7 BRAD VAN WOERT: No.

8 ANGELA BIGOTTI: No.

9 BRAD VAN WOERT: We had some preliminary costs done, just
10 raw costs. Without any kind of utility, not knowing what the
11 utility's like underneath, it's about \$1.4 million construction
12 cost.

13 ANGELA BIGOTTI: For this --

14 BRAD VAN WOERT: Yeah.

15 ANGELA BIGOTTI: -- because if you think about it, we -- as
16 we said the building's where your cost per square foot is the
17 highest. When you're doing earth work and you're doing
18 landscape, you get a lot of value when you create outdoor space
19 like this with just landscape. And so, we did -- as Brad said,
20 we ran the numbers with our team. Our engineers looked at it
21 and at this point knowing what we know, we're speculating about
22 1.5 million for that.

23 COMMISSIONER WAITS: Well, we own -- we own the street. I
24 see you're showing over here on number -- on the right-hand side
25 you're showing the restaurant?

26 But how about the land? We don't own that land; do we?

27 BRAD VAN WOERT: No, this is the property. That is the
28 property line.

29 ANGELA BIGOTTI: Yeah.

30 COMMISSIONER MASON: Okay.

31 COMMISSIONER BULLOCK: Let's be realistic. That's never
32 going to happen.

33 BRAD VAN WOERT: That's it -- we --

34 COMMISSIONER MASON: No, I don't think so.

35 COMMISSIONER BULLOCK: The combination between two and
36 three would happen. And that's what I don't see here.

37 ANGELA BIGOTTI: Okay.

38 COMMISSIONER BULLOCK: You can close down that street and
39 move that road around here and -- and use the existing L-shape
40 street as part of the park. But I'm not seeing that.

1 ANGELA BIGOTTI: As far --
2 BRAD VAN WOERT: Yeah.
3 COMMISSIONER BULLOCK: Go to there and --
4 BRAD VAN WOERT: This is gone.
5 COMMISSIONER BULLOCK: That --
6 BRAD VAN WOERT: Down here.
7 COMMISSIONER BULLOCK: We're not going go in to putting it
8 right next to private.
9 BRAD VAN WOERT: Yeah.
10 COMMISSIONER BULLOCK: It's just not going to happen.
11 ANGELA BIGOTTI: Right.
12 COMMISSIONER BULLOCK: Donnie.
13 DONALD NEGRO: To eliminate that street would be a smart
14 move.
15 COMMISSIONER BULLOCK: Well, I -- I agree.
16 COMMISSIONER STIENMETZ: We can take --
17 COMMISSIONER BULLOCK: We need a combination of two and
18 three, eliminating the street, bringing the road around, but
19 staying off the private property.
20 BRAD VAN WOERT: You make sure happens, and then we work
21 within the land that you have, --
22 COMMISSIONER STIENMETZ: Right.
23 BRAD VAN WOERT: -- within your ability --
24 COMMISSIONER STIENMETZ: Right.
25 BRAD VAN WOERT: -- to develop. Yeah.
26 COMMISSIONER STIENMETZ: Yeah. Because then you can
27 eliminate the street.
28 COMMISSIONER BULLOCK: If that's what you need for building
29 placement, that's my -- that's my suggestion.
30 COMMISSIONER STIENMETZ: You can start out with the
31 building and then as you get the money, you can expand into
32 that.
33 ANGELA BIGOTTI: Okay.
34 COMMISSIONER BULLOCK: Remember we only have six and a half
35 million.
36 DONALD NEGRO: It's just money.
37 CHAIRMAN GARNER: What the heck?
38 DONALD NEGRO: But eliminate that street because that
39 street has been a problem.
40 COMMISSIONER BULLOCK: It is.

1 DONALD NEGRO: It's lucky we haven't seriously hurt or
2 killed somebody --
3 COMMISSIONER STIENMETZ: Yeah.
4 DONALD NEGRO: -- on that street.
5 COMMISSIONER MASON: So you're saying we can eliminate the
6 street and move over to the curb, the north curb?
7 CHAIRMAN GARNER: Later.
8 COMMISSIONER STIENMETZ: Later, yeah.
9 DONALD NEGRO: Later. And reroute that street behind the
10 existing swimming pool.
11 COMMISSIONER STIENMETZ: See, there's enough room in there
12 to do that.
13 JUDGE MAX BUNCH: Actually, you can look at it and see
14 where they have that. Poke your head around and see --
15 DONALD NEGRO: Yeah, I seen it.
16 JUDGE MAX BUNCH: They have it going over the pool, not
17 around.
18 COMMISSIONER BULLOCK: So the amphitheater, the way in --
19 in picture number two is where the old pool is now.
20 ANGELA BIGOTTI: Right.
21 BRAD VAN WOERT: Yeah.
22 ANGELA BIGOTTI: Right.
23 COMMISSIONER MASON: And that's -- I think we ought to stay
24 with that idea.
25 Because we've got to dig that up anyway. Might as well --
26 COMMISSIONER BULLOCK: No, that's where the road would be.
27 BRAD VAN WOERT: Yeah. We have to be careful. Here's the
28 pool, right here.
29 CHAIRMAN GARNER: You'd have to push it.
30 BRAD VAN WOERT: So I think it was kind of rhetorical
31 discussions --
32 COMMISSIONER STIENMETZ: Yeah.
33 BRAD VAN WOERT: -- like, what are you going to do with the
34 hole -- right? -- once you leave --
35 COMMISSIONER BULLOCK: Mm-hm.
36 BRAD VAN WOERT: -- that pool? Well, let's put an
37 amphitheater. It was one of those -- kind of one of those
38 backward logics.
39 COMMISSIONER MASON: But the county owns that parking lot
40 to the east of the pool now. Go to -- go over here to picture

1 one.

2 Yeah, that area. We own that.

3 ANGELA BIGOTTI: Mm-hm.

4 COMMISSIONER MASON: So we can -- we can do -- you can come
5 through there with your road. County already has it.

6 CHAIRMAN GARNER: No. No.

7 BRAD VAN WOERT: Yeah, we just have to be careful that --
8 the street alone --

9 COMMISSIONER BULLOCK: We need to come straight off. It's
10 already a disaster at that intersection right now.

11 ANGELA BIGOTTI: Yeah.

12 BRAD VAN WOERT: To line these up I think would be the wise
13 thing to do. And then we want to make sure that it's a gentle
14 curve so we don't spoil the integrity of the softball and
15 baseball field.

16 COMMISSIONER MASON: Can you do most of that for six and a
17 half million?

18 CHAIRMAN GARNER: Not even close.

19 COMMISSIONER STIENMETZ: Yeah, that there --

20 BRAD VAN WOERT: No.

21 ANGELA BIGOTTI: Depends on if the gym has to be done.

22 COMMISSIONER STIENMETZ: We're just looking at ideas now.

23 BRAD VAN WOERT: Yeah.

24 COMMISSIONER MASON: I understand.

25 COMMISSIONER BULLOCK: Just conceptually of where to put
26 the buildings.

27 BRAD VAN WOERT: We just want to make sure that we can set
28 you up for future success. It's --

29 COMMISSIONER STIENMETZ: Right.

30 BRAD VAN WOERT: -- pretty much as simple as that.

31 COMMISSIONER STIENMETZ: And the main look at this was to
32 make sure that it would fit over there on that little triangle
33 of that property so that we could trade for that. Once we do
34 that, then we can expand over. And if we want to do away with
35 those roads and stuff -- because the amphitheater doesn't
36 necessarily have to go where the old pool is.

37 ANGELA BIGOTTI: Right.

38 COMMISSIONER STIENMETZ: But it was --

39 COMMISSIONER MASON: It was just a good idea.

40 COMMISSIONER STIENMETZ: -- best fits if we decide to do

1 one.

2 ANGELA BIGOTTI: Right.

3 COMMISSIONER MASON: I think the trees, the double row of
4 trees in the middle picture affect the playing field. I mean,
5 the park is kind of open space for football and whatever people
6 want to play, you know. And you put trees in like that and you
7 chop it up. I like the trees, but I think they need to go
8 around the edge somewhere else.

9 ANGELA BIGOTTI: I would say we agree with you. When we
10 started exploring the potential for you down the road, you know,
11 it really did sequentially go in this direction. We did this
12 and said, well, what about this? Well, wait a minute. This
13 road's kind of in the way.

14 And so then it really spawned us to look at a bigger vision
15 for you and see if there's any merits there. And so we would
16 agree with you, Dave, on that.

17 CHAIRMAN GARNER: Paula, do you have a comment?

18 PAULA TOMERA: Yeah. Paula Tomera with Lander County
19 Economic Development Authority.

20 And going between two and three that kind of plays in with
21 our gateway project that we've been tasked at looking into. And
22 I think the -- the combination or whatever would work better in
23 that area to be that gateway for that particular area coming off
24 the highway.

25 And just from having the music festival over this last
26 Fourth of July, probably three would work better simply because
27 if you were at the park during that time, you notice to get the
28 stage set up, we had to put it back towards the high school off
29 the road. The fences, the way that they're put up, didn't allow
30 for easy access to the staging area.

31 And although everyone was listening to the music throughout
32 the day, it didn't really bode well for the performers.

33 So having that amphitheater in the corner and having the
34 access come around also helps with when we do the inflatables and
35 things throughout the year for different proj- -- or different
36 community events that we have.

37 The other issue we had is the current road that we have,
38 when we blocked it off, people were coming through. And the
39 kids, when we were taking them around for the games and that,
40 there were cars coming in and out. And so making that come

1 around, I think, would work better for all the activities we
2 hold throughout the year and just kind of tying that whole thing
3 in.

4 COMMISSIONER MASON: Well, I would say, you're on the right
5 track. I mean, it's good.

6 Let's go back to number one. What you've designed there,
7 sounds feasible and sounds good for the community. And I think
8 that's where we started to have an indoor pool year round?
9 And I think that's the most important feature. Whatever you
10 can do with the rest of the money -- you've heard our remarks so
11 --

12 BRAD VAN WOERT: It's all about the money.

13 COMMISSIONER MASON: Yeah. Well, I mean, yeah.

14 CHAIRMAN GARNER: And this is just --

15 COMMISSIONER MASON: You know, we don't have deep pockets.

16 CHAIRMAN GARNER: And this is just a presentation. We need
17 a -- we need a motion on CMAR.

18 COMMISSIONER STIENMETZ: Yeah.

19 CHAIRMAN GARNER: That's what this is really about.

20 BRAD VAN WOERT: Yes.

21 COMMISSIONER STIENMETZ: I make a motion the commission
22 approve to proceed with the CMAR, construction management at
23 risk, selection process for design and building of the Battle
24 Mountain recreation center and other -- center.

25 Isn't that what this is for?

26 CHAIRMAN GARNER: Yes.

27 COMMISSIONER MASON: Would you amend it to subject to the
28 budget?

29 CHAIRMAN GARNER: Not necessarily.

30 COMMISSIONER STIENMETZ: Well, we already have the budget.
31 The pool committee will --

32 COMMISSIONER MASON: Oh, okay. It's already budgeted.

33 COMMISSIONER STIENMETZ: -- restrict that. Right now all
34 we're doing is asking them to go ahead so we can start putting
35 prices together.

36 COMMISSIONER MASON: I will second that.

37 CHAIRMAN GARNER: Any public comment?

38 COMMISSIONER MASON: Yes, I --

39 COMMISSIONER BULLOCK: I got a --

40 COMMISSIONER MASON: Go ahead, Dean.

1 COMMISSIONER BULLOCK: When we're talking about selection
2 process, you're saying we're not going out to bid?
3 CHAIRMAN GARNER: It's CMAR.
4 COMMISSIONER BULLOCK: I understand that.
5 But CMAR -- but we're -- we're going to advertise it and go
6 out for anybody that wants to --
7 CHAIRMAN GARNER: Yes.
8 COMMISSIONER BULLOCK: Okay.
9 CHAIRMAN GARNER: CMAR is that process.
10 COMMISSIONER BULLOCK: Okay.
11 COMMISSIONER MASON: The other thing was when you design
12 this, further design, why don't you design it so it's in phase
13 1, phase 2, maybe phase 3.
14 DISTRICT ATTORNEY ELQUIST: Okay.
15 COMMISSIONER MASON: So we can look --
16 COMMISSIONER STIENMETZ: That's what the building committee
17 will decide.
18 COMMISSIONER MASON: We could see the future that way.
19 ANGELA BIGOTTI: Sure. We can do that.
20 CHAIRMAN GARNER: Any other public comment?
21 (No comment.)
22 CHAIRMAN GARNER: All those in favor?
23 COMMISSIONER MASON: Aye.
24 CHAIRMAN GARNER: Aye.
25 COMMISSIONER WAITS: Aye.
26 COMMISSIONER STIENMETZ: Aye.
27 COMMISSIONER BULLOCK: Aye.
28 COMMISSIONER STIENMETZ: Thank you.
29 COMMISSIONER MASON: Thank you.
30 JIM OLSON: Thank you, very much.
31

32

33 **COMMISSIONERS**

34

35 14) **Discussion for possible action regarding approval/disapproval**
36 **of the Central Nevada Regional Water Authority (CNRWA) FY**
37 **2015 member assessment, in the amount of \$7,500.00, and other**
38 **matters properly related thereto.**

39

40

CHAIRMAN GARNER: Fourteen, discussion for possible action

1 regarding approval/disapproval of the Central Nevada Regional
2 Water Authority FY 2015 member assessment, in the amount of
3 7500, and other matters properly related thereto.

4 COMMISSIONER STIENMETZ: This is the same as what it was
5 last year; isn't it?

6 COMMISSIONER WAITS: Yes. This is -- it's the same since
7 they started actually.

8 COMMISSIONER STIENMETZ: Yeah.

9 COMMISSIONER WAITS: They haven't changed any of the
10 amounts at all on the member assessment.

11 And I think they've been doing an excellent job currently.
12 We do have three committee members that sit on that, for the
13 record. So --

14 COMMISSIONER BULLOCK: I'll make a motion we approve --
15 \$7500 to the Central Nevada Regional Water Authority fiscal year
16 2015 member assessments.

17 COMMISSIONER WAITS: I'll second that motion.

18 CHAIRMAN GARNER: Any public comment?

19 (No comment.)

20 CHAIRMAN GARNER: All those in favor?

21 COMMISSIONER MASON: Aye.

22 CHAIRMAN GARNER: Aye.

23 COMMISSIONER WAITS: Aye.

24 COMMISSIONER STIENMETZ: Aye.

25 COMMISSIONER BULLOCK: Aye.

26

27 15) Discussion for possible action regarding the Humboldt River
28 Basin Water Authority's (HRBWA's) recommendation and request
29 to appoint a mining representative to a currently vacant
30 membership on the HRBWA; and other matters properly related
31 thereto.

32

33 CHAIRMAN GARNER: Fifteen, discussion for possible action
34 regarding the Humboldt River Basin Water Authority's
35 recommendation and request to appoint a mining representative to
36 a currently vacant membership on the HRBWA; and other matters
37 properly related thereto.

38 COMMISSIONER STIENMETZ: We had this last time. And we
39 moved it back up on there.

40 Our reason for not doing it before is simply for the fact

1 that this could show favoritism --

2 CHAIRMAN GARNER: Okay.

3 COMMISSIONER STIENMETZ: -- for the mining.

4 And my personal feeling after thinking about it is I think
5 we should just leave it the way it is.

6 They are welcome to come in and set it in the meetings.

7 Barrick has a -- we have mining representatives there. They sit
8 in the audience. They're allowed to talk about anything that's
9 going on, bring up their information.

10 And leave it at that.

11 CHAIRMAN GARNER: Okay.

12

13 **16) Discussion for possible action regarding approval/disapproval**
14 **of Ordinance No. 2014-02, an ordinance adding Chapter 8.45 to**
15 **the Lander County Code, to prohibit medical marijuana**
16 **establishments in Lander County; and other related matters.**
17

18 CHAIRMAN GARNER: Sixteen, discussion for possible action
19 regarding approval/disapproval of Ordinance Number two --
20 2014-02, an ordinance adding Chapter 8.45 to the Lander County
21 Code, to prohibit medical marijuana establishments in Lander
22 County; and other matters properly related thereto.

23 DEPUTY DISTRICT ATTORNEY TING: So I drafted this with the
24 following purposes: one, two, three, four. If you guys would
25 have any suggestions or want to add any other purposes that you
26 feel are important, let me know, and I can put it in there.

27 COMMISSIONER WAITS: Nicole, I'm -- I'm sure you looked at
28 some of the other -- the other models --

29 DEPUTY DISTRICT ATTORNEY TING: Yes.

30 COMMISSIONER WAITS: -- from the counties. And I believe
31 NACO has been in correspondence with you on this.

32 DEPUTY DISTRICT ATTORNEY TING: Yes.

33 COMMISSIONER WAITS: So I read through it. It seemed very
34 short that all four were basic issues. I didn't have a concern
35 at all.

36 COMMISSIONER STIENMETZ: I didn't have a problem with it.

37 I'll make a motion to -- for the approval of Ordinance Number
38 2014-02, an ordinance adding Chapter 8.45 to the Lander County
39 Code to prohibit -- to prohibit medical marijuana establishments
40 in Lander County.

1 COMMISSIONER WAITS: And we have to set it for public
2 hearing; is that correct? Is that part of the motion?
3 DEPUTY DISTRICT ATTORNEY TING: Sorry. Yeah.
4 COMMISSIONER STIENMETZ: Set it.
5 DEPUTY DISTRICT ATTORNEY TING: That should be an agenda
6 item.
7 COMMISSIONER STIENMETZ: All right. And set it for public
8 hearing.
9 COMMISSIONER WAITS: I'll second that motion.
10 CHAIRMAN GARNER: Any public comment?
11 (No comment.)
12 CHAIRMAN GARNER: All in favor?
13 COMMISSIONER MASON: Aye.
14 CHAIRMAN GARNER: Aye.
15 COMMISSIONER WAITS: Aye.
16 COMMISSIONER STIENMETZ: Aye.
17 COMMISSIONER BULLOCK: Aye.
18
19 17) Discussion for possible action regarding approval/disapproval
20 of the contract and bid estimate submitted by Tom Tippetts,
21 dba Double T Electric, in an amount not to exceed \$3,630.00,
22 for the Austin Airport Pilot's Lounge electrical project; and
23 other matters properly related thereto.
24
25 CHAIRMAN GARNER: Discussion for possible action regarding
26 approval/disapproval of the contract and bid estimate submitted
27 by Tom Tippetts, dba Double T Electronic -- Electric, in an
28 amount not to exceed \$3630, for the Austin Airport Pilot Lounge
29 electrical project; and other matters properly related thereto.
30 COMMISSIONER WAITS: This is the balance of our pilot's
31 lounge and the Austin Airport as we had on the agenda, but
32 before on the water and sewer.
33 And Dean's question was: What about the electric? And so
34 we now have the bid on the electric that still puts us really,
35 really close. It's possible --
36 CHAIRMAN GARNER: Isn't this --
37 COMMISSIONER WAITS: -- we might --
38 CHAIRMAN GARNER: -- over?
39 COMMISSIONER WAITS: I'm sorry.
40 CHAIRMAN GARNER: Go ahead. I'm sorry. I thought you were

1 done.

2 COMMISSIONER WAITS: It's -- it's possible we might run a
3 little bit over on the 30,000 that we had -- have set aside for
4 the full budget.

5 But the Austin Airport added a little bit extra in their
6 budget. It's under a thousand dollars, if we do, that they
7 could cover anything if we do run over. Otherwise, we're
8 expecting the last one on the water and sewer to still be -- and
9 septic -- a little bit less. So we're hoping.

10 COMMISSIONER MASON: I want to know --

11 CHAIRMAN GARNER: So --

12 COMMISSIONER WAITS: Any questions?

13 CHAIRMAN GARNER: So we're hoping we're under budget?

14 COMMISSIONER WAITS: No. No. We're hoping that they would
15 be a little bit under on their water and sewer, so we'll be
16 okay. If we are over at all, it's -- it will come out of the
17 Austin Airport Fund. It will be under a thousand dollars.

18 CHAIRMAN GARNER: Okay.

19 COMMISSIONER MASON: I want to make sure that the -- this
20 electric inclusion includes 220, not just 110.

21 I mean, the box big enough to hold 220.

22 CHAIRMAN GARNER: It has to be 220.

23 COMMISSIONER BULLOCK: Any electrical box.

24 COMMISSIONER STIENMETZ: Yeah.

25 CHAIRMAN GARNER: Any --

26 COMMISSIONER MASON: Right.

27 CHAIRMAN GARNER: -- any commercial setting is 220.

28 COMMISSIONER MASON: Okay.

29 COMMISSIONER WAITS: I'll make a motion that we approve the
30 proposal from Double T Electric not to exceed \$3,630 for the
31 Austin Airport's lounge for their electrical project.

32 COMMISSIONER STIENMETZ: I'll second the motion.

33 COMMISSIONER MASON: Good.

34 CHAIRMAN GARNER: Any other public comment?
35 (No comment.)

36 CHAIRMAN GARNER: All those in favor?

37 COMMISSIONER MASON: Aye.

38 CHAIRMAN GARNER: Aye.

39 COMMISSIONER WAITS: Aye.

40 COMMISSIONER STIENMETZ: Aye.

1 COMMISSIONER BULLOCK: Aye.

2
3 18) Discussion for possible action regarding emergency access to
4 Grass Valley Road at the Ormat facility, and other matters
5 properly related thereto.
6

7 CHAIRMAN GARNER: Discussion for possible action regarding
8 emergency access to Grass Valley Road at the Ormat facility, and
9 other matters properly related thereto.

10 JIM OLSON: We asked Ormat to come here today to present,
11 hopefully find some workable resolution for both parties
12 concerning the road, Grass Valley Road, (indiscernible), and the
13 safety issues related with that.

14 RANDY PETERSON: All right. I'm Randy Peterson. I manage
15 the permitting group at Ormat Geothermal.

16 I'm here to give you an update on the development at
17 McGinness Hills and to discuss the access and safety concerns
18 that have -- that have arisen on the addition of the pipeline on
19 the west side of Grass Valley Road.

20 First of all, I think I owe the commissioners several
21 apologies.

22 First of all, we have not been good at communicating with
23 you. Once the plant went into operation, we -- my group, the
24 permitting group, didn't have -- didn't have many issues to --
25 to discuss with the commission or with the county in general.

26 And I've discovered that the operations team hasn't picked up
27 that ball. So I've worked a bit with Commissioner Waits to find
28 ways that we can improve the day-to-day communication between our
29 teams at the plant and the -- and the communities that -- that are
30 involved.

31 The second apology is that I understand that I was on the
32 agenda, your last meeting agenda, but since -- since I didn't hear
33 about that until after it had already happened, I was unable to
34 attend. So I apologize for that.

35 And then thirdly, I had -- I had miscommunicated with Jim
36 Olson. I had hoped to meet with several of you individually
37 between our June -- or our July 15th meeting at the plant site
38 and today. But there was a miscommunication. And those --
39 those -- those individual meetings were not set up. So what
40 you're saying today is what I had hoped to communicate with each

1 you or as many of you that were interested in the interim.
2 This photo you can see here is -- is the existing Phase 1
3 power plant that went online in June of 2012.
4 This is just as it was finishing construction. You can still
5 see there is a pile of aggregate here that hasn't been spread out.
6 But I think the plant is being commissioned at this time. Here's
7 Grass Valley Road right here. And then Austin is down off here.
8 You can see the transmission line. It runs along Grass
9 Valley Road until it jumps up into the hills and joins the NV
10 Energy 230 kV transmission line over to the frontier substation.
11 COMMISSIONER MASON: Is that your transmission line?
12 RANDY PETERSON: We own -- we own this transmission line to
13 the point of interconnection.
14 COMMISSIONER MASON: Would you allow hook up to it?
15 RANDY PETERSON: I can't.
16 COMMISSIONER MASON: Okay.
17 RANDY PETERSON: The public utilities code says that I can
18 only sell to one customer.
19 COMMISSIONER MASON: Okay.
20 RANDY PETERSON: And that's to NV Energy.
21 The well field is actually -- as we're standing looking at
22 this photo, we're looking south. The well field is behind us.
23 The production wells are -- are behind us along Grass Valley Road.
24 The injection wells are over here just -- just off the photo
25 to the southeast.
26 I -- I realize that -- that we're here to discuss the
27 specifics of the -- of the road development project or the
28 pipeline development project. But I want to ask if there's any
29 interest in a -- in a four- or five-minute discussion of the way
30 the facility operates?
31 If not, I'll just carry on with -- with this presentation.
32 All right. Thank you.
33 My attorneys say that I have to warn you that if I make
34 forward-looking statements and then your results vary, you've
35 been -- you've been properly warned. The --
36 CHAIRMAN GARNER: What are you implying?
37 RANDY PETERSON: What I'm implying is that we're a
38 publically-traded company and -- and if I said something today,
39 as -- talking about our plans -- that didn't materially come
40 true somehow, I have to -- I have to make this disclaimer so

1 that the Securities and Exchange Commission can't throw me in
2 jail.

3 The -- one of the -- one of the -- one of the ways that we
4 took our eye off the ball on that good communications with Lander
5 County was that -- is that there's a lot of regulation on this
6 facility. And I -- I just put a list up here just for your --
7 just to illustrate the number of regulatory agencies who issue
8 permits and to whom we have to issue reports either monthly,
9 quarterly, annually or every five years.

10 So there are -- there are several federal agencies, numerous
11 state agencies, as well as Lander County Commission, County
12 Planning, Building, and Road and Bridge.

13 This is what was initially approved for development, when --
14 when the BLM issued a decision record for the EA, the
15 environmental analysis that was completed in July of 2011 and the
16 SUP was authorized -- was granted by -- by Lander County.

17 You can see that this -- this is the -- in that photo we
18 looked at on the cover, we were standing right about here on this
19 hill. The well -- the production wells were up here behind us.
20 The injection wells are down here. The pipelines you can see are
21 right here. And here's where they run together.

22 This is the Phase 1 plant that was completed in July of 2012.

23 This is the Phase 2 plant that's currently under
24 construction.

25 Several of these pipelines were not needed. And they were
26 not constructed. These wells were not drilled. This pipeline was
27 not constructed. This well was not drilled. And that pipeline
28 was not constructed.

29 The -- we added wells here and here to extend this pipeline
30 further up the road. So there is a portion right through here
31 where -- where the pipeline was actually shifted a bit to the
32 north. Rather than running here, it runs about here.

33 The -- the transmission line -- let's see, here's Grass
34 Valley Road and the transmission line comes out like this. This
35 unit will connect to that existing transmission line. There will
36 only be a quarter of a mile additional transmission line, maybe
37 two structures, to connect it into the -- to the existing
38 transmission line.

39 This is -- this is a photo of that Phase 1 completed. We've
40 -- that's kind of redundant. We've already looked it.

1 This is a photo from the south looking north. This is the
2 existing plant. And this is the pad for the new facility.

3 This -- we broke ground on this in April.

4 This picture is about a week old.

5 These structures here are the air-cooled condensers that
6 remove excess heat from the working fluid after it's gone through
7 the process and produced electricity so that we can pump it back
8 into the process for a regeneration.

9 These are the only physical structures that we'll build for
10 Phase 2.

11 This is a -- these will both contain electrical switch gear
12 and control systems.

13 There will be no manning at this site. All the manning will
14 be at the -- at the adjacent Phase 1 facility.

15 This is a photo that was taken -- what? -- three days ago
16 showing the -- showing the relative proximity of the two projects
17 and showing how while -- while they still stand out when you come
18 up Grass Valley Road, they're still very noticeable. You know,
19 they don't rise to a -- they don't rise to the height of the
20 mountains. It's -- it is -- we've -- we've worked, done our best
21 to make sure that the colors try to blend in with the colors of
22 the -- of the countryside.

23 Let me point out one other thing. These facilities consume
24 no water. All the geothermal fluid that we produce is injected
25 right back into the ground where it flows through the faults in
26 the earth back to the production zone. And as it flows through
27 those faults, it picks up heat.

28 So this is a closed loop under the ground. And none --
29 none of that water that we produce is consumed.

30 There's a water tank right here that is for fire protection
31 systems. We purchase water and use that purchased water to fill
32 that tank.

33 COMMISSIONER MASON: What do you mean by that? You
34 purchase water from where?

35 RANDY PETERSON: Right now we purchase it from Jerry
36 Lancaster up at the Grass Valley Ranch.

37 COMMISSIONER MASON: So it's trucked in?

38 RANDY PETERSON: It's trucked in. Right.

39 COMMISSIONER MASON: Just for that? Just for fire
40 protection?

1 RANDY PETERSON: Just to keep it full.

2 COMMISSIONER MASON: How many gallons are in that tank?

3 RANDY PETERSON: I think that's a hundred-thousand gallon
4 tank there.

5 COMMISSIONER MASON: Pretty good size. Okay.

6 RANDY PETERSON: Okay. You know, you fill it up. And then
7 unless there's a fire, it pretty much just stays there. We also
8 haul in water into the cistern for the -- for the toilets and
9 sinks in the -- in the control room.

10 This is not potable water. We use bottled water for drinking
11 and cooking at the facility.

12 This shows one of the new pipelines. It's in construction.
13 This is not the pipeline in -- in question. This is one of the
14 injection lines down to the south.

15 But -- but I wanted to show you that -- that it's a -- it's
16 a solid steel pipe. We'll put about two inches of mineral wool
17 insulation over the outside of that for a combination of heat
18 conservation and personnel protection. But it's -- it's not a
19 complicated pipe.

20 The thing that makes it a bit complicated is that the
21 pipeline that runs along Grass Valley Road is, I think, nearly a
22 mile long? Yeah, nearly a mile long. And being made of steel,
23 as it -- as it heats up or cools off with -- if we put, you
24 know, if we shut down production and the line cools off, it will
25 contract. If we put it -- if we put it in production and it
26 heats up, it expands.

27 These indiv- -- these pipe supports allow for -- they're
28 sliding plate contacts. They allow the pipeline to expand and
29 move a short distance. But over -- over a mile, the -- this
30 pipeline will grow several feet as it expands. And we need --
31 we need someplace for that pipe to go. So we use expansion
32 joints.

33 If you've driven along Grass Valley Road, you've seen those
34 vertical expansion joints on the existing pipeline. And those
35 a- -- allow for that expansion without causing distortion or
36 causing stress on the -- on the pipe supports. We like to put
37 those -- we like to erect those pipe supports horizontally,
38 parallel to the ground. But in this case, along Grass Valley
39 Road, there was a large cultural site that the BLM said we
40 couldn't set a foot into.

1 So -- so we had to stay within the existing disturbance of
2 Grass Valley Road. And so we've -- we've -- we've inst- -- we
3 installed these pipelines at the extreme sides of the current
4 surface disturbance.

5 Here's the -- here's the issue. This piece of road right
6 here is about 3600 feet. There would be pipelines on either side
7 of Grass Valley Road. There is -- there is an existing roads that
8 turn off of Grass Valley Road on the -- and --

9 And on the east side we have existing egress point, points
10 where folks can -- can drive off the road if they need to. And
11 in fact, this road we'll discuss in a minute, runs all the way
12 down through the well field of the power plant and ties back
13 into Grass Valley Road.

14 There's a smaller road here that goes on top of this big
15 hill where there was some mine workings of some sort years and
16 years ago.

17 Theoretically, cross country travel could take you back to
18 a road that gets back up to the north here. But it's -- it's
19 not a good solution.

20 Another complication that we have here is that there's this
21 drainage that runs right through. And so that -- that makes off
22 road travel through this section kind of chancy, if -- if the soil
23 is wet.

24 So the constraints and considerations that we're talking
25 about. We talked about the cultural site. We can't -- we can't
26 disturb any soil beyond the existing road cut.

27 We talked about the drainage that would restrict off-road
28 travel. I said but -- to all but the most enthusiastic. Guys
29 could go through there no doubt, but sometimes are going to get
30 stuck.

31 The distance we measured -- we measured the distance
32 between those pipelines where they run parallel on both sides of
33 the road at 52 feet. So they're 52 feet of space between --
34 between the western side pipeline and the eastern side pipeline.

35 COMMISSIONER MASON: How much of it's paved? Or how much
36 of it is drivable?

37 RANDY PETERSON: Much of it is drivable. Bert, do you
38 remember?

39 COMMISSIONER MASON: Of the 52 feet?

40 BERT RAMOS: Twenty-four feet.

1 RANDY PETERSON: Twenty-four feet is. Twenty-four feet.
2 COMMISSIONER MASON: So basically two lanes.
3 RANDY PETERSON: Yes. Mm-hm.
4 One of the questions was: What happens if we push -- how do
5 we deal with snow removal?
6 We had our engineers do some calculations. And they said
7 snow could be pushed up alongside those pipelines on either side
8 without causing any damage.
9 COMMISSIONER MASON: So if you put in snow markers --
10 RANDY PETERSON: Yeah. Actually, it'd have to be a pretty
11 good snow storm for you to need snow markers. The pipelines are
12 this high off the ground or more in places. So I mean, we could
13 hope for that much snow.
14 COMMISSIONER MASON: No, I -- I was just thinking about the
15 --
16 RANDY PETERSON: Oh, you mean, snow markers for the paved
17 sections?
18 COMMISSIONER MASON: Yeah, --
19 RANDY PETERSON: Of course.
20 COMMISSIONER MASON: -- for the plow. For the plow to
21 follow.
22 RANDY PETERSON: Of course. Of course. Again, we can only
23 hope for that much snow.
24 COMMISSIONER MASON: Yeah. Okay. But it will happen.
25 RANDY PETERSON: Yeah.
26 COMMISSIONER MASON: Just when you least expect it.
27 RANDY PETERSON: Yeah.
28 This -- this shows -- this is the existing pipeline for Phase
29 1. And you can see these expansion joints that I've talked about.
30 And these run all the way from the power plant up to the -- to the
31 production well field.
32 And this one here is one -- it's that northernmost access
33 road that we looked at the other map. It runs up to the old
34 mining site.
35 Here's another photo you can see. This structure from --
36 from here to here -- so from here to here, center line on the
37 pipe, is 22 feet. So from the ground, this is probably close to
38 24 feet high. From here to here, center line on the pipes is
39 20 feet.
40 So I think the -- the passable space here between these

1 risers is about 14, 15 feet.

2 COMMISSIONER BULLOCK: Looks like the pipe's already been
3 hit.

4 RANDY PETERSON: It'll be -- they'll be dinged from time to
5 time.

6 So what we're -- what we're proposing is to add some
7 additional access or egress points to the -- to the new pipeline.
8 And we also want to -- to modify the existing road maintenance
9 agreement that we have with Lander County Roads to add -- to
10 facil- -- to fund some annual maintenance cost.

11 Right now we -- we pay for -- for maintenance cost when
12 there's drilling or construction going on with a lot of truck
13 traffic. We pay for -- we pay all of the cost for maint- --
14 maintaining Grass Valley Road up to that -- up to the plant
15 then.

16 CHAIRMAN GARNER: You do?

17 RANDY PETERSON: Mm-hm. Yeah. Yeah. When -- when -- when
18 we were drilling, we were paying the -- the -- we were paying
19 Bert directly or the county directly.

20 When -- when Phase 1 plant was under construction, we
21 actually used A & K Earth Movers. And we paid them directly to
22 maintain the road.

23 CHAIRMAN GARNER: Is that correct, Bert?

24 BERT RAMOS: Well, we did -- we got one payment from them
25 for the maintenance to start. I think we discussed this in the
26 past.

27 The A & K, I don't recall them blading from the road from
28 the beginning to the end. I believe they graded it just in your
29 guys' section where they were hauling from, from the pit to
30 the -- to the site. So the maintenance, I mean, it's --

31 CHAIRMAN GARNER: But wasn't the remaining of it never paid
32 for? What we billed?

33 BERT RAMOS: Yeah, there had been some serious confusion
34 with what department Ormat has. I don't know how many different
35 departments.

36 CHAIRMAN GARNER: But it's still never been paid; correct?

37 BERT RAMOS: The remaining? Yeah.

38 CHAIRMAN GARNER: Yeah.

39 RANDY PETERSON: All right, so what I need then, if there's
40 an outstanding balance, I just need an invoice. And I'll make

1 sure it's pushed through and paid. We can find no -- we can --
2 that -- that we -- in our system that we can find no outstanding
3 invoices.
4 And if -- if there is one, we just need to get it processed.
5 We'll verify it. And it will be paid.
6 This map shows where we had expansion loops on the -- on the
7 new pipeline.
8 These things vary between 240 feet and 350 feet apart all the
9 way up -- the -- the road section where the pipes run parallel.
10 Every one of these would be built so that a vehicle could --
11 could drive through, you could -- you could probably put a snow
12 plow through there and push snow out through in the middle if push
13 came to shove.
14 COMMISSIONER MASON: Well, it's just like this one.
15 RANDY PETERSON: Just like that one.
16 COMMISSIONER MASON: Every one of them?
17 RANDY PETERSON: Every one of them.
18 COMMISSIONER MASON: Okay.
19 RANDY PETERSON: Wherever the roads runs parallel -- I'm
20 sorry -- wherever the pipelines are parallel on either side of
21 the road, every one of these things looks just like that one in
22 photo you saw?
23 COMMISSIONER MASON: Those --
24 RANDY PETERSON: I think they're --
25 COMMISSIONER MASON: Those red dots --
26 RANDY PETERSON: Yes.
27 COMMISSIONER MASON: -- are the indicator for these
28 expansion overhead joints?
29 RANDY PETERSON: Mm-hm.
30 COMMISSIONER MASON: Okay. You've got two, four, six,
31 eight, ten, --
32 CHAIRMAN GARNER: It doesn't matter.
33 COMMISSIONER MASON: -- twelve, thirteen of them?
34 RANDY PETERSON: Thirteen.
35 CHAIRMAN GARNER: May I?
36 RANDY PETERSON: Yes.
37 CHAIRMAN GARNER: So if you have a tractor trailer that
38 crashes right here on March 15th and this is complete run off,
39 muddy marsh, he's blocking the road, how are you going to get
40 from here to there?

1 RANDY PETERSON: If he's -- if he's right there, -- if he's
2 right there, then I'm going to go up the road, turn out here,
3 and turn back in here.

4 CHAIRMAN GARNER: No. You're going to get medical from
5 town. How is medical going to get past the accident to the
6 wreck site of it if there's multiple -- if there's something
7 wrong at the plant and you have something stuck here, how are
8 you going to get across this stream out in the desert, which is
9 BLM sage grouse habitat, and you're going to get back in, how
10 are you going to maintain all this?

11 RANDY PETERSON: This is something we discussed in the
12 field. And if someone -- if someone -- in -- let's say it's
13 spring, and we're in the runoff, if you think you're going to
14 take a vehicle anywhere off the -- off the prepared surface of
15 the road, you're -- it's going to be a -- it's going to be a bad
16 -- a bad turnout, because you're going to go to the axles.
17 Anywhere where you turn off the prepared surface here,
18 especially out -- out in this area out in the sage. It's just
19 real clay soil.

20 CHAIRMAN GARNER: That's --that's our problem.

21 RANDY PETERSON: Yeah. The problem exists if it -- if a
22 semi jackknifed before the plant was ever built. If a semi
23 jackknifes across the prepared road surface in the springtime,
24 --

25 CHAIRMAN GARNER: No, you had shoulders. You could get
26 around on the shoulders.

27 RANDY PETERSON: Mm-hm. We still have shoulders.

28 CHAIRMAN GARNER: But the pipe's encroaching the shoulders.

29 RANDY PETERSON: There are fifty -- 52 feet less 24,
30 divide by two. So there's that much shoulder on either side.
31 Now theoretically, a legal -- a legal 40-foot semitrailer could
32 jackknife and pretty much block the whole thing.

33 CHAIRMAN GARNER: There's 53 plus tractors.

34 RANDY PETERSON: All right. So 53 plus tractor, yeah, he
35 could -- he could block the whole thing.

36 But if that happened before the plant were there or after
37 we take it -- after it's lived it's life and it goes away, it
38 still takes up all the -- all the drivable surface and leaves
39 you having to -- trying to go around in the cross country with
40 the -- with a vehicle that's going to get stuck, would be my

1 fear.

2 COMMISSIONER MASON: Walk me through this.

3 RANDY PETERSON: Mm-hm.

4 COMMISSIONER MASON: Let's say we have jackknife, whatever

5 the circumstance. I don't care what time of the year it is, --

6 RANDY PETERSON: Right.

7 COMMISSIONER MASON: -- because it could happen at any

8 time, --

9 RANDY PETERSON: Mm-hm.

10 COMMISSIONER MASON: -- what's your procedure?

11 RANDY PETERSON: Well, if there was a jackknife and the --

12 and it needed to be phoned into EMS and someone from the plant

13 knew about it, we would phone it. We would say, there's a

14 jackknife. There's a -- there's been an accident on Grass

15 Valley Road.

16 COMMISSIONER MASON: Okay.

17 RANDY PETERSON: It's just north of the power plant. And

18 so it would go to county EMS.

19 COMMISSIONER MASON: So do the -- do the local police come

20 out there at the same time, if that's -- if there's an accident

21 scene? I mean, who's called? Highway patrol? Who comes out?

22 RANDY PETERSON: I wouldn't know.

23 COMMISSIONER MASON: EMS. Well, what would you say, Brian?

24 RANDY PETERSON: Probably.

25 CHAIRMAN GARNER: That's irrelevant.

26 None of that matters. What matters is how are we going to

27 get access? This is our problem. We already have a pipeline on

28 one side. You're going to put another one on the other side.

29 You're going to put a 53-foot tractor trailer, which is up and

30 down that road numeral times a day.

31 As soon as snow hits, something happens there, somebody has

32 a heart attack at the plant, you're not getting to that plant.

33 RANDY PETERSON: Mm-hm.

34 CHAIRMAN GARNER: If we didn't have a pipeline in the way,

35 we could go around it. On --

36 RANDY PETERSON: Well, --

37 CHAIRMAN GARNER: -- the one way or one side or the other.

38 Now you're -- you're blocking us. Now you're entrapping us, of

39 which you're going to build us a loop so we can go out. You've

40 already said you can't go out that loop. And there's no way

1 you're going to go out that loop and get past the drainage
2 ditch. Well, even if did get out the loop and it's August and
3 it's hot, now you're into sage grouse habitat area. Now you're
4 into BLM. And you're not supposed to track and just take off in
5 the middle of nowhere to go around and make a loop. That's the
6 problem you're having is you don't want to go through the
7 permitting process to get BLM to allow you to put the pipe in
8 that area. We're going to be in same zone if we start running
9 emergency vehicles up and down in BLM's property.

10 RANDY PETERSON: Mm-hm.

11 CHAIRMAN GARNER: So now we've -- you've blocked us as an
12 emergency access from I-80 all the way down through a corridor
13 to Cortez mine, to all the ranches up there. Grass Valley Road,
14 that's an alternative access from -- all the way from Beowawe
15 down all the way through the valley.

16 RANDY PETERSON: I would think that the only place the
17 truck could jackknife, where that would -- where that scene
18 would play out would be right in the -- right in the drainage.

19 CHAIRMAN GARNER: But it doesn't matter. Either way.
20 Either way. It could happen.

21 RANDY PETERSON: It could happen.

22 CHAIRMAN GARNER: It could happen. And we're going to be
23 liable. How do -- are we going to get EMS there? How are we --
24 we're liable for public safety.

25 RANDY PETERSON: Mm-hm.

26 KYLE SNYDER: Kyle Snyder from Ormat.

27 Brian, can I ask you a question? Do you -- by saying that
28 you think that the sage grouse restrictions apply to you, that
29 would be if you were trying to permit an access, right? If you
30 were to drive off, I mean, it's public land. Anybody can go
31 drive off. We are held to a different standard.

32 CHAIRMAN GARNER: No, you're going to -- you're going to
33 track the road. You're going to track it. And you're going to
34 start a track. And then the next person wants to track it. You
35 can't just drive across the lands. If you're not on a 2477 road
36 or a county road, you're not supposed to go.

37 RANDY PETERSON: Mm-hm.

38 CHAIRMAN GARNER: So you're -- you're -- you're telling us
39 you're going to make us a loop, but yet, we can go ahead and go
40 out there and start making a road, but you don't want to.

1 RANDY PETERSON: No, we're not. We're prohibited from
2 doing that.

3 CHAIRMAN GARNER: We are too.

4 RANDY PETERSON: Okay. So -- but in the event of an
5 emergency, someone would do it, right? You would -- to
6 render --

7 CHAIRMAN GARNER: But that's what we're trying to prevent
8 is in the case of emergency, if there's not a pipeline on both
9 sides of the road, we don't have this problem.

10 RANDY PETERSON: Mm-hm. Well, there are 260 feet of
11 pipeline where -- 260 feet of open space on this pipeline
12 throughout the length -- where -- where -- where a large vehicle
13 could drive -- just -- just as it could today -- could drive out
14 around the accident and back onto the road. This is what would
15 happen if there were an accident entirely blocking the road.
16 Someone would drive off the --

17 CHAIRMAN GARNER: Right now.

18 RANDY PETERSON: -- shoulder. Someone would drive off the
19 shoulder and then around the wreck and then back up, if they had
20 to get there; wouldn't they? Well, but they do.

21 CHAIRMAN GARNER: You would go around it.

22 RANDY PETERSON: Around it on the shoulder?

23 CHAIRMAN GARNER: Yeah.

24 RANDY PETERSON: Then they could go around it on the
25 shoulder now.

26 CHAIRMAN GARNER: On the north side where there's no pipe.

27 RANDY PETERSON: Okay.

28 CHAIRMAN GARNER: You're -- by putting the pipeline in,
29 you're decreasing the amount of roadway space that we have.

30 RANDY PETERSON: What I'm saying is that there are 13 of
31 these loops --

32 CHAIRMAN GARNER: I understand.

33 RANDY PETERSON: -- where a person --

34 CHAIRMAN GARNER: And then you're going out into BLM sage
35 grouse prop -- land, property. And then you're starting another
36 trail, another track up on federal lands.

37 RANDY PETERSON: Mm-hm.

38 CHAIRMAN GARNER: Which are also sage grouse prime. So now
39 you're starting a road system, if you start going out and going
40 around, you're starting a road system.

1 RANDY PETERSON: Somehow I'm not -- I'm not understanding
2 the -- I'm not understanding your question. I apologize.

3 If -- if -- let's say that there were a semi-tractor
4 jackknifed right here?

5 CHAIRMAN GARNER: We cannot go out that hole.

6 RANDY PETERSON: Okay, what if the pipe --

7 CHAIRMAN GARNER: You could go --

8 RANDY PETERSON: What if --

9 CHAIRMAN GARNER: -- out that hole and stay on that line --
10 two track.

11 RANDY PETERSON: What if the pipe were not there?

12 COMMISSIONER BULLOCK: You'd go on the shoulder.

13 CHAIRMAN GARNER: You'd go on the shoulder.

14 RANDY PETERSON: Okay.

15 CHAIRMAN GARNER: But the pipeline's on our shoulder.
16 That's the problem.

17 RANDY PETERSON: The pipeline is all the way at the end, at
18 the edge of the shoulder on either side. It's within a foot of
19 the shoulder on either side.

20 CHAIRMAN GARNER: Exactly. If you have jackknifed semi,
21 you're going to be -- it's going to block the road to the
22 shoulder. That's where you have to go around it. Now you're
23 going go around it and you're right up against the pipe. The
24 pipe is right on the edge of the road way. If the pipe isn't
25 out across into the other easement. You follow me?

26 It's -- it's too narrow. It's too narrow. Once you put two
27 pipes in there, it's too narrow for public safety.

28 And I don't know if you've been traffic situations before,
29 but it -- that -- that can be a high-drifting area and that --
30 right in those facilities, it's high drifting when we have a lot
31 of snow.

32 RANDY PETERSON: Mm-hm.

33 CHAIRMAN GARNER: And if you get one stuck, the next one
34 comes along, he stops and hits the brake. And guess what? Now
35 you have a mess.

36 RANDY PETERSON: Mm-hm.

37 CHAIRMAN GARNER: Because they're both going to slide off.
38 It -- it becomes a huge problem with tractor trailers. And
39 there's a lot of tractor-trailer traffic on that road. There's
40 a lot of hay trucks. There's a lot of stuff that goes up and

1 down that road. If one stops and gets a little bit even
2 crooked, the next one hits his brakes. He's like, oh. Now you
3 have a convoluted mess of trucks. How are you going to get to
4 the other side of that for public safety?

5 RANDY PETERSON: I'm going to drive out that loop. I'm
6 going to drive along --

7 CHAIRMAN GARNER: Okay, that's what I'm --

8 RANDY PETERSON: -- the edge of the road --

9 CHAIRMAN GARNER: -- saying.

10 RANDY PETERSON: -- and drive into the next loop --

11 CHAIRMAN GARNER: And you've already said --

12 RANDY PETERSON: And continue on my way.

13 CHAIRMAN GARNER: You've already said that you wouldn't do
14 that.

15 RANDY PETERSON: I cannot do that.

16 CHAIRMAN GARNER: Okay, are going to take a truck, a semi,
17 or an ambulance when there's two feet of snow and go out that
18 loop and down around?

19 RANDY PETERSON: I wouldn't do that if the pipe weren't
20 there, because I'd get stuck immediately.

21 COMMISSIONER MASON: Understood.

22 CHAIRMAN GARNER: You -- you're not going to --

23 COMMISSIONER MASON: That's makes sense.

24 CHAIRMAN GARNER: -- you're not going to take an ambulance
25 out that loop and go down a nonexistent road. We will not allow
26 our ambulances to do that.

27 RANDY PETERSON: Okay. Would you allow them to go off --
28 off the existing cut and shoulder out into the sage brush to
29 bypass the jackknifed semi?

30 COMMISSIONER STIENMETZ: As long as he stayed on the
31 right-of-way.

32 CHAIRMAN GARNER: You mean on the shoulder?

33 RANDY PETERSON: No, we just discussed that the pipeline,
34 the road could be blocked including the shoulder.

35 CHAIRMAN GARNER: Exactly, if the pipeline wasn't there,
36 you would go to furthestmost point of the vehicle that's stuck or
37 crashed.

38 RANDY PETERSON: Mm-hm.

39 CHAIRMAN GARNER: You'd go to furthestmost point of it and
40 inch around it.

1 RANDY PETERSON: Yep.

2 CHAIRMAN GARNER: Now you have a pipeline in the way on
3 either side. So you can't go to north or south side of whatever
4 would be stuck and go around it. You are now completely blocked
5 because now you have walls on the side of you. And you have
6 something in the middle.

7 RANDY PETERSON: This is not a -- I don't know if I have --
8 No, I don't have another one.

9 COMMISSIONER MASON: Well, I think what he's saying --
10 well, he's an ambulance expert. I mean he was.

11 RANDY PETERSON: I -- I -- this is why coming to the
12 meeting really helps.

13 COMMISSIONER MASON: And -- and you can't take the
14 ambulance out there, is what you're saying.

15 CHAIRMAN GARNER: No, you cannot, in the middle of winter,
16 could not go out that loop and go down --

17 COMMISSIONER MASON: Right.

18 CHAIRMAN GARNER: -- and through the sage brush --

19 COMMISSIONER MASON: That's what he's saying.

20 CHAIRMAN GARNER: -- effectively. There's no --

21 RANDY PETERSON: I understand that.

22 COMMISSIONER MASON: So if you --

23 CHAIRMAN GARNER: And come back --

24 COMMISSIONER MASON: -- jackknife --

25 CHAIRMAN GARNER: -- through this one.

26 COMMISSIONER MASON: -- and you've --

27 COMMISSIONER STIENMETZ: Even in the summer you can't.

28 COMMISSIONER MASON: -- got your bumper to bumper from pipe
29 to pipe, you can't get around.

30 RANDY PETERSON: You couldn't get around otherwise, because
31 first, it's not a plowed road surface.

32 CHAIRMAN GARNER: Sure you could.

33 RANDY PETERSON: And secondly, you would be driving off the
34 shoulder. If it's pipe to pipe, there's no room for a vehicle
35 to pass.

36 This pipe you can see right there is the end of the
37 shoulder of the road. Right there, a foot away. So if
38 something's up against the pipe, it's taking all but one foot of
39 the shoulder. And then you're in the sage brush.

40 I'm saying, if -- if pipe or no pipe, if someone jackknifes

1 up to that extent right there, they're driving in the sage brush
2 to get around.

3 CHAIRMAN GARNER: But then you can go around the other
4 side.

5 RANDY PETERSON: You could still go around to the other
6 side.

7 COMMISSIONER MASON: Why couldn't you build that second
8 pipe right alongside the first pipe on the same shoulder.

9 RANDY PETERSON: Because then we get too close to the --
10 then we get too close to the traveled road surface.

11 COMMISSIONER BULLOCK: Okay.

12 RANDY PETERSON: We could have -- that was -- that was what
13 our engineers proposed at first.

14 COMMISSIONER BULLOCK: Did the engineers talk about
15 stacking them?

16 RANDY PETERSON: Vertically? One on top of the other?

17 COMMISSIONER BULLOCK: Yes, some places do it. It costs
18 more. But it can be done and it keeps that road free.

19 RANDY PETERSON: Mm-hm.

20 COMMISSIONER BULLOCK: Then you don't -- I mean you can
21 stack one on top of the other and build them. Then we don't
22 have this issue.

23 RANDY PETERSON: That's not the -- that's not the route
24 that we chose.

25 COMMISSIONER BULLOCK: I understand that.

26 I'm just saying that is a very viable option that should have
27 been addressed.

28 RANDY PETERSON: Understood.

29 COMMISSIONER MASON: I mean, you're going to have the
30 expense of putting the second pipe in on the west side. That's
31 what you want.

32 RANDY PETERSON: Right.

33 COMMISSIONER MASON: But what if we -- what if you put the
34 pipe in and stack it for a little extra expense, but you're --
35 get the same thing done.

36

37 (Lost telephonic connection with Austin.)

38

39 COMMISSIONER MASON: I mean you're aboveground. How can it
40 be that much more expensive to --

1 CHAIRMAN GARNER: Dave.
2 COMMISSIONER MASON: -- do it?
3 COMMISSIONER BULLOCK: Hold on.
4
5 (Dial tone from telephonic connection with Austin.)
6
7 COMMISSIONER MASON: I mean, it was just an observation.
8 COMMISSIONER BULLOCK: No, we just got to get Austin.
9 COMMISSIONER MASON: Oh, I see.
10
11 (Reconnecting with Austin.)
12
13 MITESHELL LANHAM: Commissioner's office.
14 MOLLY GONZALEZ: Hello, we lost you.
15 MITESHELL LANHAM: Okay.
16 FRANK WHITMAN: Hi, this is Austin. This is Frank Whitman
17 down in Austin.
18 I had just one question or comment. Is there -- I haven't
19 heard anybody discuss a speed limit through that 3600-foot area.
20 As I understand the laws of physics, the trucks cannot
21 jackknife at 20 miles per hour. Perhaps a speed limit, a
22 slowdown, a crawl of 15 or 10 might also mitigate the possibility
23 of something ever happening here. Has anybody considered or
24 looked at that aspect as part of the solution here?
25 COMMISSIONER MASON: The speed limit was my next question
26 but just hadn't gotten there yet.
27 CHAIRMAN GARNER: If the -- if the road's muddy, it doesn't
28 matter how fast you're going in tractor trailer. If you have a
29 full load on it and you get sucked over to -- because of the
30 convex of the road, if you get sucked to the shoulder, you're
31 going to go to the shoulder regardless of speed.
32 FRANK WHITMAN: I thought part of the deal is if we do
33 maintain that road there's a gravel base. I've never been out
34 there when it was a mud hole.
35 CHAIRMAN GARNER: It's maintained by the road department.
36 FRANK WHITMAN: And Bert does a hell of a good job. Like I
37 say, I've never seen a mud hole on that section at all.
38 RANDY PETERSON: Going back to your question, Commissioner
39 Mason, about stacking these. These pipe stands were engineered
40 to support this pipe.

1 COMMISSIONER MASON: Right.

2 RANDY PETERSON: They're not sup- -- they're not engineered
3 to support twice as much pipe. So we would have to go back, and
4 we would have to put new, stronger pipe supports in there.

5 COMMISSIONER MASON: You've got to put them in on the other
6 side anyway.

7 RANDY PETERSON: Right. But -- but what -- these -- these
8 are in place. If I were going to -- if I were going to add
9 another pipe to this, I would have to -- to either add
10 additional new pipe stands underneath this existing pipeline,
11 branch around it, and then put the support above. It would --
12 somehow I have to -- somehow the support structure has to get
13 around this existing pipeline. And this one is not strong
14 enough to do it.

15 So I have to drill new holes. And these holes are -- we
16 saw them. They're about ten feet deep. They're ten feet deep.
17 There's ten feet of -- twelve feet of pipe in there. Ten feet
18 above -- ten feet below ground, 2 feet above ground filled with
19 concrete.

20 And then -- and I have to do that with the pipe in place, in
21 the way. And I can't -- I can't bore holes and put those pipe
22 supports in with a -- with a pipe in the way.

23 COMMISSIONER MASON: How about on the extreme east side of
24 that pipe, drill your hole as close to this, the current pipe as
25 you can and then go up?

26 RANDY PETERSON: I'm all the way over. I'm all the way
27 over --

28 COMMISSIONER MASON: All right, do --

29 RANDY PETERSON: -- as far as I can go.

30 COMMISSIONER MASON: -- it on this side. That would still
31 leave our road open on the other side.

32 RANDY PETERSON: That was -- that was again encroaching on
33 the traveled surface.

34 COMMISSIONER MASON: Well, it's better than what we're
35 suggesting otherwise that you, you know, you've got both sides
36 of the road blocked.

37 RANDY PETERSON: Mm-hm.

38 COMMISSIONER MASON: And it certainly could be engineered.
39 I mean, I don't know, as far as insulating this current pipe,
40 you've got to insulate the new one also?

1 RANDY PETERSON: Correct.

2 COMMISSIONER MASON: Okay, so you've got to have

3 maintenance room between the two --

4 RANDY PETERSON: Mm-hm.

5 COMMISSIONER MASON: -- or you stack them. And you have

6 maintenance room one above the other.

7 I -- I know it can be engineered. It's just, you know, what

8 are you willing to talk about here?

9 RANDY PETERSON: Mm-hm.

10 COMMISSIONER MASON: This is a community road. I mean,

11 even though right now, you're probably one of the few traffic

12 disbursements on the road. But it's still goes all the way up

13 to, you know, it's a road to be traveled.

14 RANDY PETERSON: Right.

15 COMMISSIONER MASON: I think you're going to have to look

16 at the fact that we want these pipes on one side.

17 RANDY PETERSON: Mm-hm.

18 CHAIRMAN GARNER: Well, as far as I understand, the road --

19 the pipe is already being built on the other side.

20 RANDY PETERSON: It is.

21 COMMISSIONER MASON: Oh, you're already in construction.

22 RANDY PETERSON: Mm-hm.

23 COMMISSIONER BULLOCK: Without having an encroachment

24 agreement?

25 RANDY PETERSON: Right.

26 COMMISSIONER BULLOCK: Boy.

27 So in other words, you'll just put us in a new road.

28 RANDY PETERSON: How is that?

29 COMMISSIONER BULLOCK: Well, you're -- you're -- you're

30 encroaching on our road without our permission.

31 RANDY PETERSON: Mm-hm.

32 COMMISSIONER BULLOCK: So either -- you know, when we deal

33 with this in -- in -- with Cortez Hills out there, they provide

34 a new road. If they want where we're at, they provide us a new

35 road. So I mean, the alter- -- I guess what I'm saying, you

36 want this and you're bound and determined, put us in a new road.

37 Go to BLM, whatever you got to do and put us in a new road.

38 Otherwise, I'm not in agreement of having pipes on both sides and

39 having that encroachment.

40 RANDY PETERSON: I see.

1 COMMISSIONER MASON: This is a long-term thing. We got --
2 we got things that could happen ten, fifteen years could come
3 back to this.

4 RANDY PETERSON: Yep.

5 COMMISSIONER WAITS: I have the same concern that -- that I
6 voiced in the previous meetings and that's according to the
7 ordinance, if indeed they meet the conditions, that the
8 encroachment permit shall be issued.

9 And we brought that up.

10 RANDY PETERSON: Would you read the -- the -- the rest of
11 the text, please, Commissioner? So that -- so that I know
12 what you're -- what you're talking about?

13 COMMISSIONER WAITS: No, I'm not reading the text.

14 RANDY PETERSON: Oh, I see.

15 COMMISSIONER WAITS: I'm saying, this is what I said
16 previously at the other meetings --

17 RANDY PETERSON: Okay.

18 COMMISSIONER WAITS: -- that my concern was when you were
19 asking for an encroachment permit that the ordinance allowed --
20 allowed us -- we shall issue that if you met certain consider.

21 RANDY PETERSON: Right.

22 COMMISSIONER WAITS: And that was my concern at the last
23 meeting. And the district attorney took a look at that. And --
24 and we didn't have any legal opinion one way or another on it.
25 But that was how it read.

26 And so that's been one of my concerns of -- at this point
27 whether we truly can turn it down.

28 RANDY PETERSON: Well, --

29 CHAIRMAN GARNER: There's other criteria though. But
30 before the criteria, there was no pipeline. Now there is a
31 pipeline in the criteria.

32 There was no previous pipeline.

33 COMMISSIONER WAITS: And I understand that situation. And
34 I also understand all the things that we've brought up.

35 But the -- the one concern that we -- we haven't addressed
36 yet was our liability if indeed we should hit one of these --

37 CHAIRMAN GARNER: I got a --

38 COMMISSIONER WAITS: -- one of these pipelines.

39 CHAIRMAN GARNER: I'm going to call a legal.
40 Everybody needs to leave, please.

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(Break taken between 12:00 p.m. and 12:12p.m.)

CHAIRMAN GARNER: Good? Do you guys have anything else for us?

RANDY PETERSON: I have a few more slides, but it probably doesn't matter.

CHAIRMAN GARNER: Okay.

We thank you for your time. We're going to move on. Do you want to make a motion?

COMMISSIONER BULLOCK: Yeah, I'd like to make a motion that we do not approve the encroachment of the road re- -- on the Grass Valley Road because of Lander County Code Section 12.06040 Subsection C.

COMMISSIONER STIENMETZ: And I'll second that motion.

CHAIRMAN GARNER: Any public comment?

(No comment.)

CHAIRMAN GARNER: All those in favor?

COMMISSIONER MASON: Aye.

CHAIRMAN GARNER: Aye.

COMMISSIONER STIENMETZ: Aye.

COMMISSIONER BULLOCK: Aye.

CHAIRMAN GARNER: Thanks, guys.

RANDY PETERSON: An objection, and they didn't write it down.

COMMISSIONER BULLOCK: Got an opposed.

RANDY PETERSON: Thank you.

CHAIRMAN GARNER: All those opposed?

COMMISSIONER WAITS: No.

CHAIRMAN GARNER: You are opposed?

COMMISSIONER WAITS: I oppose.

COMMISSIONER BULLOCK: Thank you.

COMMISSIONER STIENMETZ: Thank you.

RANDY PETERSON: Thank you.

1 COURTHOUSE/ADMINISTRATION BUILDING PROJECT

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

7 CHAIRMAN GARNER: Nineteen, discussion for possible action
8 regarding the status of the Lander County courthouse/
9 administration building project, and other matters properly related
10 thereto.

11 COMMISSIONER STIENMETZ: If you haven't been out there, you
12 should go out there and see the hole in the ground.

13 CHAIRMAN GARNER: It's huge.

14 COMMISSIONER STIENMETZ: It's huge. (Indiscernible.) And
15 they filled it back up.

16 COMMISSIONER BULLOCK: Filling it back in now.

17 CHAIRMAN GARNER: Yeah.

18 COMMISSIONER STIENMETZ: They've got it just about filled
19 back up. The only place they've got down is where the elevator
20 goes, the basement portion of it.

21 COMMISSIONER MASON: There we go. It's looking good. It's
22 the same picture we saw last time.

23 COMMISSIONER BULLOCK: Look behind you.

24 COMMISSIONER MASON: Except there's a big hole in the
25 ground.

26 JUDGE MAX BUNCH: For the record, Max Bunch.

27 Just to kind of bring you updated. This is the -- the option
28 that the commission chose. It's a bigger blowup of that.

29 And it says that we chose it sometime around in
30 September 2013.

31 And so what we're -- what we're looking at is that we put up
32 a mock block and wall on this building over by CORE's office. And
33 when that happened, it didn't look like -- like the picture looks.

34 It -- to me, it looked a little more just like regular cinder
35 block. And so I called and I talked to Angela and Brad and
36 they've assisted me in getting a rush order done on some other
37 block. We've talked about adding more cinders, black cinders to
38 the -- to the gray block.

39 This is kind of what they -- is it called Sedona red on the
40 top?

1 ANGELA BIGOTTI: Yes. It's very close to it.

2 JUDGE MAX BUNCH: Okay. So it's some kind of Sedona red
3 that's up there. And then -- and then on this gray block down
4 here, --

5 CHAIRMAN GARNER: Do they want us to change it?

6 JUDGE MAX BUNCH: -- we're looking at potentially putting
7 in some more -- there's two or three options, some black cinders
8 into the gray brick that we have. And it's been cut, so it
9 really looks nice on there.

10 And so -- and then, we've got the white stucco in the -- in
11 the middle there that we're trying to pick out what shade of white
12 we're going to go with for that.

13 I know that when we originally started this, it was
14 requested that we look at earth tones.

15 And so that's kind of where we're -- where we're at at this
16 point. This here's a bigger blowup. And I think CORE's
17 provided this for me -- for us to be able to have a look at. So
18 that is looking very good.

19 So we're trying to -- we're trying to get this block
20 picked. So I'm going to ask the commissioners to, after your
21 meeting today, if you'd go over to CORE's office on Carson
22 Street across from Haney's Furniture, you'll see three block
23 walls up. They've got some mock walls up and so that we can
24 kind of look at it.

25 And I'm not sure. I don't -- because it's -- it's not a
26 meeting, so can I ask them just color? Or can they write down,
27 like if we put a number on a wall, and they can kind of have a
28 consensus on that or not?

29 CHAIRMAN GARNER: We can tell him and he can tell you.

30 JUDGE MAX BUNCH: You can tell the manager?

31 CHAIRMAN GARNER: He can ask us.

32 JUDGE MAX BUNCH: Okay. So -- that's fine. I just think
33 that we need to kind of come to a consensus. And he can -- you
34 guys can go tell him individually what you're looking at. And
35 then hopefully we have a choice, and we can -- we have to get
36 this block ordered. And it's very crucial to getting this done.
37 We've got a five-week -- five- to six-week lead time on this.
38 And we will be out of the ground putting that block in
39 potentially on the schedule in four weeks.

40 So --

1 COMMISSIONER MASON: I -- I know this isn't final, but
2 you've seen all three?

3 COMMISSIONER STIENMETZ: He's asking you to go look at all
4 three of them and see which one you like.

5 COMMISSIONER MASON: I know. I want -- but you've carried
6 us this far. I want to know what your opinion is of one, two,
7 and three.

8 JUDGE MAX BUNCH: Well, I don't know right yet, because --

9 CHAIRMAN GARNER: He can't, Dave. I'll just stop that
10 right there.

11 COMMISSIONER MASON: That's fine.

12 JUDGE MAX BUNCH: So what we did is we brought in some
13 block sealer. That's been applied this morning. They got a
14 special order in. Casey went to Elko, picked it up yesterday,
15 got it back, because it comes from Back East someplace, this
16 special sealer.

17 There's a couple of other things that we're looking at to
18 try and darken up the bottom a little bit from, because the
19 bottom on the gray actually just kind of looked like cinder
20 block from a distance. If you walk up to it, it looks nice.
21 But if you look at it from a distance -- and that's what we want
22 people to do is look at it from a distance, not up close. I
23 mean, you can look up close, walk back and then kind of see
24 where you're at.

25 So that's an urgent item that we need to have done as soon
26 as we can.

27 Just to give you some more information, the structural fill
28 is going on at this time. We have taken it all the way down.
29 We've got it almost -- yesterday as of the end of our meeting,
30 about 3:30 yesterday, we went over there and took a look at it.
31 And they have it almost all the lifts all the way up to where
32 we're going to be at ground level where we can start doing what
33 we need to do.

34 The basement dewatering. We've had to dewater. We know
35 there was water there. At a certain point, with all our bore
36 logs when we originally started this. So the dewatering is
37 going to be completed tomorrow. And that's for the area where
38 we're going to be putting in the pump and -- because we have a
39 pump process.

40 We had some questions on -- on whether the water table was

1 going to come up. The -- the engineer; CFA; and Pezonella, the
2 geotech company that originally did our bore drillings for us,
3 have looked at the hundred-year study of where the water level is.
4 And we're still going to be approximately three feet above the
5 highest point. The basement slab will be three feet above the
6 highest point.

7 If it comes up higher than that, we do have pumps in -- in
8 the basement and at the elevator shaft to make sure that it --
9 that it's not going to get up there. So we have the back-up
10 plan that's already in place that we're putty in. And that was
11 part of the bid that we were originally working on.

12 COMMISSIONER MASON: So we put in the sump pumps that
13 aren't being used. How often are they being inspected? I mean,
14 how do we know that they're going to work?

15 JUDGE MAX BUNCH: I believe that they have -- when this
16 building's done, they're going to give us a maintenance --

17 COMMISSIONER STIENMETZ: Schedule.

18 JUDGE MAX BUNCH: -- plan for the whole entire building.

19 COMMISSIONER MASON: Thank you.

20 JUDGE MAX BUNCH: So hopefully, we'll have all that. The
21 basement footings are scheduled to begin next Tuesday and
22 Wednesday.

23 And that's about everything that I have for an update --

24 CHAIRMAN GARNER: Okay.

25 JUDGE MAX BUNCH: -- for everybody. Good? Any questions?

26 COMMISSIONER STIENMETZ: Nope. Thanks, Max.

27 CHAIRMAN GARNER: Thanks, Max.

28 COMMISSIONER WAITS: Thank you.

29 JUDGE MAX BUNCH: So I'll meet everybody over there
30 afterwards.

31

32

33 **COMMISSIONERS**

34

35 **20) Correspondence/reports/potential upcoming agenda items.**

36

37 CHAIRMAN GARNER: Twenty. Correspondence, reports, and
38 potential upcoming agenda items.

39 COMMISSIONER WAITS: I think --

40 CHAIRMAN GARNER: (Indiscernible.)

1 COMMISSIONER WAITS: We didn't have anything on the
2 correspondence. But I did have a question on if there's
3 anything we can do on the ranchers to put it on, what we might
4 be able to do --

5 CHAIRMAN GARNER: I don't --

6 COMMISSIONER BULLOCK: We need to put it on. We'll discuss
7 it.

8 COMMISSIONER STIENMETZ: Yeah, put it on the agenda so we
9 can discuss it next time.

10 CHAIRMAN GARNER: Yeah. Yeah. We can put it on. As to
11 what we can do, I mean, our hands are kind of tied.

12 COMMISSIONER WAITS: We can talk about it, and we're
13 just -- can't do anything today unless you can personally. But
14 if we put it as an agenda item.

15 CHAIRMAN GARNER: Mm-hm.

16
17 (No correspondence was received)

18
19
20 **PUBLIC COMMENT**

21
22 CHAIRMAN GARNER: Public comment for non-agendized items
23 only.

24 Do we have any?

25 What's that?

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28 **ADJOURNMENT**

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30 COMMISSIONER BULLOCK: Motion to adjourn.

31 COMMISSIONER STIENMETZ: Second.

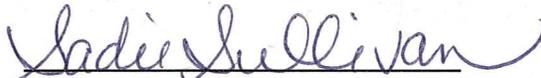
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**CHAIRMAN OR VICE CHAIRMAN OF THE
BOARD OF LANDER COUNTY
COMMISSIONERS AND THE LANDER
COUNTY LIQUOR BOARD**

ATTEST:



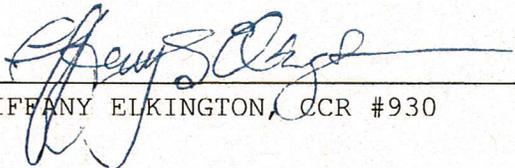
LANDER COUNTY CLERK

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

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF ELKO)
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8 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
9
10 CERTIFY THAT I WAS PRESENT IN THE COMMISSION CHAMBERS OF THE
11
12 LANDER COUNTY COURTHOUSE IN THE STATE OF NEVADA, ON THE 24TH
13
14 DAY OF JULY 2014, AND REPORTED THE FOREGOING PROCEEDINGS;
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16 THAT THE SAME IS FULL, TRUE, AND CORRECT AS REFLECTED BY MY
17
18 ORIGINAL MACHINE SHORTHAND NOTES TAKEN AT SAID PLACE AND TIME
19
20 BEFORE THE HONORABLE BOARD OF LANDER COUNTY COMMISSIONERS.
21
22

23 DATED AT SPRING CREEK, NEVADA,
24 THIS 7th DAY OF AUGUST 2014.
25

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28 _____
29 TIFFANY ELKINGTON, CCR #930
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