

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on June 13, 2013 at 9:00 a.m.

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

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

**9:00 A.M.**

Chairman Bullock called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Commissioner Bullock led the Pledge of Allegiance.

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

**APPROVAL OF AGENDA NOTICE**

The Notice of Posting was reviewed and found to be in order. Commissioner Stienmetz moved to approve the Notice of Posting. Seconded by Commissioner Mason.

Rogene Hill, Finance Director, stated there was a correction on item #2. The Resolution reads 2013-04, but should read as 2013-08.

Commissioner Stienmetz amended his motion to approve the Notice of Posting as corrected. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

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Prepared By: Cathy Myers, Deputy Clerk

## **APPROVAL & ACCEPTANCE OF MINUTES**

**MAY 9, 2013 – REGULAR SESSION**

**MAY 20, 2013 – SPECIAL SESSION**

**MAY 23, 2013 – REGULAR SESSION**

Commissioner Stienmetz moved to approve the May 9th regular session minutes, May 20th special session minutes, and May 23rd regular session minutes.

Commissioner Waits stated the May 23<sup>rd</sup> minutes needed to be corrected to take May 9<sup>th</sup> off under *Approval and Acceptance of Minutes*.

Cathy Myers, Deputy Clerk, explained the minutes follow the agenda, but the May 9<sup>th</sup> meeting minutes were not approved in the motion of the May 23rd meeting.

Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

## **COMMISSIONER REPORTS**

Commissioner Mason reported on a letter he received regarding someone wanting to give an easement to the County. He also reported on his attendance of the Planning Commission meeting.

Commissioner Waits reported on two conference calls she had regarding the BLM Resource Management Plan. She also reported on her attendance of the Pure Exchange conference, touring the Idaho National Laboratory.

Commissioner Mason stated the Planning Commissions would like to have a joint meeting on the 10<sup>th</sup> or 11<sup>th</sup> of July. He suggested Wednesday July 10<sup>th</sup> at 5:00 p.m. The Board agreed that day and time would be fine.

Commissioner Stienmetz reported on his attendance of the Emergency Prepared Conference, the Hospital Board Trustee Symposium, and will be traveling to the Central Nevada Regional Water Authority meeting.

Commissioner Bullock reported on his attendance of the LEDA meeting and the FIND Project.

## **PAYMENT OF THE BILLS**

Jane Bianchi presented the Board with the bills to be ratified.

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## **HEALTH PROMOTIONS**

Commissioner Stienmetz moved to approve check #44584 in the amount of \$3,057.00 to Health Promotions. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

## **J-U-B ENGINEERS**

Commissioner Stienmetz moved to approve check #44555 in the amount of \$7,819.22 to J-U-B Engineers, Inc. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

## **BATTLE MOUNTAIN AUTO SUPPLY INC.**

Commissioner Stienmetz moved to approve check #44599 in the amount of \$99.44 to Battle Mountain Auto Supply. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Commissioner Stienmetz moved to approve the submitted expenditures in the amount of \$682,019.75 from check #44628 through #44754. Seconded by Commissioner Mason, the motion was voted and carried with Commissioner Waits abstaining from the vote on check #44748 and Commissioner Bullock abstaining from the vote on check #44655. **APPROVED**

## **PAYROLL CHANGE REQUEST**

1. Employee Change Request for Employee #1236, New Hire, 2<sup>nd</sup> Year Life Guard – Battle Mountain, \$8.50 per hour, effective May 27, 2013.
2. Employee Change Request for Employee #1434, New Hire, 3<sup>rd</sup> Year Life Guard – Battle Mountain, \$8.75 per hour, effective May 27, 2013.
3. Employee Change Request for Employee #1118, New Hire, Water Safety Instructor – Battle Mountain, \$9.50 per hour, Effective May 27, 2013.
4. Employee Change Request for Employee #1247, New Hire, 2<sup>nd</sup> Year Lifeguard – Battle Mountain, \$8.50 per hour, effective May 27, 2013.
5. Employee Change Request for Employee #1393, New Hire, 2<sup>nd</sup> Year Lifeguard – Battle Mountain, \$8.50 per hour, effective May 27, 2013.
6. Employee Change Request for Employee #1379, New Hire, 2<sup>nd</sup> Year Lifeguard – Battle Mountain, \$8.50 per hour, effective May 27, 2013.

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7. Employee Change Request for Employee #1318, New Hire, Water Safety Instructor – Battle Mountain, \$9.50 per hour, effective May 27, 2013.
8. Employee Change Request for Employee #1435, New Hire, 2<sup>nd</sup> Year Lifeguard – Battle Mountain, \$8.50 per hour, effective May 27, 2013.
9. Employee Change Request for Employee #1288, New Hire, Water Safety Instructor – Battle Mountain, \$9.50 per hour, effective May 27, 2013.
10. Employee Change Request for Employee #1310, New Hire, 2<sup>nd</sup> Year Lifeguard – Battle Mountain, \$8.50 per hour, effective May 27, 2013.
11. Employee Change Request for Employee #1342, New Hire, Justice Court Clerk I/II, \$12.90 per hour, effective June 10, 2013.
12. Employee Change Request for Employee #1187, New Hire, Part-Time Janitorial, \$11.03 per hour, effective June 10, 2013.
13. Employee Change Request for Employee #2026, Promotion, Office Administrator, \$3,975.70 bi-weekly, effective May 27, 2013.

Commissioner Stienmetz moved to approve the Payroll Change Requests for the listed employees. Seconded by Commissioner Waits, the motion was voted and carried.

**APPROVED**

#### **PUBLIC COMMENT**

No Public Comment.

#### **FINANCE**

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts, Financial Update & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, updated the Board on the contract with Bank of America. She asked for the transferring of funds to be read into the minutes, and explained the reason for the transfer of fund. Ms. Hill also updated the Board on accounts receivable, and informed the Board on a letter received from the BLM regarding contract issues with the Kingston Landfill.

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Commissioner Waits moved for the Commission to move \$568,430.00, which is a credit, from Community Grants 025-000-5995 to Fixed Assets, which is a debit, 025-000-54010. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

- 2) **Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2013-04, A Resolution Directing Apportionment Of Net Proceeds Received On June 3, 2013 & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, updated the Board that the Net Proceeds have been received in the amount of \$48,341,558.45. The mandated amount is \$23,730,875.78. The Commission fees for the general fund, which is 3%, is \$1,450,246.75, Assessor's Tech fees \$966,831.17, China Springs \$13,659.00, State Medical Indigent \$994,089.00, State Indigent NACO \$227,654.00, Capital Acquisition \$455,308.00, Landfill \$1,443,326.00, and Hospital \$7,366,199.01, and School District \$10,813,562.85. The Net Proceeds left \$24,610,682.65 for Discretionary which all went to CCP Fund 55 to cover the projects of 2013-08.

Commissioner Waits moved for the Commission to approve and adopt the Resolution 2013-08, directing apportionment of the Net Proceeds of Mineral Taxes received on June 3, 2013 in the amount of \$48,341,558.45 and to allocate the Lander County portion in that amount of \$30,161,796.59 to the appropriate funds as designated in the Resolution. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 3) **Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2013-06, A Resolution Setting The FY 2013-2014 Tax Rate For The Cooperative Extension (Agricultural Extension) & Other Properly Related Thereto:** Rogene Hill, Finance Director, informed the Board this is done every year when the tax rate is over one cent.

Commissioner Stienmetz moved for the Commission to approve Resolution number 2013-06, a Resolution of the Board of Lander County Commissioners setting the fiscal year 2013-2014 tax rates for supplement for support of the Cooperative Extension (AG Extension) Fund at 0.0150 per \$100.00 of assessed value excluding the Net Proceeds of Mineral Tax. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

## **BUILDING**

- 4) **Discussion For Possible Action Regarding Operations & Projects For The Building Department & Other Matters Properly Related Thereto:** Anna Panola, Building Department, updated the Board on the permits issued, the ongoing projects, future

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projects, and what is being done in the Southern County for May 2013. Ms. Penola also informed the Board that FEMA will be having a Community meeting on July 9<sup>th</sup> at the Civic Center to discuss flood insurance. **UPDATE**

#### **ENGINEER**

- 5) **Discussion For Possible Action Regarding Operations & Projects Of The Lander County Engineer & Other Matters Properly Related Thereto:** Mark Brethauer, County Engineer, updated the Board on all the projects that will be going on in the County and provided a schedule for each project. He also provided the Board with proposed plans for the back nine holes of the Golf Course. **UPDATE**

*Commissioner Bullock moved to item #11 at this time.*

#### **ROAD & BRIDGE SOUTH**

- 6) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, updated the Board on the Gold Park Project and the NV Energy Building issue.
- 7) **Discussion For Possible Action Regarding Award Of Bid For The Used Reach Fork Lift For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, explained they need to re-advertise because Cashman pulled their bid, due to the fork lift being sold out from under the salesman, and all the other bids were over the budget. **NO ACTION**
- 8) **Discussion For Possible Action Regarding Award Of Bid For The Used Four-Wheel Drive Loader For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, recommended PAPE Machinery, which is a John Deere in the amount of \$149,600.00, to the Board.

Commissioner Stienmetz moved for the Board to award the bid to PAPE Machinery, in the amount of \$149,600.00 for the four-wheel drive loader. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

- 9) **Discussion For Possible Action Regarding Award Of Bid For The Paving For Austin Road Maintenance Project & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, informed the Board they came in half of the estimated price. Mr. Ramos

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recommended the award of bid to the alternate, SNC (Sierra Nevada Construction) in the amount of \$839,007.00.

Commissioner Stienmetz moved for the Commission to award the bid to SNC - Sierra Nevada Construction in the amount of \$839,007.00. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

## **ROAD & BRIDGE NORTH**

- 10) Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge North Department & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North, updated the Board on the upcoming residential town clean up from June 22<sup>nd</sup> through June 30<sup>th</sup>. Mr. Negro updated the Board on the Willow Creek Project, his meeting with Hunewill regarding Appaloosa Road. He also discussed Skyline Road and its issues and he will be doing some chip sealing.

John Fuller questioned when paving would be done on Second Street.

Mr. Negro stated he would not be doing any in town paving this year, but hopefully next year. **UPDATE**

## **PUBLIC WORKS**

- 11) Discussion For Possible Action Regarding Operations & Projects For The Public Works Department & Other Matters Properly Related Thereto:** Jake Edgar, Public Works Director, stated Mark Brethauer, County Engineer, covered what he planned to report. Mr. Edgar did state he did move his office into the shop. **UPDATE**
- 12) Discussion For Possible Action Regarding Award Of Bid For The Utility Trailer For The Public Works Department & Other Matters Properly Related Thereto:** Jake Edgar, Public Works, stated Utility Truck Equipment, from Boise, Idaho, met all the specification and the total price is \$11,455.00. Mr. Edgar recommended the Board award the bid to Utility Truck Equipment.

Mr. Edgar asked if he should set up a meeting with Commissioner Bullock, the golf course staff, and himself to discuss the issues at the golf course.

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Commissioner Bullock said there are a lot of issues and the new greens are dying. He feels the staff at the golf course needs to get some training on how to care for the golf course or they need to change the staff.

Commissioner Stienmetz moved for the Commission to approve the purchase of the utility trailer as the low bid for \$11,455.00 to Utility Truck Equipment Sales. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

There was discussion on the possibility of paving the radio control runway.

Mr. Negro said they are looking into building a new shop.

#### **DISTRICT ATTORNEY**

- 13) **Discussion For Possible Action Regarding Approval Of Application For Assistance Number 13-VA-03 In An Amount Not To Exceed \$1,000.00 In Accordance With The Lander County Aid To Victims Of Sexual Assault Or Abuse Code Chapter 8.24 & Other Matters Properly Related Thereto:** Nicole Ting, Deputy District Attorney, explained the Board had two of these a few meetings ago, and the amount is up to \$1,000.00.

Commissioner Stienmetz moved for the Board to approve the application for assistance number 13-VA-03 in an amount not to exceed \$1,000.00 in accordance with the Lander County Aid to Victims of Sexual Assault or Abuse Code Chapter 8.24. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

#### **COMMISSIONERS**

- 14) **Discussion For Possible Action Regarding Update On The Status Of Task 1 Of The Lander County Minor Road Mapping Project & Other Matters Properly Related Thereto:** Jim McGuire, Summit Engineering, updated the Board on the completion of Task 1 of the Lander County minor road mapping. They mapped 175 individual roads totaling to 330 miles.

Tom Gallagher, Summit Engineering, explained they used federal standards when creating the map, and when the map is done it will be submitted to the state. He also stated this task had 30% more work completed and they completed within the budget.

Ray H. Williams Jr., Public Lands Board Chairman, stated there is a different designation on this route then what is on the recognized County Road Map. Mr. Williams

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commented on the County maintaining the forest roads and they should be included on the map.

There was also discussion that Lander County Roads are required to be 60 feet wide.

**UPDATE**

- 15) Discussion For Possible Action Regarding Task Order No. 83-12-047-030 Between Lander County & J-U-B Engineers, Inc., In An Amount Not To Exceed \$15,000.00, For General Engineering Services For The Battle Mountain Airport & Other Matters Properly Related Thereto:** J.D. Heithoff, J-U-B Engineers, explained this task order includes the emergency fuel leak at the Battle Mountain Airport, the selection of the Lander County Engineer, and for providing additional assistance to the County Engineer in relation to the FAA items through the remainder of 2013.

Commissioner Stienmetz moved for the Commission to approve the execution of Task Order No. 83-12-047-030 in an amount not to exceed \$15,000.00, for general engineering services for the Battle Mountain Airport. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 16) Discussion For Possible Action Regarding Task Order No. 83-12-047-040 Between Lander County & J-U-B Engineers, Inc., In An Amount Not To Exceed \$1,287.68, For General Engineering Services For The Kingston Airport & Other Matters Properly Related Thereto:** J.D. Heithoff, J-U-B Engineers, explained this is for the advisement role of capacity for the Kingston Helipad. This included the procedures and methods for Mr. Anderson to go about getting thing coordinated with the State, the FAA, Commissioner Waits, and Lander County.

Commissioner Bullock stated this comes as a shock to him because it was his understating the Board never agreed to do anything with a helipad in Kingston.

*Commissioner Bullock opened item #17 at this time to discuss both items #16 and #17 together.*

Commissioner Stienmetz moved for the Commission to deny Task Order No. 83-12-047-040 between lander County and J-U-B Engineering, Inc., in an amount not to exceed \$1,287.68, and they should submit it to the Town of Kingston. Seconded by Commissioner Mason, the motion was voted and carried. **DENIED**

- 17) Discussion For Possible Action Regarding Action Regarding Task Order No. 83-12-047-050 Between Lander County & J-U-B Engineers, Inc., In An Amount Not To Exceed**

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**\$22,297.17, For Helipad Siting For The Kingston Airport & Other Matters Properly Related Thereto:** Commission Waits explained it was her understanding that Tom Anderson thought, because Mr. Heithoff was a County Airport Engineer, that he was on a retainer. Commissioner Waits also explained they had not planned to do anything.

J. D. Heithoff, J-U-B Engineers, stated he understands and they are just requesting consideration for item #16. Item #17 was for the siting process, but Mr. Heithoff did not expect approval.

The Board discussed Kingston paying for the advisement out of their own pocket.

Commissioner Stienmetz moved for the Commission to deny Task Order No. 83-12-047-050 between Lander County and J-U-B Engineers Inc. in an amount not to exceed \$22,297.17. Seconded by Commissioner Mason, the motion was voted and carried.

**DENIED**

- 18) Discussion For Possible Action Regarding Approval/Disapproval Of The Professional Services Agreement Between Lander County & J-U-B Engineers, Inc., In An Amount Not To Exceed \$35,604.00, For A Water System Feasibility Study For The Battle Mountain Airport & Other Matters Properly Related Thereto:** J.D. Heithoff, J-U-B Engineers, explained they have been request by Jake Edgar, Public Works Foreman, to provide a proposal for the Water System Feasibility Study for the Battle Mountain Airport and Race Track area. This study will evaluate the current system and provide alternatives and the cost of design.

Mark Brethauer, County Engineer, explained Mr. Edgar's concerns with the overlapping in the Master Plan.

Commissioner Bullock said he though Shaw Engineering did a feasibility study on this last year. He asked if this was budgeted for, to which Rogene Hill, Finance Director, answered no.

Karla Harless, Harless Aircraft Services, explained they have had several water line breaks out at the airport. She explained there is a lot of sand and smells.

There was discussion on looking deeper into this issue and what would need to be fixed or done.

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Commissioner Stienmetz moved for the Commission to defer item #18 until further investigation can be done and know what is exactly out there. Seconded by Commissioner Mason, the motion was voted and carried. **DEFERRED**

*Commissioner bullock moved to item #25 at this time*

- 19) Discussion For Possible Action Regarding Approval/Disapproval Of A Resolution Expressing Concern Over The Ongoing Drought Conditions In Northern Nevada; Encouraging Expeditious Cooperation Among Agencies Of The US Department Of Agriculture, US Department Of Interior, State Of Nevada & Local Governments To Identify & Implement Appropriate Action To Avoid, Minimize & Mitigate The Adverse Economic & Environmental Consequences Of Said Drought & Requesting Nevada Governor Brian Sandoval To Declare A Drought Emergency Within Lander County; & Other Matters Properly Related Thereto:** Commissioner Bullock explained we have the Resolution that Eureka County and Elko County just passed. This Resolution states the Counties do not feel it is necessary to go in and pull livestock of grazing lands.

It is the hope of the Counties that Governor Sandoval will sign a Declaration of Drought Emergency.

Eddy Ann Filippini stated she hoped the Commissioner's would adopt the Resolution from Eureka County. Ms. Filippini also asked the Board to consider passing the Declaration that Eureka County passed as well.

Lynn Tomera stated the Farm Service Agency, in Winnemucca, said on January 9, 2013 the Secretary of Agriculture declared most of the western United States in severe drought conditions. Portions of Lander County was designated D-3 by the U.S. Drought monitor, and that is extreme drought. This qualifies all of Lander County for drought services. Ms. Tomera also said she would like to see Lander County join forces with Elko and Eureka Counties.

Ray H. Williams Jr., Public Land Use Advisory Commission, Chairman, stated they have discussed these issues, and felt the provision should be added to not have an effect on the grazing.

Commissioner Waits moved for the Commissioners to pass Resolution 2013-10 regarding the drought conditions in Lander County, and that they add to it the statement that Lander County agrees with their friends in Eureka and Elko County adding that the statements clarify our position that the support of resolution in is no way an endorsement of reduced grazing, and Lander County firmly believes grazing

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activities reduce wildlife potential and activity in Northern Nevada and add those two paragraphs that support our grazing position. Be it further resolved that the Lander County Board of Commissioners opposes and hereby protests any efforts by the U.S. Department of Agriculture and/or the U.S. Department of Interior to implement grazing restriction including hot season grazing restrictions on any grazing allotments within or adjacent to Lander County, and Let it be further resolved that this Resolution is not to be considered to endorse reductions of grazing. Lander County is on public record to include Federal Management to increase grazing to prevent and to reduce wild land fire for the protection of wildlife including the greater sage grouse. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

Nicole Ting, Deputy District Attorney, clarified if it was the pleasure of the Board for the District Attorney to add those two paragraphs. The Board said yes.

## **SHERIFF**

**20) Discussion For Possible Action Regarding Funding For Use Of The VirTra 180 Simulator System, In The Amount Of \$119,569.00, For Use-Of-Force Scenario-Based Training For Sworn Peace Officers At The Lander County Sheriff's Office & Other Matters Properly Related Thereto:** Sergeant Jones, Lander County Sheriff's Department, addressed the Board to explain issues that had been identified during a post simulator that took them two years to acquire. Some were minor and some major that would be Officer Safety related. Officer Jones explained the simulator system, and the importance of this simulator to train for their safety. There is nothing in the whole Northern region where even Eureka County, Elko County, and Winnemucca can get this type of training.

There was discussion on the funds and where the funds would come from.

Rogene Hill, Finance Director, informed the Board there is money available in the Emergency Management Fund.

Sergeant Meshell Young stated she went through the posts simulators and during this last one there where some issues identified that she would like to correct personally as well as for the safety of those she works with. She explained how the loss of one life is more than the cost of this simulator.

Officer Araceli Stephens explained if there are issues that could be worked on with their officers the unit would be on sight instead of having to send them to Henderson, Nevada.

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Commissioner Stienmetz moved for the Commission to approve funding for the VirTra 180 Simulator System, In The Amount Of \$119,569.00, for Use-Of-Force Scenario-Based Training for Sworn Peace Officers at the Lander County Sheriff's Office with money to be taken from Emergency Management Fund 001-035-53971. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

## COMMISSIONERS

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

Commissioner Waits expressed her concerns with the Austin Roping Club regarding the insurance, the leasing of corrals, and having a site manager.

Burt Ramos, Austin Roping Club Vice President, requested this item be tabled until they can make some changes to the contract.

Commissioner Stienmetz questioned the possibility of creating an Advisory Committee for the Austin Rodeo Ground like what the Battle Mountain Rodeo Grounds has currently. This would just be a County facility for events. No one boards their animals there, and no one lives there.

Mr. Ramos explained they wanted to avoid being like Battle Mountain because of the Ordinance that was passed that does not allow animals to be in town. They need a place to board their animals.

Commissioner Bullock questioned why it was the County's responsibility to make sure people have a place to board their horses. He stated his concern is shutting down a Lander County facility to events because the Rodeo Club leases it.

Commissioner Mason stated the Building Department has sent two letters regarding inspection violations in the last year, and have had no response.

Mr. Ramos explained he has only been there six months. He joined so his kids could use the arena and was voted in as the Vice President.

Sissy Gallegos, Austin Roping Club Secretary, explained why the letters weren't answered.

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Dennis Ashby explained the building that was red tagged was a High School project, and he spoke with Joe Lindsey about that.

Nicole Ting, Deputy District Attorney, advised and recommended that the Commissioners abstain for any more comments regarding building code violations.

Commissioners Bullock addressed Mr. Ramos' point that he joined the Roping Club to use the arena, and that is his point. People should not have to pay a membership to use Lander County property.

Commissioner Stienmetz moved to defer this item for one month. Seconded by Commissioner Mason, the motion was voted and carried. **DEFERRED**

*Commissioner Bullock came back to this item after Correspondences.*

Anna Penola, Building Department, informed the Board there is nothing in the Austin Roping Club contract for a watchmen's quarters and the people living up there have made a homestead and nothing has been permitted or inspected.

**22) Discussion For Possible Action Regarding The Possibility Of Granting Signature Authority To Commissioner Patsy A. Waits For Correspondence With The Bureau Of Land Management (BLM) For The Battle Mountain Resource Management Plan Update & Other Matters Properly Related Thereto:** Commissioner Waits explained the four Counties meet at different times. When a letter is written they want the Counties to coordinate on, it has to pass through all the Counties to get the signatures. This takes a large amount of time and holds up the process. It was requested for the County liaisons to be granted the authority to sign these letters and have them ratified in the Commission meetings. Commissioner Waits did explain these letters are not making major decisions.

Commissioner Bullock shared his concern, and stated anything with Lander Counties name behind it should come before the Commission.

Ray H. Williams Jr., stated the only County to not agree to allow their liaison to sign on behalf of the County is Lander County.

Shawn Mariluch explained without someone to keep the things moving, the BLM will get ahead of the County and make their decisions before it can get back to the County.

Georgia Black was in agreement with Mr. Mariluch.

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Commissioner Waits stated she felt the Commission has always been in agreement regarding the Resource Management Plan, and she would never do anything to violate the trust of the other Commissioners.

Commissioner Mason moved for the Commission to grant Commissioner Patsy Waits signature authority for all correspondence between the four Counties, Nye County, Esmeralda County, Lander County, and Eureka County, and the BLM regarding the Battle Mountain District RMP and all correspondence will appear before the Commission for ratification. Seconded by Commissioner Stienmetz, the motion was voted and carried with Commissioner Wait abstaining from the vote. **APPROVED**

**23) Discussion For Possible Action Regarding Submission Of A Letter To The Bureau Of Land Management (BLM) Concerning Local Government Coordination With BLM For The Battle Mountain District Resource Management Plan & Other Matters Properly Related Thereto:** Commissioner Waits explained this correspondence is in response to the request of the BLM.

Georgia Black offered examples and sources from Eureka County if Lander County needed them. She also suggested the Commissioners draft a letter to the BLM evoking coordination.

Commissioner Waits moved for the Commission to approve the attached letter and authorize the Chairman to sign and submit; this is the four County letter to BLM. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

**24) Discussion For Possible Action Regarding Approval Of The Professional Engineering Services Proposal Submitted By Day Engineering For Septic System Design At The Austin Airport, In An Amount Not To Exceed \$1,800.00, & Other Matters Properly Related Thereto:** Commissioner Waits explained this is in regards to the modular classroom that will be moved to the Austin Airport. She also explained there were some estimates for the septic tank and the design work. Commissioner Waits said they are looking a little over budget with the moving and the septic.

Commissioner Stienmetz moved for the Commission to approve Professional Engineering Service proposal submitted by Day Engineering for Septic System Design at the Austin Airport in an amount not to exceed \$1,800.00, pending approval by the District Attorney. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

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**25) Discussion For Possible Action Regarding Ratification Of The Agreement Between Lander County & Fuel & Power Logistics, LLC, In An Amount Not To Exceed \$24,290.00, For Fuel Storage Tank At The Battle Mountain Airport & Other Matters Properly Related Thereto:** J.D Heithoff, J-U-B Engineers, updated the Board on the completion of the pipe and valve work on the Aviation Gas section of pipe at the Battle Mountain Airport. Mr. Heithoff recommended waiting until after the fire season to replace the fuel storage tank.

Karla Harless, Harless Aircraft Services, explained they have pumps surging and she does not feel they should pull the pumps out yet and the isolation valves are not necessary. Ms. Harless proposed to not do anymore repairs, get it up and running like it is now, and think about putting money into different Tanks.

There was discussion if the Company would come back after the fire season to finish the work on the tank at the Battle Mountain Airport without additional costs. Mr. Heithoff said that was his understanding.

Commissioner Stienmetz moved for the ratification of the agreement between Lander County and Fuel and Power Logistics, LLC, in an amount not to exceed \$24,290.00 for the fuel storages tank repair at the Battle Mountain Airport. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

#### **BOARD APPOINTMENTS**

**26) Discussion For Possible Action Regarding Appointment Of Walt Holland To The 2013-2014 Category 3 Lander County Land Use Advisory Planning Commission & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Walt Holland to the 2013-2014 Category 3 Lander County Land Use Advisory Planning Commission. Seconded by Commissioner Waits the motion was voted and carried with Commissioner Mason abstaining from the vote. **APPROVED**

**27) Discussion For Possible Action Regarding Appointment Of Mary C. Bengoa To The 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Mary C. Bengoa to the 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

**28) Discussion For Possible Action Regarding Appointment Of Yvette Hacker To The 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board & Other**

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**Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Yvette Hacker to the 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

**29) Discussion For Possible Action Regarding Appointment Of Jodi Moore To The 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Jodi Moore to the 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board. Seconded by Commissioner Waits the motion was voted and carried. **APPROVED**

**30) Discussion For Possible Action Regarding Appointment Of Rita Rogers To The 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Rita Rogers to the 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

**31) Discussion For Possible Action Regarding Appointment Of Shirley Shepherd To The 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved for the Commission to appoint Shirley Shepherd to the 2013-2014 Category 3 Battle Mountain Livestock Events Center Advisory Board. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

#### **COURTHOUSE/ADMINISTRATION BUILDING PROJECT**

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

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

The Board reviewed the following correspondences that are retained in the Clerk's Office:

1. PAUL COMBA, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Chris Hopf, Baker Hughes Drilling Fluids, letter regarding Notice of Noncompliance – Baker

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Hughes Drilling Fluids, Argenta Mine & Mill Site; Reclamation Permit 0252; BLM Case Number NVN-067601.

2. PAUL COMBA, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Carolyn Kramer, Specialty Clays Corporation, letter regarding Notice of Noncompliance – Specialty Clays Corporation, Fallon Bentonite Project; Reclamation Permit 0119; BLM Case Number NVN-70054.
3. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Chris Ennes, Ames Construction, letter regarding Final Environmental Assessment (EA) for the Saddler Brown Gravel Pit Project and Mineral Materials Disposal Right-Of-Way Grant Decision.
4. MATTHEW D. CHASE, NACO, to Chairman Dean Bullock, Lander County Commission, Letter Regarding membership dues increase for 2014.
5. LUIS RODRIGUEZ, FEDERAL EMERGENCY MANAGEMENT AGENCY, to Chairman Dean Bullock, Lander County Commissioner, letter regarding final flood hazard determination for Lander County.
6. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding Final Decision Effective on Issuance for the Temporary Closure of Livestock Grazing to the Battle Mountain Complex.
7. TRACY TATLOR, NEVADA DIVISION OF WATER RESOURCES, to Lander County Board of Commissioners, letter regarding Application 82799, which proposes to change the point of diversion and place of use from an underground source in Lander County to an underground source in Humboldt County.
8. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Interested Public. Letter regarding environmental Assessment (EA) for the proposed Gold Exploration Project near Battle Mountain.
9. W. TODD SUESMITH, JR., NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Brian Morris, Au-Reka Gold Corporation, letter regarding approval of Au-Reka Gold Corporation's Cove-Helen Underground Mine Project Revised Plan of Operations/Reclamation Plane dated April 2013; issuance of Final Reclamation Permit 0342, BLM Case Number NVN-088795.

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10. JEFF FONTAINE, NACO, TO LANDER COUNTY COMMISSIONERS, e-mail regarding passage of SB 3, Mineral County's bill to cap a county's obligation for the Medicaid Match Program for long-term care at eight cents.
11. MICHEAL YACKIRA, NV ENERGY, to Lander County Commissioners, e-mail regarding recent acquisition of NV Energy by MidAmerican Energy Holding Company.
12. GENE SEIDLITZ, BUREAU OF LAND MANAGEMENT, to Interested Public, letter announcing the completion and availability of Winnemucca District Drought Response Plan Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) regarding implementation of the Drought Response Plan.
13. BOB POSTOTINO, SOUTHWEST GAS CORPORATION, to Lander County Commissioners, letter regarding outcome of the 2013 Annual Public Liaison Meeting held April 17, 2013 at the Southwest Gas conference room in Elko; and invitation to meet with a representative from Lander County to discuss how all entities can better work together in the event of a natural gas emergency.
14. MARK FEEST, CC COMMUNICATIONS, to Commissioner Dave Mason, Lander County Commission, letter regarding CC Communications' future plans for broadband deployment in rural Nevada.
15. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail regarding PILT payment for 2013.
16. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail regarding Secure Rural Schools FY 2012 actual payments.
17. GENE SEIDLITZ, BUREAU OF LANDER MANAGEMENT, to Reader, letter regarding Decision of Record and Finding of No Significant Impact (FONSI) for the "New York Canyon Geothermal Utilization and Interconnect Project Environmental Assessment".
18. Churchill County Planning Department, to Steve Stienmetz, Lander County Commission, memorandum regarding agenda for NAS Fallon Joint Land Use Study Technical Committee meeting held on Tuesday, June 25, 2013 at 9:30 a.m.

Commissioner Waits commented on correspondence #13 from Southwest Gas and #14 from CC Communications.

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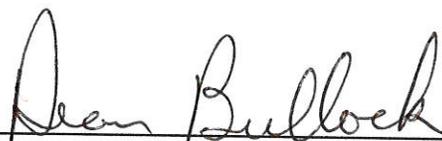
Commissioner Bullock went back to item #21.

**PUBLIC COMMENT**

Ray H. Williams Jr., Austin, asked if they could hold a public meeting in Austin to inform the public on what the engineers are doing with Austin regarding the lot line adjustments.

**ADJOURNMENT**

There being no further business before the Board at this time, Commissioner Stienmetz moved to adjourn the meeting of June 13, 2013. Seconded by Commissioner Waits, the motion was voted and carried. **ADJOURNED**



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

ATTEST:



**LANDER COUNTY CLERK**

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

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