

1 The Honorable Board of Lander County Commissioners met in  
2 regular session in the Commission Chambers of the Lander County  
3 Courthouse in Battle Mountain, Nevada, on December 18, 2014, at  
4 9:01 a.m.

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

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

18  
19 Let the record reflect the presence of Austin via telephone  
20 conference.

21  
22 [Meeting commenced on December 18, 2014, at 9:01 a.m.]  
23  
24

25 CHAIRMAN GARNER: We'll start the meeting. We'll call the  
26 Lander County Commission meeting, Town Board of Battle Mountain,  
27 and Austin Board of County Highway Commissioners to order.

28 Patsy, will you lead us in the pledge.

29 COMMISSIONER WAITS: Thank you. Please join me.  
30

31 (Pledge of Allegiance.)  
32  
33

34 **APPROVAL OF AGENDA NOTICE**  
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36 CHAIRMAN GARNER: Discussion for possible action regarding  
37 approval of agenda notice.

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

40 COMMISSIONER BULLOCK: I'll second.

1 CHAIRMAN GARNER: Any public comment?  
2 (No comment.)  
3 CHAIRMAN GARNER: All those in favor?  
4 COMMISSIONER MASON: Aye.  
5 CHAIRMAN GARNER: Aye.  
6 COMMISSIONER WAITS: Aye.  
7 COMMISSIONER STIENMETZ: Aye.  
8 COMMISSIONER BULLOCK: Aye.  
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11 **APPROVAL & ACCEPTANCE OF MINUTES**

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13 CHAIRMAN GARNER: Discussion for possible action regarding  
14 approval of acceptance of minutes of December 4<sup>th</sup>, 2014, regular  
15 session.

16 COMMISSIONER WAITS: I'll make a motion that we approve the  
17 minutes for the December 4<sup>th</sup> regular session.

18 COMMISSIONER MASON: Second.

19 CHAIRMAN GARNER: Any public comment?  
20 (No comment.)

21 CHAIRMAN GARNER: All those in favor?

22 COMMISSIONER MASON: Aye.

23 COMMISSIONER STIENMETZ: Aye.

24 COMMISSIONER WAITS: Aye.

25 COMMISSIONER BULLOCK: Aye.  
26  
27

28 **COMMISSIONER REPORTS**

29  
30 CHAIRMAN GARNER: Commissioners' reports on meetings,  
31 conferences, and seminars attended.

32 COMMISSIONER MASON: I only have one. Yesterday was  
33 Newmont's breakfast at 7:30 at The Owl.

34 Newmont -- Phoenix has a new mine manager, Cecile Thaxter --  
35 young lady, very bright.

36 They talked about sites around the world.

37 I think Newmont is kind of shoring up and settling down.  
38 They don't have a lot of big projects going on right now,  
39 especially out here at Phoenix.

40 Gold is running around \$1,200 an ounce. Silver, they just

1 include that. They make money on silver, but it's really just  
2 to pay bills with. Copper, around \$3 per pound, currently, up  
3 or down, you know.

4 But Newmont -- Phoenix is looking to produce 200,000 ounces  
5 of gold this year, '15, 2015; 45 million pounds of copper; and  
6 about a million ounces of silver. And it's -- that's really good  
7 for our county. And it's solid. And they're just -- right now  
8 they're consolidating and -- and being steady. They've got all  
9 their big projects pretty much done.

10 We talked a little bit about the net proceeds, which didn't  
11 get shot down for us at the last election, which is great. And  
12 all the counties and the state benefit from that.

13 And that's about all I have.

14 Steve was there at the meeting. He may have more.

15 That's all I have.

16 COMMISSIONER WAITS: I have a couple to report on.

17 On December 8<sup>th</sup>, we actually had an insurance committee  
18 meeting here with our insurance agent. Under the Obama law, we do  
19 have to give a 60-day notice now for any changes. And of course,  
20 there will be some changes, if nothing else, in the premium. But  
21 that goes into effect on July 1<sup>st</sup>. So therefore, we have to our  
22 plans chosen and everything all tuned up to give information on  
23 the 1<sup>st</sup> of May, which means we will be looking at our -- our new  
24 presentations and any changes in -- in the plan in the next couple  
25 months to get ready to do that.

26 So I just wanted you to know, your insurance meeting and your  
27 agent are on top of that, and we are -- are looking at what's  
28 going to be coming up.

29 On December 12<sup>th</sup>, there was a Central Nevada Regional Water  
30 Authority meeting. Steve was at that one. And we also had our  
31 other representative, Ray Williams, and that was in Reno.

32 We had some presentations. One was by the Utah state  
33 planning coordinator and senior environmentalist for the governor  
34 on what they are doing.

35 We had a presentation from the Arizona Water Users  
36 Association. The lady who gave that has been involved in  
37 different areas politically and with water in 37 years.

38 And then we had the California water plan update of 2013.

39 And many of them had the plans in place for many, many years.  
40 It just seems like Nevada has a little bit to go here to bring us

1 to up to date. But it was very good information. And we're on  
2 top of that to try and -- and put Nevada in with some heavy work  
3 plans now.

4 We have been occasionally. But certainly when we hear the  
5 other states, we have not been as -- as proactive as they have  
6 been for so many years.

7 Yesterday, we had a regional transportation committee meeting  
8 here. And NDOT actually came out from Reno. And they're the ones  
9 that are working on our engineering plans and going over some more  
10 particulars to qualify where we are going to put the pedestrian  
11 bridge.

12 And that's all I have. Thank you.

13 COMMISSIONER STIENMETZ: All right.

14 I attended the Central Nevada Regional Water Authority  
15 meeting. And I really don't have anything to add over what Patsy  
16 had.

17 But prior to that, we had a State Lands Use Planning,  
18 SLUPAC, meeting and went over -- it was only about an hour long.  
19 But Jake Tibbitts from Eureka County gave us the wording to put  
20 in our -- what does -- is our cooperative agreement?

21 So because what we do is open meeting. But some of that  
22 stuff doesn't necessarily have to go out to the public, the talk  
23 between us and BLM.

24 And so he gave us -- need the wording? -- I've got it. I'll  
25 give it to you, Keith -- on what we need to state in there so that  
26 we -- it just says, basically, we'll minimize the amount of  
27 information that we let out. And it makes it legal.

28 Then I also attended the Newmont breakfast. The only thing  
29 I have to add is what they do is very dependent on the cost --  
30 price of gold. And if the price of gold goes up, then they will  
31 probably get more money to spend more capital here for their  
32 projects. As long as it stays down, they will not be spending.  
33 It'll be like what they have right now budgeted for their  
34 capital expenditures for the next year or so.

35 And then I -- yesterday at 10:00 o'clock, I at -- some  
36 time before that, we went out -- I went out, and we signed the  
37 last beam going up on the courthouse that they were putting up  
38 yesterday.

39 And that's all I have.

40 COMMISSIONER BULLOCK: What I have is on the agenda.

1 CHAIRMAN GARNER: Okay.

2  
3  
4 **STAFF REPORTS**

5  
6 CHAIRMAN GARNER: Staff reports on meetings, conferences,  
7 and seminars attended.

8 KEITH WESTENGARD: All right.

9 We -- we had another aquatic center meeting last week. And  
10 the committee decided we're going to put the project on hold for  
11 probably the next six to eight weeks to try to come up with some  
12 different options that are more -- more fit the community. So  
13 we're working on that.

14 I also attended the meeting with Commissioner Waits on the  
15 insurance committee. And they're working on some different  
16 avenues there as well to provide the best coverage for our  
17 employees.

18 I had another meeting with FAA, with -- and J.D. to discuss  
19 the capital projects and the grants that we have for both Battle  
20 Mountain and Austin Airports. And we'll be bringing that to the  
21 commission in late January for you to look over and take the  
22 recommendations on which way we're going to go for both the  
23 airports.

24 We also -- I also attended a exit interview with our  
25 auditors. And that report also will be presented to the  
26 commission on 1/22. Our extension, as far as I know, was  
27 accepted. So we'll get that to you for the -- to the board  
28 January 22<sup>nd</sup>.

29 One of their main -- one of the main things that came out of  
30 it was -- and I believe Nan did bring it up in the past was to  
31 have an audit committee in place so that we don't fall behind  
32 again in the future. So we'll be looking at that as well.

33 I did attend the net proceeds meeting with Newmont. And as  
34 Commissioner Mason stated, due to the fact that the questions  
35 one, two, and three -- or two and three, I believe -- didn't pass,  
36 we'll be getting some net proceeds this year. They were just  
37 projections so I don't want to get into that right now. But it's  
38 not -- not as bad as we thought if those would have passed, so --

39 Last -- or early -- yeah, last week, I did spend the day in  
40 Austin with Bert looking over some of his projects and so forth.

1 He's got a lot of things going on down there. And everything's  
2 going real good.

3 I did attend the RTC meeting as well yesterday. So we're  
4 working on that -- that foot bridge.

5 We did have a Lander County workshop scheduled with NDOT.  
6 And we did have to cancel. They canceled it because of weather.  
7 So we're going to reschedule that for January the 15<sup>th</sup>. And I'm  
8 working on that with Donnie at Road and Bridge.

9 I did conduct the research. And one of the agenda items come  
10 up on LEDA and the day after Christmas and so forth. We can --  
11 and the levee -- we'll go ahead and get it to you at that time.

12 That's all I have.

13 COMMISSIONER STIENMETZ: Thanks, Keith.

14 COMMISSIONER WAITS: Thank you.

15  
16  
17 **PAYMENT OF THE BILLS**

18  
19 CHAIRMAN GARNER: Discussion for possible action regarding  
20 payment of bills.

21 CINDY BENSON: Cindy Benson.

22 Okay, for approval I have submitted expenditures in the  
23 amount of \$174,482.29 from check #50315 through 50412.

24 Need to ratify check #50052 in the amount of 1,370.69 to  
25 Wells Fargo Remittance.

26 COMMISSIONER MASON: Is this the credit card?

27 CINDY BENSON: Yeah.

28 Check 50105 in the amount of \$567 to Steven Smith for travel.

29 Check 50106 in the amount of \$80 to the State of Nev- --  
30 State of Nevada, Department of Public Safety. It's for  
31 fingerprints.

32 Check 50108 in the amount of \$253 to Joseph Sunseri, for  
33 training, travel and training.

34 Check 50268 in the amount of \$987,254.66 to CORE  
35 Construction.

36 Check 50297 for \$896.67 to Business Card, which is the  
37 sheriff's credit card.

38 Check 50313 for 947.84 to Wells Fargo Remittance, which is  
39 another credit card.

40 COMMISSIONER WAITS: Cindy, in the report at the last

1 meeting, we had a discount that they were offering if we paid  
2 the heaters on time for the new building. And we didn't make  
3 that. We were going to contact them. Did we get any discount?

4 NAN ANCHO: No, because they have not received the check.  
5 And we had to put a stop payment on it and reissue it. And they  
6 have not, as far as we know, they have not -- they have not  
7 received that check as of yet.

8 So we had to -- we're having to track it down.

9 COMMISSIONER MASON: Hm.

10 NAN ANCHO: Yeah.

11 COMMISSIONER MASON: Is that something new or it just --

12 COMMISSIONER WAITS: Yeah, do we have a lot of problems  
13 with that?

14 NAN ANCHO: No. No. This -- this just happened to be the  
15 one it happened to. So we had to reissue, stop payment and  
16 reissue.

17 COMMISSIONER MASON: Pretty expensive, huh?

18 NAN ANCHO: Until -- until they receive the payment, we  
19 can't talk about the discount.

20 COMMISSIONER STIENMETZ: No.

21 COMMISSIONER WAITS: I don't think so.

22 NAN ANCHO: No.

23 CINDY BENSON: It happens occasionally --

24 COMMISSIONER BULLOCK: Twice.

25 CINDY BENSON: -- but not very often.

26 COMMISSIONER WAITS: Well, sometimes our mail can be slow.  
27 There's no question about that. So I'm sure they'll probably be  
28 getting it somewhere along the line, but -- if they get the  
29 first one, then they can't do anything about it until they get  
30 the second anyways.

31 NAN ANCHO: Correct.

32 COMMISSIONER WAITS: Thank you.

33 How about AT&T? Did we straighten that one out?

34 NAN ANCHO: We're still working on that one. It has not  
35 reflected on our bills. So I sent the entire list of account --  
36 or of long distance numbers. And I haven't gotten any reply  
37 from her. And if I don't get it by this month, then I'll go to  
38 the next level.

39 COMMISSIONER WAITS: Are you working with government  
40 relations there?

1 NAN ANCHO: AT&T representatives. They're the ones that do  
2 the government contracts.

3  
4 (Commissioners working on payment of the bills.)  
5

6 **Wells Fargo Remittance**  
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8 COMMISSIONER BULLOCK: I'll make a motion to ratify check  
9 50052 to Wells Fargo Remittance in the amount of \$1,370.69.

10 COMMISSIONER WAITS: I'll second that motion.

11 CHAIRMAN GARNER: Any public comment?

12 (No comment.)

13 CHAIRMAN GARNER: All those in favor?

14 COMMISSIONER MASON: Aye.

15 CHAIRMAN GARNER: Aye.

16 COMMISSIONER WAITS: Aye.

17 COMMISSIONER STIENMETZ: Aye.

18 COMMISSIONER BULLOCK: Aye.  
19

20 **Steven Smith**  
21

22 COMMISSIONER BULLOCK: I'll make a motion to ratify check  
23 #50105 to Steven Smith in the amount of \$567.

24 COMMISSIONER STIENMETZ: I'll second the motion.

25 CHAIRMAN GARNER: Any public comment?

26 (No comment.)

27 CHAIRMAN GARNER: All those in favor?

28 COMMISSIONER MASON: Aye.

29 CHAIRMAN GARNER: Aye.

30 COMMISSIONER WAITS: Aye.

31 COMMISSIONER STIENMETZ: Aye.

32 COMMISSIONER BULLOCK: Aye.  
33

34 **State of Nevada: Department of Public Safety**  
35

36 COMMISSIONER BULLOCK: I'll make a motion to ratify check  
37 #50106 to the State of Nevada, Department of Public --

38 CINDY BENSON: Safety.

39 COMMISSIONER BULLOCK: -- Safety. There it is. In the  
40 amount of \$80.

1 COMMISSIONER STIENMETZ: I'll second the motion.  
2 CHAIRMAN GARNER: 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 **Joseph Sunseri**

12

13 COMMISSIONER BULLOCK: I'll make a motion to ratify check  
14 #50108 to Joseph Sunseri in the amount of \$253.

15 COMMISSIONER STIENMETZ: I'll second the motion.

16 CHAIRMAN GARNER: Any public comment?

17 (No comment.)

18 CHAIRMAN GARNER: All those in favor?

19 COMMISSIONER MASON: Aye.

20 CHAIRMAN GARNER: Aye.

21 COMMISSIONER WAITS: Aye.

22 COMMISSIONER STIENMETZ: Aye.

23 COMMISSIONER BULLOCK: Aye.

24

25 **CORE Construction**

26

27 COMMISSIONER BULLOCK: I'll make a motion to ratify check  
28 #50268 to CORE Construction in the amount of \$987,254.66.

29 COMMISSIONER STIENMETZ: I will second the motion.

30 CHAIRMAN GARNER: All those in favor?

31 COMMISSIONER MASON: Aye.

32 COMMISSIONER WAITS: Aye.

33 CHAIRMAN GARNER: Any public comment?

34 COMMISSIONER STIENMETZ: Aye.

35 CHAIRMAN GARNER: All those in favor?

36 COMMISSIONER STIENMETZ: Oh.

37 COMMISSIONER BULLOCK: Aye.

38 CHAIRMAN GARNER: Aye.

39 COMMISSIONER STIENMETZ: Aye.

40 COMMISSIONER WAITS: Aye.

1 **Business Card**

2

3 COMMISSIONER BULLOCK: I'll make a motion to ratify check  
4 #50297 to Business Card in amount of \$896.67.

5 COMMISSIONER STIENMETZ: I will second the motion.

6 CHAIRMAN GARNER: Public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 CHAIRMAN GARNER: Aye.

11 COMMISSIONER STIENMETZ: Aye.

12 COMMISSIONER WAITS: Aye.

13 COMMISSIONER BULLOCK: Aye.

14

15 **Wells Fargo Remittance**

16

17 COMMISSIONER BULLOCK: I'll make a motion to ratify check  
18 #50313 to Wells Fargo Remittance in the amount of \$947.84.

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 COMMISSIONER WAITS: Aye.

25 COMMISSIONER STIENMETZ: Aye.

26 CHAIRMAN GARNER: Aye.

27 COMMISSIONER BULLOCK: Aye.

28

29 **Submitted Expenditures**

30

31 COMMISSIONER BULLOCK: Okay. If there's nothing on the  
32 submitted expenditures, I'll make a motion we approve submitted  
33 expenditures in the amount of \$174,482.29 from check #50315  
34 through check #50412.

35 COMMISSIONER STIENMETZ: I will second the motion.

36 CHAIRMAN GARNER: Any public comment?

37 (No comment.)

38 CHAIRMAN GARNER: All those in favor?

39 COMMISSIONER MASON: Aye.

40 CHAIRMAN GARNER: Aye.

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

6 **PAYROLL CHANGE REQUESTS**  
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8 CHAIRMAN GARNER: Discussion for possible action regarding  
9 payroll change requests.

10 COMMISSIONER WAITS: I'll make a motion we approve employee  
11 change request for employee #0712 with an effective date  
12 retroactive to November 10<sup>th</sup>, 2014.

13 COMMISSIONER STIENMETZ: I'll second the motion.

14 COMMISSIONER GARNER: Any public comment?

15 (No comment.)

16 CHAIRMAN GARNER: All those in favor?

17 COMMISSIONER MASON: Aye.

18 COMMISSIONER WAITS: Aye.

19 CHAIRMAN GARNER: Aye.

20 COMMISSIONER STIENMETZ: Aye.

21 COMMISSIONER BULLOCK: Aye.

22 COMMISSIONER WAITS: Thank you, Cindy.

23 CINDY BENSON: Thank you.

24 COMMISSIONER BULLOCK: Thanks, Cindy.  
25  
26

27 **PUBLIC COMMENT**  
28

29 CHAIRMAN GARNER: It's the time for public comment for  
30 non-agendized items only.

31 COMMISSIONER MASON: I have a comment for the public.

32 There's two things that I wanted to state about the future  
33 for the new commissioners and the new commission board.

34 And the one is Austin's lot line adjustments that is  
35 underway by Summit Engineering. I think it's more important  
36 than most people realize, Austin being our second largest city  
37 in the county. When the lot lines are finally adjusted with  
38 each of the properties that are contiguous to county property,  
39 it opens up the cash flow because of title insurance. And it's  
40 really important that this town, which is so beautiful, just

1 doesn't die and fade away. We put the money into this lot line  
2 adjustment for this purpose to -- to increase cash flow into the  
3 city and attract second-home and first-home buyers from around  
4 Nevada. It's a beautiful place to live, a beautiful place to  
5 have a second home. I just want to mention that.

6 So if the new commission will pay attention and if the  
7 executive director will have a meeting early this next year with  
8 Summit Engineering to get an update and inform the three new  
9 commissioners what's going on there, I think that would be very  
10 important.

11 And the other one is -- I think also is equally important is  
12 what to do with this land, this building and land and the county  
13 buildings. I think we need to have a couple of public meetings.  
14 Because there's some smart people out there in our county who  
15 could come up with some real good ideas.

16 My personal opinion is really just as a citizen, I want to  
17 clear the lot, this one here. I'd like to give the buildings over  
18 there at the county commissioners' offices to the -- to the  
19 college. Not give them but, you know, work out a deal there.

20 And -- but this one here, this building is old and expensive  
21 to operate. So -- and it doesn't meet the requirements, as I  
22 understand, it doesn't meet the requirements of historic.

23 So it would just be -- there are -- there's got to be some  
24 excellent ideas. This can be a beautiful lot if it's cleared. In  
25 a good location. It's got all the facilities. All the sewer,  
26 water, gas, everything is here.

27 So I would like the commission to -- to weigh that in and get  
28 a couple of public meetings, maybe have them at the civic center,  
29 whatever, and get some new ideas on what to do in October when  
30 everybody moves out of here to the new building, the new  
31 courthouse.

32 We'd have, you know, maybe six or eight months of time to --  
33 to rest on the ideas that are presented, you know, to --

34 I -- I just think we need to encourage that.

35 And back on that other item, Austin. I think some  
36 advertising would be good, once the -- once the lot lines are  
37 finally adjusted, formally adjusted, and the title searches are  
38 all complete, to put in some -- for the county to put some money  
39 into advertising what we have available.

40 Just something -- it's just an idea as a citizen, I say

1 that, so -- I think Austin is worth every penny that we spend on  
2 it.

3 And thank you. And I want to thank you as -- for the last  
4 four years as a commissioner. It's been a -- a very good  
5 experience for me. I've enjoyed every part of it. And it's been  
6 an honor to serve the county and the public. And I want to thank  
7 you.

8 UNIDENTIFIED PARTICIPANT: You're welcome. Thank you,  
9 Dave.

10 CHAIRMAN GARNER: Moving on.

11 Any other public comment?

12 (No comment.)

13 CHAIRMAN GARNER: Moving on to one, Finance.  
14  
15

16 **FINANCE**  
17

18 1) **Discussion for possible action regarding budget review,**  
19 **contracts, financial update and other matters properly**  
20 **relating thereto.**  
21

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

25 NAN ANCHO: Good morning.

26 CHAIRMAN GARNER: Morning.

27 COMMISSIONER WAITS: Morning, Nan.

28 COMMISSIONER STIENMETZ: Morning, Nan.

29 NAN ANCHO: Nan with Finance.

30 We have the outstanding accounts receivables for the month of  
31 November are: Water at 15,977; Sewer, 13,189; Miscellaneous  
32 Water/Sewer, 0; Landfill, 21,362 -- and that is kind of high due  
33 to one account that's past 60 days. And they've been put on a  
34 cash-only basis until this is up to date. And then we have some  
35 accounts that are at the 31- and 60-day range.

36 If you notice, Ambulance is now at zero. So it won't be on  
37 the list anymore. And Active Accounts at Collections is \$485 for  
38 a total Accounts Receivable of \$51,013.

39 The OPEB Liability report is final. And I have a copy in my  
40 office if anybody's interested in reading it.

1 And other than that, that's all I have for that part.

2  
3 2) Discussion for possible action regarding Resolution No.  
4 2014-17 directing apportionment of net proceeds received in  
5 the month of October 2014, and other matters properly related  
6 thereto.  
7

8 CHAIRMAN GARNER: Two, discussion for possible action  
9 regarding Resolution 2014-17 directing apportionment of net  
10 proceeds received in the month of October 2014, and other  
11 matters properly related thereto.

12 NAN ANCHO: This was addressed in the December 4<sup>th</sup> meeting.  
13 Do you need me to read through all the distributions again? The  
14 mandated discretionary?

15 COMMISSIONER WAITS: I don't think so. That wasn't the  
16 question on why we deferred it, so --

17 Are my fellow commissioners okay with that?

18 COMMISSIONER BULLOCK: Sure.

19 COMMISSIONER STIENMETZ: I have no problem.

20 We need a motion.

21 COMMISSIONER WAITS: I'll make a motion that we approve and  
22 adopt Resolution Number 2014-17, directing apportionment of the  
23 net proceeds of minerals taxes received on October 14<sup>th</sup>, 2014 in  
24 the amount of \$797,271.17, and allocating the Lander County  
25 portion in the amount of \$416,653.80 to the appropriate funds as  
26 designated in the resolution.

27 COMMISSIONER MASON: Second.

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.

1 3) Discussion for possible action regarding direction from the  
2 Lander County commissioners regarding the process and  
3 parameters to be implemented for development of the Lander  
4 County fiscal year 2015-2016 budget, and other matters  
5 properly related thereto.  
6

7 CHAIRMAN GARNER: Three, discussion for possible action  
8 regarding direction from the Lander County commissioners  
9 regarding the process and parameters to be implemented for  
10 development of the Lander County fiscal year 2015/16 budget, and  
11 other matters properly related thereto.

12 NAN ANCHO: At the end of this month, I'll be sending out  
13 the packets to each department for the fiscal '15/'16 budget.  
14 We're getting started already.

15 We do have our reg- -- our negotiated salary increases that  
16 we will have to include in this budget of 4 percent.

17 And then we have an address -- an increase to our PERS, which  
18 for regular employees is going up to 28 percent from 25.75. So we  
19 have to include that in this year's budget also.

20 Other than that, I just need you -- you have any specific  
21 requirements, requests that I need to include?

22 COMMISSIONER WAITS: Do you see anything different that we  
23 need to do this year, Nan? Any recommendations from the audit  
24 committee or anything?

25 NAN ANCHO: Not as far as the funds. No. It's -- it went  
26 very well so far.

27 COMMISSIONER WAITS: Mr. Chairman, do you want a  
28 commission -- for any direction, do you want a motion on it from  
29 us or --

30 CHAIRMAN GARNER: I would think this needs to be brought  
31 back up in January for -- the new commission needs to be briefed  
32 on this and then re- -- re- -- I mean, I -- we can change  
33 things, write down. That's not going to help the new  
34 commissioners. Honestly. Just my own personal thought.

35 Possibly needs to be a com- -- I mean, for people un- --  
36 for the three new commissioners unfamiliar with it, she probably  
37 needs to bring them up to speed and then let them --

38 NAN ANCHO: Well, and that -- and that's totally up to you.  
39 Excuse me. The last -- last year's request was that everything  
40 just stay the same.

1 CHAIRMAN GARNER: Mm-hm.  
2 NAN ANCHO: There was no --  
3 CHAIRMAN GARNER: We didn't --  
4 NAN ANCHO: -- increase, but --  
5 CHAIRMAN GARNER: -- have a board. We didn't have a board  
6 changing. The new board possibly would like to know --  
7 NAN ANCHO: And that's fine.  
8 CHAIRMAN GARNER: -- exactly what they're getting into and  
9 --  
10 NAN ANCHO: That's fine.  
11 CHAIRMAN GARNER: -- what possibly they can change and what  
12 they can't change or -- what it is they're doing before.  
13 NAN ANCHO: Absolutely.  
14 CHAIRMAN GARNER: I'd defer it. Personally.  
15 COMMISSIONER STIENMETZ: I don't know why we can't go ahead  
16 and approve it. We know we're going to do the 4 percent and the  
17 28 percent. And then we say that in January, if there's -- you  
18 know, the new commission can decide if there's any other -- if  
19 we want to keep everything the same as it is. But these have to  
20 happen.  
21 NAN ANCHO: Those have to happen. Yes.  
22 COMMISSIONER STIENMETZ: Yeah.  
23 COMMISSIONER WAITS: And it's just general guidelines that  
24 we've always done.  
25 COMMISSIONER STIENMETZ: Yeah.  
26 COMMISSIONER WAITS: We can always put something different  
27 on as you come back to the --  
28 NAN ANCHO: Yes.  
29 COMMISSIONER STIENMETZ: As we go --  
30 COMMISSIONER WAITS: -- commissioners. Yeah.  
31 COMMISSIONER STIENMETZ: -- to the budget too.  
32 NAN ANCHO: Yes. Uh-huh.  
33 COMMISSIONER STIENMETZ: I'd make a motion that we -- what  
34 do we say? -- approve the -- the parameters as has been done to  
35 increase the salary to 4 percent and PERS to 28 percent.  
36 COMMISSIONER WAITS: PERS isn't quite that high.  
37 COMMISSIONER STIENMETZ: What's that?  
38 NAN ANCHO: The regular employees' is going from 25.75 to  
39 28 percent.  
40 COMMISSIONER STIENMETZ: That's what I said. To 28

1 percent.

2 NAN ANCHO: The police, fire is staying the same.

3 COMMISSIONER WAITS: Okay.

4 COMMISSIONER STIENMETZ: As she stated. And then in  
5 January we can have another session with the new commission.

6 NAN ANCHO: Yes.

7 COMMISSIONER WAITS: I'll second that motion.

8 CHAIRMAN GARNER: Any public comment?

9 (No comment.)

10 CHAIRMAN GARNER: All those in favor?

11 COMMISSIONER MASON: Aye.

12 COMMISSIONER STIENMETZ: Aye.

13 COMMISSIONER WAITS: Aye.

14 COMMISSIONER BULLOCK: Aye.

15 CHAIRMAN GARNER: Aye.

16 NAN ANCHO: Thank you.

17 COMMISSIONER STIENMETZ: Thanks, Nan.

18 COMMISSIONER WAITS: Thank you, Nan.

19

20

21 **ROAD AND BRIDGE SOUTH**

22

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

26

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

30 Bert?

31 BERT RAMOS: Good morning.

32 CHAIRMAN GARNER: Good morning.

33 BERT RAMOS: Well, down here we finally got a couple of  
34 storms. We got problem snow.

35 And then I'm finishing up our driveway permitting on SR  
36 722. All of our roads that are coming off of it will be  
37 finished with it this week. Hopefully tomorrow they'll be  
38 getting me an email it's complete.

39 And then we did some trenching and finished up some cable  
40 work for communications for the sheriff's office out at Kingston.

1 That's -- that's about all that we got going on down here.

2 CHAIRMAN GARNER: Thanks, Bert.

3 COMMISSIONER STIENMETZ: Thanks, Bert.

4  
5  
6 **ROAD AND BRIDGE NORTH**

7  
8 5) **Discussion for possible action regarding operations and**  
9 **projects for the Road and Bridge North Department, and other**  
10 **matters properly related thereto.**

11  
12 CHAIRMAN GARNER: Five, discussion for possible action  
13 regarding operations and projects for the Road and Bridge North  
14 department, and other matters properly related thereto.

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

16 What we're doing, we're hauling our roads, we're  
17 continuing. That's what we do in the fall and winter.

18 Bert's taking all the snow so we haven't had a chance to  
19 plow snow. But we're ready.

20 We've been working on our snow CAT quite a bit to get it  
21 ready to go so if anything comes up, we'll -- search and rescue  
22 for that.

23 I'd like to take this time to thank the three outgoing  
24 commissioners for -- it's been a pleasure working with you. We've  
25 done a lot. And we finally have a map after five years. Cost  
26 quite a bit of money, but it's worth it.

27 Paving projects have really been outstanding. You guys have,  
28 you know, doing -- you did a good job, I feel.

29 Looking forward to working with the new commissioners.

30 Keith. I've been working with Keith on the -- on the --  
31 with the NDOT on what's -- you know, projects. And they came to  
32 me and talked to me about it, you know, what was concerned about  
33 some of the projects. And my answer was that street lights. We  
34 need to update the street lights and put street lights out 305.  
35 Because what we have growing out there is, you know, the  
36 courthouse and everything.

37 And then the -- another main concern, and I've talked to  
38 Keith about it, is the traffic on Burrows Ranch, traffic on  
39 Lemaire Road, and the increase of traffic with the new  
40 courthouse. And like I told them, we'll go for anything but a

1 roundabout so --

2 And what they're going to do is they're going to come out  
3 individually instead of bringing a whole -- to meet with Keith and  
4 I, you know, on the concerns we have. So that kind of we went  
5 well. But they just didn't -- the weather was bad the day they  
6 were going the fly out. So that's what's going on there.

7 Other than that, everything's good.

8 CHAIRMAN GARNER: Six.

9 COMMISSIONER BULLOCK: Thanks, Donnie.

10 CHAIRMAN GARNER: Thank you, Donnie.

11 COMMISSIONER STIENMETZ: Thanks, Donnie.

12 COMMISSIONER WAITS: Thank you.

13

14 **6) Discussion for possible action regarding approval/disapproval**  
15 **of the use of remaining funds from the purchase of the East**  
16 **Gate property to install fencing and other improvements to**  
17 **the Eastgate Road and Bridge Yard expansion, and other**  
18 **matters properly related thereto.**

19

20 CHAIRMAN GARNER: Six, discussion for possible action  
21 regarding approval/disapproval of the use of remaining funds  
22 from the purchase of the Eastgate property to install fencing  
23 and other improvements to the Eastgate Road and Bridge yard  
24 expansion, and other matters properly related thereto.

25 DONALD NEGRO: This has been going on -- ongoing deal. And  
26 what the total price, what we budgeted for this project was  
27 \$180,000.

28 And three years and the death of the person that owned the  
29 property, we ended up buying it for 64,000 -- 64,720.99.

30 We have 115,279.01. And what I'd like to do is -- is commit  
31 this money to fence the -- it's -- what we're going to do is we're  
32 extending our yard and in the far future is maybe expand our shop,  
33 you know, money permitting.

34 And what I'd like to do is go in and fence it and move the  
35 power around. So we're moving our material back to the back  
36 fence. You know, we're concerned. Right now we haven't done a  
37 lot because of manpower. What we're -- we're out on the roads,  
38 but this is what I'd like to do.

39 COMMISSIONER BULLOCK: I'm good with it.

40 COMMISSIONER STIENMETZ: I'll make a motion that we approve

1 the use of the remaining funds from the purchase of the Eastgate  
2 property to install fence and other improvements to the Eastgate  
3 Road and Bridge yard expansion.

4 COMMISSIONER BULLOCK: I'll second.

5 COMMISSIONER MASON: I'll second it.

6 CHAIRMAN GARNER: Any public comment?

7 I have a little comment.

8 DONALD NEGRO: Sure.

9 CHAIRMAN GARNER: Maybe with a little bit of that money,  
10 you could white the -- the side going to the -- put the slats on  
11 the side going to the -- what street is that next to you?

12 DONALD NEGRO: White -- you mean the fence?

13 CHAIRMAN GARNER: Yeah, not --

14 COMMISSIONER BULLOCK: Eastgate?

15 CHAIRMAN GARNER: Eastgate that goes. Just to keep --

16 DONALD NEGRO: Yeah.

17 CHAIRMAN GARNER: Just to make it look good and keeps  
18 people's curiosity down when they can't see anything.

19 DONALD NEGRO: Well, it's a main corridor for the Indian  
20 colony down through the back. I've been watching that pretty  
21 regular so --

22 CHAIRMAN GARNER: Mm-hm.

23 CHAIRMAN GARNER: Yeah.

24 DONALD NEGRO: Been thinking, you know, put a higher fence  
25 on the backside down behind the back of The Colt and then down.

26 CHAIRMAN GARNER: Yeah.

27 DONALD NEGRO: Because it's a constant walkway.

28 COMMISSIONER STIENMETZ: Yeah.

29 DONALD NEGRO: And so --

30 COMMISSIONER WAITS: How's the lighting back there? Is it  
31 dark?

32 CHAIRMAN GARNER: Dark.

33 DONALD NEGRO: Yeah, it's terrible. There isn't any. So  
34 go in, put lights. It was, you know, -- it was -- what it was  
35 was a trailer park, Patsy. And then the back was storage. And  
36 over the years, they've just tore down the fence so --

37 Put the fence back up and do --

38 CHAIRMAN GARNER: All those in favor?

39 (No comment.)

40 COMMISSIONER MASON: Aye.

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

6 **BATTLE MOUNTAIN VOLUNTEER FIRE DEPARTMENT**  
7

8 7) **Discussion for possible action to approve alcohol at the**  
9 **Battle Mountain Fire Hall on 12/30/14, 12/31/14, and 1/1/15,**  
10 **and other matters properly related thereto.**  
11

12 CHAIRMAN GARNER: Seven, discussion for possible action to  
13 approve alcohol at the Battle Mountain Fire Hall on 12/30,  
14 12/31, and 1/01, and other matters properly related thereto.

15 DONALD NEGRO: Donald Negro, volunteer fire department.

16 What we do is many years we have our fundraiser, sell our  
17 tickets and -- for the New Year's raffle. And then with the  
18 funding from what you get from that is what we buy the fireworks  
19 with.

20 And it's been brought to our attention because of it's --  
21 it's a county -- county facility that we can't have alcohol. So  
22 what -- we sat down with Keith and come -- came to, you know, what  
23 we should do.

24 And the reason we're here is to get your blessing to have  
25 alcohol permit.

26 We talked to the sheriff. And we've talked to the insurance.  
27 And we got on e-mail from Suzie at the insurance, said it wouldn't  
28 increase the liability on the insurance for three days to have our  
29 -- the, you know, for our raffle.

30 CHAIRMAN GARNER: I'll be abstaining from the vote --

31 COMMISSIONER STIENMETZ: I'll make a motion.

32 CHAIRMAN GARNER: -- because I'm a member.

33 COMMISSIONER STIENMETZ: Oh. Excuse me.

34 I'll make a motion to approve alcohol at the Battle  
35 Mountain Fire Hall on 12/30/14, 12/31/14, and 1/1 of '15.

36 CHAIRMAN GARNER: Any public comment?

37 COMMISSIONER MASON: Yeah, I --

38 COMMISSIONER WAITS: I'll second the motion.

39 But -- but I did have --

40 I do have a question.

1 You're only serving alcohol on New Year's Eve, --  
2 DONALD NEGRO: Yeah.  
3 COMMISSIONER WAITS: -- but you're moving it the day before  
4 and the day after? Is that --  
5 DONALD NEGRO: Yeah.  
6 COMMISSIONER WAITS: Is that what this is? You're not  
7 serving it all three days?  
8 DONALD NEGRO: No.  
9 COMMISSIONER STIENMETZ: No.  
10 DONALD NEGRO: No.  
11 COMMISSIONER WAITS: Okay. Thank you.  
12 COMMISSIONER MASON: And just for fun, what if there's a  
13 fire?  
14 DONALD NEGRO: There's some of us will go to it.  
15 COMMISSIONER MASON: It should be a --  
16 DONALD NEGRO: Some of us that don't drink.  
17 COMMISSIONER MASON: Okay.  
18 SHERIFF RON UNGER: That has happened in the past.  
19 KEITH WESTENGARD: Commissioner Mason.  
20 SHERIFF RON UNGER: Seventy percent don't go.  
21 KEITH WESTENGARD: Commissioner Mason. We did discuss  
22 that. They'll have a dedicated fire department.  
23 COMMISSIONER MASON: That's what I thought. But I was just  
24 curious.  
25 CHAIRMAN GARNER: All those in favor?  
26 COMMISSIONER MASON: Aye.  
27 COMMISSIONER WAITS: Aye.  
28 COMMISSIONER STIENMETZ: Aye.  
29 COMMISSIONER BULLOCK: Aye.  
30 CHAIRMAN GARNER: Abstain.  
31 DONALD NEGRO: Thank you.  
32 CHAIRMAN GARNER: Thank you.  
33 COMMISSIONER STIENMETZ: Thanks, Donnie.  
34  
35

36 **PUBLIC WORKS**

- 37  
38 8) **Discussion for possible action regarding operations and**  
39 **projects for the Public Works Department, and other matters**  
40 **properly related thereto.**

1 CHAIRMAN GARNER: Public Works. Eight, discussion for  
2 possible action regarding operations for projects for the Public  
3 Works department, and other matters properly related thereto.

4 JAKE EDGAR: Jake Edgar, Public Works.

5 Been working with Marty from Day Engineering. We're at about  
6 65 percent on our plans to submit to the state for the projects  
7 that you guys approved from the budget session. They should go  
8 out within the next two weeks to the state. And once the state  
9 gives us our final approval, the bid process will start. So  
10 that's going good. We should get fired off probably early May.  
11 Their finish date is going to be June 30<sup>th</sup>. So that's all good.

12 Other than that, we've just been normal maintenance, working  
13 at the sewer plant on our phosphorus levels, just adding some bugs  
14 and doing some different lab work.

15 But other than that, everything's pretty normal. I don't  
16 really have much to say.

17 I'd like to thank all the outgoing commissioners and  
18 reiterate what Donald said. I appreciate the work you guys do.  
19 And I know it's not easy. So thanks a lot.

20 And hopefully we have a good run for the next session.

21 CHAIRMAN GARNER: Thanks, Jake.

22 COMMISSIONER STIENMETZ: Thanks, Jake.

23 COMMISSIONER BULLOCK: Thank you.

24 COMMISSIONER WAITS: Thank you, Jake.

25  
26  
27 **ASSESSOR**

- 28  
29 9) **Discussion for possible action regarding Resolution No.**  
30 **2014-18 directing the County Assessor to prepare and publish**  
31 **the 2015/16 Secured Tax Roll, and other matters properly**  
32 **related thereto.**

33  
34 CHAIRMAN GARNER: Discuss-- number 8, over -- number  
35 nine, discussion for possible action regarding Resolution Number  
36 2014-18, directing the County Assessor to prepare and publish  
37 the 2015/16 Secured Tax Roll, and other matters there -- related  
38 thereto.

39 COMMISSIONER STIENMETZ: This is something we do every  
40 year. We had it in front of us last time. And the date was

1 wrong on it, I believe.

2 COMMISSIONER BULLOCK: Mm-hm.

3 COMMISSIONER WAITS: Right.

4 KEITH WESTENGARD: That's correct. It was just a date  
5 correction --

6 COMMISSIONER STIENMETZ: Correction.

7 KEITH WESTENGARD: -- last time.

8 COMMISSIONER STIENMETZ: So I make a motion that we approve  
9 the Resolution Number 2014-18, directing the county assessor to  
10 prepare the -- and publish the 2015/16 secured tax roll.

11 COMMISSIONER BULLOCK: Second.

12 CHAIRMAN GARNER: Any public comment?

13 (No comment.)

14 CHAIRMAN GARNER: All those in favor?

15 COMMISSIONER MASON: Aye.

16 CHAIRMAN GARNER: Aye.

17 COMMISSIONER WAITS: Aye.

18 COMMISSIONER STIENMETZ: Aye.

19 COMMISSIONER BULLOCK: Aye.

20  
21  
22 **TREASURER**

- 23  
24 10) Discussion for possible action regarding approval/disapproval  
25 of (a) the list of tax delinquent properties for sale in  
26 Lander County, (b) an order directing the County Treasurer  
27 permission to sell the delinquent tax properties per NRS  
28 361.595, and other matters properly related thereto.  
29

30 CHAIRMAN GARNER: Ten, discussion for possible action  
31 regarding approval/disapproval of the list of tax delinquent  
32 properties for sale in Lander County, (b) an order directing the  
33 county treasurer permission to sell the delinquent tax  
34 properties per NRS 361.595, and other matters properly related  
35 thereto.

36 KEITH WESTENGARD: This also was just a wording correction  
37 for the treasurer. And it had to do with the directing the  
38 treasurer to actually make the sell.

39 DEPUTY DISTRICT ATTORNEY TING: Nicole Ting for the record.  
40 Item number 10, 285 Lemaire -- Lemaire Road is -- is an

1 estate that the district attorney's office is handling.  
2 We e-mailed the treasurer to take it off, but I don't think  
3 we got to her in time. So if you do approve it, I would request  
4 that you approve minus item number 10.  
5 CHAIRMAN GARNER: Item 10 is Kingston.  
6 DEPUTY DISTRICT ATTORNEY TING: Sorry. Number four on the  
7 --  
8 COMMISSIONER BULLOCK: I make motion we approve the list of  
9 tax delinquent properties for sell in Lander County minus parcel  
10 number 002-343-02.  
11 COMMISSIONER STIENMETZ: I'll second the motion.  
12 CHAIRMAN GARNER: Any public comment?  
13 (No comment.)  
14 CHAIRMAN GARNER: All those in favor?  
15 COMMISSIONER MASON: Aye.  
16 CHAIRMAN GARNER: Aye.  
17 COMMISSIONER STIENMETZ: Aye.  
18 COMMISSIONER WAITS: Aye.  
19 COMMISSIONER BULLOCK: Aye.  
20  
21 COMMISSIONER BULLOCK: I make a motion we direct the county  
22 treasurer to have permission to sell the delinquent tax  
23 properties per NRS 361.595 and other ma- -- yeah.  
24 COMMISSIONER STIENMETZ: I'll second the motion.  
25 CHAIRMAN GARNER: Any public comment?  
26 (No comment.)  
27 CHAIRMAN GARNER: All those in favor?  
28 COMMISSIONER MASON: Aye.  
29 CHAIRMAN GARNER: Aye.  
30 COMMISSIONER WAITS: Aye.  
31 COMMISSIONER STIENMETZ: Aye.  
32 COMMISSIONER BULLOCK: Aye.  
33  
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40

1 LANDER ECONOMIC DEVELOPMENT AUTHORITY

2  
3 11) Discussion for possible action regarding approval/disapproval  
4 regarding the following request for re-appointment to the  
5 Lander Economic Development Authority Board (LEDA), Sarah  
6 Edgar, term to run 1/1/15 through 6/30/16, and other matters  
7 properly related thereto.  
8

9 CHAIRMAN GARNER: Eleven, discussion for possible action  
10 regarding approval/disapproval of the following request for  
11 re-appointment to the Lander County Development Authority Board  
12 (LEDA), Sarah Edgar, term to run 1/1/15 through 6/30/15, and  
13 other matters properly related thereto.

14 JAN MORRISON: Jan Morrison, community services officer and  
15 liaison to LEDA.

16 And she's been doing an excellent job. We simply ask that  
17 you reappoint her.

18 COMMISSIONER BULLOCK: My only question: Do we -- are we  
19 supposed to publicize this? Are we supposed to advertise for  
20 these positions?

21 I know it's an advisory board, but we're -- we're just  
22 re-upping these people, but are we supposed to advertise for the  
23 positions?

24 JAN MORRISON: You know, I've -- there's no record of them  
25 ever -- ever being advertised.

26 COMMISSIONER BULLOCK: I know, I just got to wondering  
27 about that.

28 JAN MORRISON: I don't know.

29 COMMISSIONER WAITS: That might be something to think  
30 about, to list advisory boards and certainly give the  
31 information to the public?

32 COMMISSIONER BULLOCK: But seeing's how that's not the  
33 trend, I make a motion to approve -- that we appoint Sarah Edgar  
34 to the Lander County Economic Development Authority board for a  
35 term to run from 1<sup>st</sup> of January 2015 through June 30<sup>th</sup>, 2016.

36 COMMISSIONER WAITS: I'll sec- --

37 COMMISSIONER STIENMETZ: I'll second the motion.

38 CHAIRMAN GARNER: Any public comment?

39 COMMISSIONER MASON: I think the executive director ought  
40 to check to see if there is advertising required.

1 KEITH WESTENGARD: We're -- we're just discussing that.  
2 She'll get back to me.

3 CHAIRMAN GARNER: All those in favor?

4 COMMISSIONER MASON: Aye.

5 COMMISSIONER WAITS: Aye.

6 CHAIRMAN GARNER: Aye.

7 COMMISSIONER STIENMETZ: Aye.

8 COMMISSIONER BULLOCK: Aye.  
9  
10

11 **12) Discussion for possible action regarding approval/disapproval**  
12 **regarding the following request for re-appointment to the**  
13 **Lander Economic Development Authority Board (LEDA), George**  
14 **Fennemore, term to run 1/1/15 through 6/30/16, and other**  
15 **matters properly related thereto.**  
16

17 CHAIRMAN GARNER: Twelve, discussion for possible action  
18 regarding approval/disapproval regarding the following request  
19 for re-appointment to the Lander County Economic Development  
20 Authority Board (LEDA), George Fennemore, term to run 1/1/15  
21 through 6/30 of '16, and other matters properly related thereto.

22 JAN MORRISON: And liaison -- again, Jan Morrison community  
23 services officer, liaison to LEDA.

24 We ask that you reappoint George Fennemore also. It's a --  
25 he's a phenomenal asset to the authority.

26 COMMISSIONER WAITS: I'll make a motion we reappoint George  
27 Fennemore to the Lander Economic Development Authority, for his  
28 term to run 1/1/15 through 6/30/16.

29 COMMISSIONER MASON: Second.

30 COMMISSIONER STIENMETZ: I'll second the motion.

31 CHAIRMAN GARNER: Any public comment?

32 (No comment.)

33 CHAIRMAN GARNER: All those in favor?

34 COMMISSIONER MASON: Aye.

35 COMMISSIONER STIENMETZ: Aye.

36 CHAIRMAN GARNER: Aye.

37 COMMISSIONER WAITS: Aye.

38 COMMISSIONER BULLOCK: Aye.

39 JAN MORRISON: Thank you.  
40

1 LANDER COUNTY CLERK

2  
3 13) Discussion for possible action regarding approval/disapproval  
4 of updated job description for the Executive Secretary I for  
5 the clerk's office, and other matters properly related  
6 thereto.  
7

8 CHAIRMAN GARNER: Discuss-- -- thirteen, discussion for  
9 possible action regarding approval/disapproval of update job  
10 descriptions for the Executive Secretary I for the clerk's  
11 office, and other matters properly related thereto.

12 COUNTY CLERK SULLIVAN: Sadie Sullivan, Lander County  
13 Clerk.

14 There's just a few things. I have them highlighted in your  
15 packets on the next several items as to just updates, things that  
16 I had to take out. So I just want to stay on top of things.

17 COMMISSIONER WAITS: So Sadie, this is all of your  
18 positions in -- in your office --

19 COUNTY CLERK SULLIVAN: Right.

20 COMMISSIONER WAITS: -- that you are updating?

21 COUNTY CLERK SULLIVAN: Correct.

22 And I have been in touch with HR and also Keith. And we have  
23 gone over these, the three of us.

24 COMMISSIONER WAITS: And the ones in yellow are the ones  
25 that -- that you've been changing, right?

26 COUNTY CLERK SULLIVAN: Right.

27 COMMISSIONER WAITS: Okay. I'll make a motion we approve  
28 the updated job description for the Executive Secretary I for  
29 the clerk's office.

30 COMMISSIONER STIENMETZ: I'll second the motion.

31 CHAIRMAN GARNER: Any public comment?

32 (No comment.)

33 CHAIRMAN GARNER: All those in favor?

34 COMMISSIONER MASON: Aye.

35 CHAIRMAN GARNER: Aye.

36 COMMISSIONER WAITS: Aye.

37 COMMISSIONER STIENMETZ: Aye.

38 COMMISSIONER BULLOCK: Aye.  
39  
40

1     **14) Discussion for possible action regarding approval/disapproval**  
2     **of updated job description for the Executive Secretary**  
3     **Trainee for the clerk's office, and other matters properly**  
4     **related thereto.**  
5

6           CHAIRMAN GARNER: Fourteen, discussion for possible action  
7 regarding approval/disapproval of updated job description for  
8 the Executive Secretary Trainee -- Trainee for the Clerk's  
9 office, and other matters properly related thereto.

10          COMMISSIONER WAITS: I'll make a motion we approve the  
11 updated job description for the Executive Secretary Trainee for  
12 the clerk's office.

13          COMMISSIONER STIENMETZ: I'll second the motion.

14          CHAIRMAN GARNER: Any public comment?

15                 (No comment.)

16          CHAIRMAN GARNER: All those in favor?

17          COMMISSIONER MASON: Aye.

18          CHAIRMAN GARNER: Aye.

19          COMMISSIONER WAITS: Aye.

20          COMMISSIONER STIENMETZ: Aye.

21          COMMISSIONER BULLOCK: Aye.

22

23     **15) Discussion for possible action regarding approval/disapproval**  
24     **of updated job description for the Administrative Specialist**  
25     **for the clerk's office, and other matters properly related**  
26     **thereto.**  
27

28           CHAIRMAN GARNER: Discussion for possible action regarding  
29 approval/disapproval of the updated job description for the  
30 Administrative Specialist for the clerk's office, and other  
31 matters properly related thereto.

32          COMMISSIONER WAITS: I'll make a motion that we approve the  
33 updated jobs description for the administrative specialist for  
34 the clerk's office.

35          COMMISSIONER STIENMETZ: I'll second the motion.

36          CHAIRMAN GARNER: Any public comment?

37                 (No comment.)

38          CHAIRMAN GARNER: All those in favor?

39          COMMISSIONER MASON: Aye.

40          CHAIRMAN GARNER: Aye.

1 COMMISSIONER WAITS: Aye.  
2 COMMISSIONER STIENMETZ: Aye.  
3 COMMISSIONER BULLOCK: Aye.  
4

5 **16) Discussion for possible action regarding approval/disapproval**  
6 **of updated job description for the Senior Deputy Clerk for**  
7 **the clerk's office, and other matters properly related**  
8 **thereto.**  
9

10 CHAIRMAN GARNER: Sixteen, discussion for possible action  
11 regarding approval/disapproval of updated job description for  
12 the Executive -- Senior Deputy Clerk for the clerk's office, and  
13 other matters properly related thereto.

14 COMMISSIONER WAITS: I'll make a motion we approve the  
15 updated job description for the Senior Deputy Clerk for the  
16 clerk's office.

17 COMMISSIONER STIENMETZ: I'll second the motion.

18 COMMISSIONER WAITS: And I have a question, Sadie, on  
19 these. I'm assuming that -- that your employees have all gone  
20 over with the new -- since they were hired under the old one and  
21 now we're updating, then they signed off on the new information?

22 COUNTY CLERK SULLIVAN: They will once you guys --

23 COMMISSIONER WAITS: After we approve?

24 COUNTY CLERK SULLIVAN: Correct.

25 And they're actually aware of it ahead of time.

26 COMMISSIONER WAITS: That was my question.

27 COUNTY CLERK SULLIVAN: Safety sensitive and that type of  
28 thing. So they did actually -- they were aware of it prior to.

29 COMMISSIONER WAITS: Thank you.

30 COMMISSIONER STIENMETZ: I seconded it.

31 CHAIRMAN GARNER: Any public comment?

32 (No comment.)

33 CHAIRMAN GARNER: All those in favor?

34 COMMISSIONER MASON: Aye.

35 CHAIRMAN GARNER: Aye.

36 COMMISSIONER WAITS: Aye.

37 COMMISSIONER STIENMETZ: Aye.

38 COMMISSIONER BULLOCK: Aye.

39 COUNTY CLERK SULLIVAN: Thank you.  
40

1 COMMISSIONERS

2  
3 17) Discussion for possible action regarding approval/disapproval  
4 regarding a proposal from Belanger & Plimpton to provide  
5 public defender services to Lander County, and other matters  
6 properly related thereto.  
7

8 CHAIRMAN GARNER: Discussion for -- seventeen, discussion  
9 for possible action regarding approval/disapproval regarding a  
10 proposal from Belanger & Plimpton to provide public defender  
11 service to Lander County, and other matters properly related  
12 thereto.

13 TODD PLIMPTON: Good morning.

14 COMMISSIONER STIENMETZ: Good morning.

15 TODD PLIMPTON: How's everybody doing this morning?

16 COMMISSIONER WAITS: Morning.

17 CHAIRMAN GARNER: Great.

18 TODD PLIMPTON: I have an update for the packet I'd like to  
19 share with the board.

20 CHAIRMAN GARNER: Can I have you state --

21 TODD PLIMPTON: I had the original for your --

22 CHAIRMAN GARNER: Could I have you state your name for the  
23 record, please.

24 TODD PLIMPTON: Todd Plimpton, partner with the law firm of  
25 Belanger & Plimpton. If I may approach, Mr. Commissioner?

26 COMMISSIONER MASON: Thank you.

27 TODD PLIMPTON: You bet. Commissioner.

28 Good morning.

29 CHAIRMAN GARNER: Is this something we have in our packets?

30 COUNTY CLERK SULLIVAN: Do you have an additional one --

31 TODD PLIMPTON: I actually --

32 COUNTY CLERK SULLIVAN: -- for the packet?

33 TODD PLIMPTON: Yeah, I do.

34 COUNTY CLERK SULLIVAN: Or I can get it at the end.

35 TODD PLIMPTON: You bet. Or I can give it to you right  
36 now.

37 CHAIRMAN GARNER: She -- you can have mine. We'll share.  
38 She can have mine.

39 TODD PLIMPTON: Well, those of us down in Lovelock are  
40 rooting for you up here in Battle Mountain to be shoveling out

1 of your driveways by the end of January.

2 Mr. Commissioner, if you're --

3 Patsy.

4 CHAIRMAN GARNER: Who do we got?

5 COUNTY CLERK SULLIVAN: Do you want them on the line now?

6 What it is is it would be Dolan Law would like to ring in on  
7 these items, this item and the next item.

8 And then if we (indiscernible) them all, Bob wanted to be  
9 (indiscernible). This one.

10

11 (County Clerk contacting Dolan Law by telephone.)

12

13 COUNTY CLERK SULLIVAN: Good morning. Is this Bob?

14 This is Sadie in the Lander County commission meeting. And  
15 we're going to put you on speaker phone. If you do speak, we'll  
16 have to have you speak loud on this phone, if you would, please.

17 Just a moment. Uh-huh.

18 CHAIRMAN GARNER: Go ahead, sir.

19 TODD PLIMPTON: All right. Thanks, Mr. Commissioner.

20 First of all, I want to thank everybody for their time in  
21 allowing the law firm of Belanger & Plimpton to present the  
22 public defender contract.

23 Let me start off by saying that I do think that this is just  
24 more than a job that we would all norm-- normally associate. I  
25 believe the public defender is a resource manager for all the  
26 citizens of Lander County. And what I mean by that is, a public  
27 defender has to have the kind of experience necessary -- when  
28 you're dealing with our citizens for -- from DCFS to Join to  
29 divorces to high-risk families. The attorneys that are doing  
30 these jobs need this kind of experience. And I believe after 24  
31 years, our firm brings that requisite experience.

32 In addition to that, I think -- I'll talk a little bit  
33 about the cover letter -- is that -- is that we've been in  
34 existence 1954. And we have a great staff. I've had the same  
35 staff for 17 years, same paralegal. I just hired a brand-new  
36 paralegal. And I have three people that work for me. So  
37 we're staffed right. And we have the requisite experience to do  
38 this job.

39 Now, what's interesting, in any experience of 23 years, one  
40 of the things that I've discovered about -- especially doing

1 public defender and -- work -- is there's a couple of things I  
2 think you should be aware of. First of all, you're going to want  
3 to hire a public defender that's not going to be afraid of taking  
4 the tough cases.

5 You're going to want to hire a public defender that is a  
6 peer or can work very well with the DA's office, can sit down  
7 with the DA's office. Because there's no hidden secret that in  
8 our system of jurisprudence about 85 to 95 percent of the cases  
9 get settled. And the only way you can appropriately settle  
10 those cases is if you have an attorney that's representing our  
11 citizens that has the requisite experience and the ability to  
12 work as a peer with the DA's office to get those cases settled.

13 The second thing that will occur is you're going to want to  
14 hire a public defender that's going to take every case that's  
15 put in front of him, is not going to want to find excuses for  
16 conflicting themselves out of -- out of cases that come in front  
17 of them.

18 So I just want to reassure you that should I get the  
19 privilege of your appointment to be your public defender, I'm  
20 going to do every case that I possibly can with, you know, to a  
21 reasonable point.

22 Now, the other final thing I would present to you, just in  
23 kind of laying the groundwork for your consideration is this, is  
24 that I've reviewed your contract from 2009, which you had with the  
25 Herrera office. I reviewed the one that was put in by Bob -- by  
26 Bob Dolan and his law firm. It's a -- I would just say, for the  
27 record, that Mr. Dolan is a -- is a fantastic attorney. They're a  
28 good law firm. They'd do a good job for you.

29 However, I do think that Belanger & Plimpton is uniquely  
30 positioned to do this. And both the contracts that were  
31 presented to you were -- are more than appropriate. And so  
32 should you approve our firm today to be your -- to provide  
33 services to the public defender contract, we would go ahead and  
34 finish tracking the contract and get it back before the  
35 January -- January 5<sup>th</sup> time line.

36 A couple of things I would point out to you, kind of in  
37 closing here, is that we would -- after looking at the contract, I  
38 do feel that 88,000 is a fair number. That's 22,000 a quarter.

39 I would invite the county commissioners to think about paying  
40 it quarterly. I think that would help with -- with contract

1 administration on a quarterly basis.

2 Secondly, I would also invite the county commissioners to  
3 think about maybe a 90-day out for both parties. I'd like to  
4 think that once we take this contract that I'd like to do this  
5 contract for, you know, for the foreseeable future for years to  
6 come.

7 But at the same time, too, if you think 90 days is a good way  
8 to approach contracts like this.

9 And then finally, our law firm is open to any and all  
10 provisions that you folks deem necessary in putting this contract  
11 together.

12 And so with that in mind, I just close by telling you that --  
13 that it's an honor to be considered. I do believe I bring to the  
14 table the requisite experience to provide the public defender  
15 resources necessary for the citizens of Lander County.

16 And then finally, I think what you'll find from our firm  
17 and my staff is that you'll get an earnest effort and something  
18 as county commissioners each and every -- when you guys get  
19 asked about your public defender service here in Lander County,  
20 it's something you can be proud of. And that's why I'm before  
21 you today.

22 So questions? Thoughts?

23 CHAIRMAN GARNER: Where's your firm out of?

24 TODD PLIMPTON: Well, we're out of Lovelock. And one of --  
25 and Brian, one of the things that we're going to do is I've  
26 already made arrangements to set up an office here in Lander  
27 County. And my real intent, the strategic intent for our firm  
28 is to actually have an office and presence up here, where I'm  
29 going to have -- I'm going to have a secretary here. I'm going  
30 to hire someone here in Lander County. I'm going to be up here  
31 at least a day or two a week.

32 And I want to practice more than just criminal defense  
33 work. My -- my real goal is to get up here in Lander County. I  
34 think you guys have a -- have a real opportunity. There's a lot  
35 of work up here that's underserved right now. I think probate,  
36 estates, business transactional work, you know. I think we're  
37 uniquely positioned. Our firm's done a lot of that kind of work  
38 over the years.

39 And when we look at the fact that Mr. Herrera and  
40 Mr. Forgeron are going into the DA's office, with the -- you

1 only have a couple of attorneys in town. And I -- and I do  
2 think there's a lot of opportunity here.-----

3 And so that's how I'm viewing this is an opportunity to for  
4 me to use this contract from a reasonable standpoint to  
5 essentially set up an office here in Lander County and go to work.  
6 You're going to see me in town a couple of days a week as a  
7 minimum.

8 COMMISSIONER MASON: We -- we just approved this other  
9 firm.

10 COMMISSIONER STIENMETZ: Uh-uh.

11 COMMISSIONER WAITS: No.

12 KEITH WESTENGARD: You did not --

13 COMMISSIONER BULLOCK: Uh-uh.

14 COMMISSIONER STIENMETZ: We just listened to it.

15 KEITH WESTENGARD: It was presented to you.

16 COMMISSIONER MASON: Okay, there wasn't no vo- -- there  
17 wasn't a vote on it?

18 KEITH WESTENGARD: No.

19 COMMISSIONER STIENMETZ: No.

20 KEITH WESTENGARD: That's the next --

21 COMMISSIONER MASON: Well, I have a couple of questions.

22 TODD PLIMPTON: Yes, sir.

23 COMMISSIONER MASON: I need this clarified a little bit.

24 As a public defender, let's say that I'm in need.

25 TODD PLIMPTON: Okay.

26 COMMISSIONER MASON: I'm in jail or whatever -- so I can  
27 understand this a little better.

28 And I call you. If you're the public defender, I call you.

29 Is there a -- can you charge me? Do you charge me for services?

30 TODD PLIMPTON: No. And here's -- and here's the way that

31 -- first of all, the public defender is appointed by the judge,

32 either the justice of the peace or the district court judge.

33 And you can be for -- any one of a matter of things,

34 Commissioner Mason. It can be youth activities, juvenile

35 offenses, drug court, gross misdemeanors, or felonies with

36 associated misdemeanors. It can be a whole gamut.

37 COMMISSIONER MASON: But it's usually people coming through  
38 jail system?

39 TODD PLIMPTON: Right.

40 COMMISSIONER MASON: Okay. And then the judge is

1 appointing a public defender --

2 TODD PLIMPTON: Yes, sir.

3 COMMISSIONER MASON: -- to defend them.

4 TODD PLIMPTON: So to kind of build upon your scenario, if  
5 I did get a phone call from someone that had been incarcerated,  
6 they've been arrested by the sheriff's office. They've been  
7 incarcerated and they were in jail and they called me, I would  
8 find out when their first hearing is, their initial arrangement,  
9 initial appearance. I would instruct them to seek the  
10 appointment of a public -- of the public defender.

11 And then they -- they fill out an economic sheet. Because  
12 we're not going to -- we're not going to spend public resources  
13 representing someone that can afford to, you know, hire an  
14 attorney.

15 And so it's really up to the judge to make -- to make that --  
16 to make that determination and appoint.

17 So that's how I would proceed with that

18 COMMISSIONER MASON: Okay.

19 COMMISSIONER WAITS: I do have one question, Counselor, and  
20 that's the rural subcommittee on indigent defense --

21 TODD PLIMPTON: Yes, ma'am.

22 COMMISSIONER WAITS: -- has been looking into some things.  
23 And one of the concerns that we brought up last time is when we  
24 have a -- an actual public defender on retainer, are we truly  
25 giving that person who -- who has your services the very best we  
26 can give them? Or should we be doing it on a case-by-case  
27 basis? And that's something everybody -- other counties have  
28 been struggling with.

29 Are you aware of any other public defenders that -- that are  
30 going on a case-by-case basis with the counties at all?

31 TODD PLIMPTON: You know, there's really three ways to  
32 approach it.

33 When I was a city attorney in Fallon, we had -- Fallon  
34 right now has three public defender contracts. They're each  
35 getting paid 10,000 apiece. So when you look out across Nevada,  
36 there's -- there's all different kinds of ways to get after  
37 this.

38 Lovelock, for example, hires a full-time employee on PERS.  
39 And I can tell you that that salaried employees is probably  
40 costing -- with PERS and the benefits package -- I think we just

1 heard today that the PERS contribution is now up to 28,  
2 29 percent. So you're looking at 140-, \$150,000 to essentially  
3 hire an attorney with the requisite experience.

4 And you don't -- and I would say in preparation for  
5 answering your question, Patsy, you want to hire an attorney  
6 with eight, ten, twelve years' experience as a minimum to do  
7 this job. You want someone that's got former jury experience.  
8 You want someone that's been maybe a former prosecutor or  
9 someone that's got eight or ten years of private -- private  
10 experience to do this job, because that's -- you're hiring a  
11 lawyer that's going to represent the citizens that -- of your  
12 county. And you want to hire someone that's going to give them  
13 a hard effort.

14 So in answering your question, you can do private contract  
15 like -- which is what you're proposing we do here. You can do a  
16 PERS employee, which is what Lovelock and Humboldt County do. You  
17 could kind of do what Fallon does, and they do a blended. Or  
18 you could go with the state -- with the state agency, with the  
19 state public defender's office.

20 And in my experience, I would -- I would just be -- I would  
21 not recommend you go with the state public defender's office.  
22 I'll just be very candid about it. In all the counties I've been  
23 involved in, it's been very problematic.

24 So you really have two choices. You have -- do you want to  
25 do a contracted attorney or do you want to hire a full-time  
26 employee?

27 So if you go with a contracted employee, you have two options  
28 there. You want to go with someone like myself or Bob Dolan or  
29 our firms and pay us a flat fee and have us do the casework that  
30 comes before us? Or do you want to pay us an hourly? The risk  
31 you run with doing an hourly, right up front, a hundred dollars an  
32 hour, which is the going rate, is that -- you don't have the known  
33 cost. You can't budget against that cost. Okay.

34 Now someone that's served 16 years on a school board and  
35 represents a lot of public boards, the one thing I know that you  
36 guys want on the county commission is that you're going to  
37 want --

38 COMMISSIONER WAITS: Budget.

39 TODD PLIMPTON: You're going to want something you can  
40 budget against.

1 All right. So one year it might only be \$40,000. The next  
2 year it might be \$200,000. So unless you are willing to build a  
3 kitty or something like that, it could be very problematic.

4 The proposal by -- if I understand the proposal correctly  
5 from both myself and Mr. Dolan, it gives you some certainty with  
6 the exception of death penalty cases. Now this county hasn't had  
7 a death penalty case in recent memory. I don't think you're going  
8 to get a death penalty case. If you do get a death penalty case,  
9 you're going to have to appoint anyway.

10 So whoever provides the death penalty services is going to be  
11 outside the scope of this contract anyway. And you could spend,  
12 to be honest about it, it could be 60- to 150,000 on a death  
13 penalty case.

14 COMMISSIONER WAITS: I know.

15 TODD PLIMPTON: Not being -- I've been involved in them.  
16 I've been -- and I've taken death penalty cases up to the brink  
17 of a jury trial. I've just never done a jury trial on them.

18 So that's the real nature of this.

19 And so I think that my recommendation to you, to the  
20 commissioners, is you get an attorney that you have faith in,  
21 someone you know is going to work hard, and give you an honest  
22 effort for the contract. That 88,000 or 95,000 is what Bob  
23 Dolan, I think, is at. You want an attorney that's going to  
24 take all the cases that they possibly can take, is going to work  
25 very well with the DA's office to keep costs down -- all right --  
26 and then -- and then you're going to want to have a conflicts  
27 counsel, you know.

28 COMMISSIONER WAITS: So is this directly with you on this  
29 contract? Or is it kind of your firm too? So if you are --

30 ~~TODD PLIMPTON: It's with me.~~

31 COMMISSIONER WAITS: If you are unavailable --

32 TODD PLIMPTON: It's with me.

33 COMMISSIONER WAITS: -- there's nobody in your office  
34 that's going to --

35 TODD PLIMPTON: Well, --

36 COMMISSIONER WAITS: -- step in? We have to go to our --

37 TODD PLIMPTON: What you would do is if I was on -- let's  
38 say I got sick or a car wreck or something like that, what I  
39 would do underneath the contract is I would retain at my own  
40 expense someone to cover that contract. And I would. I would

1 do that.

2 COMMISSIONER WAITS: So if you're unavailable, we still go  
3 through you?

4 TODD PLIMPTON: Yes, ma'am.

5 It's just -- it's there --

6 COMMISSIONER WAITS: So we don't have to go to an  
7 (indiscernible) unless you have a con- -- unless you have a  
8 conflict or something?

9 TODD PLIMPTON: Unless I have a conflict.

10 COMMISSIONER WAITS: Okay.

11 TODD PLIMPTON: So any expenses associated with, say --  
12 well, the judge is sitting right there.

13 COMMISSIONER WAITS: Okay.

14 TODD PLIMPTON: Any cases that he appoints me, I'm going  
15 service.

16 COMMISSIONER WAITS: Okay.

17 TODD PLIMPTON: And if I have to come out of contract to  
18 pay someone to provide the services, you know, I'm going to do  
19 that.

20 COMMISSIONER WAITS: Okay.

21 TODD PLIMPTON: And that's part of my calculation of the  
22 con- -- I -- I do think I'm going to do some that. You know, at  
23 some point, I'd like to think that my work in Battle Mountain  
24 and this contract and over time I'd be able to maybe hire an  
25 associate and do that. But you're looking at the attorney  
26 that's going to represent these people.

27 COMMISSIONER WAITS: Thank you.

28 COMMISSIONER MASON: It's -- from our last meeting, I  
29 understand we have a lot of drug cases.

30 TODD PLIMPTON: You do. And you're going to have more,  
31 too.

32 COMMISSIONER MASON: Yeah. So in your case, you want to  
33 open a second office here?

34 TODD PLIMPTON: Mm-hm.

35 COMMISSIONER MASON: Rather than commute?

36 TODD PLIMPTON: Right.

37 COMMISSIONER MASON: Okay. I guess my question is: If we  
38 go with you guys, we put you on retainer --

39 TODD PLIMPTON: Mm-hm.

40 COMMISSIONER MASON: -- and it's a two-year contract --

1 TODD PLIMPTON: Mm-hm.

2 COMMISSIONER MASON: -- paid quarterly. What you'd like to  
3 have --

4 TODD PLIMPTON: Mm-hm.

5 COMMISSIONER MASON: -- is paid quarterly.

6 What guarantee -- how do you guarantee that -- not that you  
7 even can guarantee that the -- we are paying you to publicly  
8 defend people that can't afford it who are in jail or going  
9 before the judge.

10 So you're going to be interested in private practice at the  
11 same time, yes?

12 TODD PLIMPTON: Mm-hm.

13 COMMISSIONER MASON: So how do we know that -- that our  
14 people, the people that we've retained you for, are getting your  
15 best service?

16 Is it just -- I don't know if you could answer --

17 TODD PLIMPTON: Commissioner Mason, --

18 COMMISSIONER MASON: -- that question.

19 TODD PLIMPTON: -- I do. You know, it's like any other  
20 retaining of professional services.

21 I mean, I'm looking at the whites of your eyes. All right.  
22 And I'm telling you that as a professional person, I'm going to do  
23 a good job for the money that you pay me for.

24 And that's why I think the 90-day provision is a good deal.  
25 At some point during the course of this contract if you -- if  
26 you folks don't feel like, you know, Belanger & Plimpton is  
27 giving you the requisite services -- or any professional  
28 services, CPA, doctor, anything, you're welcome to terminate.  
29 But I don't think that's going to be a problem.

30 ~~The other thing I would give you some assurance on too,~~  
31 Commissioner Mason, is -- is past experience.

32 I've -- I believe right now the public defender system that  
33 we have in the state of Nevada is pretty darn good. It's under  
34 resourced. And the -- the report that Commissioner Waits points  
35 to will point that out to you folks.

36 And I do think that -- I think there's some real -- there's  
37 real good argument, if we read the same report, Patsy, I think  
38 it's the state of -- that the state of Nevada should step up and  
39 help the counties to providing public support -- public defender  
40 work. I believe that in my heart. I believe that based upon

1 everything we've had. But in the meantime, I think that this is  
2 the best offer for you is to either hire myself or Mr. Dolan to  
3 give you the baseline services you need to represent your citizens  
4 of this county.

5 COMMISSIONER MASON: It's not a question about need. I  
6 know we need it.

7 TODD PLIMPTON: Yes, sir.

8 COMMISSIONER MASON: So it's just a question of  
9 clarification for me.

10 TODD PLIMPTON: Yes, sir.

11 COMMISSIONER MASON: And maybe the rest of the board  
12 understands it better than I do. It's --

13 TODD PLIMPTON: I think there's some trust there.

14 You know, I -- you know. And I think -- one of the, you  
15 know, 23 years of private practice, you know, I'm BV-rated. I've  
16 never had a bar compliant. I've been in private practice most of  
17 my -- you know, I'm not misrepresenting my effort to you. If I  
18 tell you I'm going to do a job, Commissioner Mason, you're going  
19 to get -- you're going -- you're going to get a good job from me.

20 COMMISSIONER MASON: So, Keith, how does this work?

21 We got these two guys coming before us, two firms.

22 KEITH WESTENGARD: Yes.

23 COMMISSIONER MASON: Now, how do -- we privately select?  
24 We openly select on the next meeting?

25 KEITH WESTENGARD: You vote -- on the next.

26 (Simultaneous conversation.)

27 COMMISSIONER WAITS: Next.

28 COMMISSIONER BULLOCK: Next agenda item.

29 COMMISSIONER WAITS: Next agenda item.

30 COMMISSIONER STIENMETZ: -- item.

31 TODD PLIMPTON: Next item on the agenda.

32 KEITH WESTENGARD: We've had the --

33 COMMISSIONER MASON: Oh. Right behind us.

34 KEITH WESTENGARD: We've had Dolan the last commission  
35 meeting and Plimpton this one.

36 Once he's finished with his presentation, it'll come up in  
37 the next agenda item. You guys discuss it. And then you make a  
38 decision. And you're awarding the contract for our public  
39 defender.

40 COMMISSIONER MASON: Good deal.

1 KEITH WESTENGARD: And I believe Mr. Dolan's representative  
2 is here as well. And I have --

3 COMMISSIONER MASON: Interesting.

4 KEITH WESTENGARD: -- copies of Mr. Dolan's as well, if  
5 that needs to be reviewed, that I brought with me.

6 COMMISSIONER MASON: I think he's answered my questions,  
7 you know.

8 COMMISSIONER WAITS: Thank you, Counselor.

9 TODD PLIMPTON: You bet.

10 COMMISSIONER MASON: Lifted the fog, say (indiscernible).  
11 Thank you.

12 COMMISSIONER STIENMETZ: Anybody have any more questions to  
13 ask? I have none.

14 TODD PLIMPTON: You bet. Thank you for your time. I  
15 appreciate that.

16 COMMISSIONER BULLOCK: Thanks.

17 TODD PLIMPTON: And I'll just conclude by saying that I  
18 think that you guys are getting a job well done by either one of  
19 us. I have all the confidence in the world that should you  
20 grant the contract to us, we'll do a good job. The same thing  
21 for Mr. Dolan. I think he's a terrific attorney.

22 COMMISSIONER STIENMETZ: Thank you, Todd.

23 TODD PLIMPTON: You bet.

24 COMMISSIONER BULLOCK: Thanks, Todd.

25 CHAIRMAN GARNER: Thank you.

26 We'll take a ten-minute break.

27

28 (Break taken between 10:13 a.m. and 10:24 a.m.)

29

30 CHAIRMAN GARNER: Call the meet- -- call the meeting back  
31 to order.

32

33 18) Discussion for possible action to select a new public  
34 defender effective January 5, 2015, and other matters  
35 properly related thereto.  
36

37 CHAIRMAN GARNER: Eighteen, discussion for possible action  
38 to select a new public defender effective January 5, 2015, and  
39 other matters properly related thereto.

40

COMMISSIONER BULLOCK: Nan, what's in the budget?

1 NAN ANCHO: This is -- the position is budgeted at 85,000 a  
2 year.

3 COMMISSIONER BULLOCK: Okay. So what's left?

4 NAN ANCHO: We're about halfway through. We have -- hold  
5 on one second here.

6 COMMISSIONER MASON: Yeah. She'll tell us.

7 NAN ANCHO: Currently we have 86,000 left. But we're not  
8 through December yet, either, so --

9 This is just from November's report.

10 There was a little extra in there for previous -- she put a  
11 little extra in there because we must've had some extra charges  
12 for previous years so --

13 JUDGE MAX BUNCH: Mr. Chairman, can I make a comment on  
14 that? Potentially what's the extra in the budget is for in case  
15 there's a death penalty case that -- that there is that amount  
16 that you have to appoint two attorneys.

17 And Judge Bunch for the record so I don't get in trouble.

18 But -- but the extra money that's put in there is -- is in  
19 case another attorney has to be appointed in a death penalty case.  
20 And then that money is utilized. Because that is paid by an  
21 hourly rate at -- it's 200 and -- I meant 250 an hour or something  
22 on a death penalty case, on a rural 250 case what they -- what the  
23 supreme court calls it.

24 So -- so specifically, you probably have \$42,250 until the  
25 end of the budget year provided we don't have a death penalty case  
26 in the next six months.

27 COMMISSIONER WAITS: Since we have representation from both  
28 of our law firms here, let me ask on the general contract that  
29 we have under 2009 that you're all presenting your cases --  
30 your -- your information with, is there any other services that  
31 you might look at, since we don't have quite the number that  
32 many of the other counties do, that you might be able to provide  
33 to us that is not in the contract currently?

34 UNIDENTIFIED PARTICIPANT: I'm sure Mr. Dolan would be  
35 able to discuss that.

36 COMMISSIONER WAITS: I was thinking perhaps the drug  
37 courts? Maybe representing some there that don't have the funds  
38 to pay for their own private attorney? How do you feel about  
39 that?

40 TODD PLIMPTON: I believe a valid assumption, Commissioner

1 Waits, was that I would be representing the drug court. Any --  
2 any appointment that the judges feel necessary to appoint, I  
3 would take it under the contract.

4 And, I -- you know, I think that's only appropriate.

5 So in a drug court case, if -- especially with juveniles,  
6 usually we have juvenile cases. And then you also have 432B  
7 cases, civil and domestic violence cases.

8 COMMISSIONER WAITS: Yes.

9 TODD PLIMPTON: There's a whole gamut of cases where you  
10 can get a court-appointed attorney. So there's some civil  
11 cases, in terms of child endangerment cases, DCFS cases, 432B  
12 cases that these judges can appoint us.

13 So I think the contract is you're going to be the -- the  
14 record of choice for a judge if they want to appoint a public  
15 defender. So regardless of the case, if Judge Wagner, Judge  
16 Shirley or the justice of the peace wants to appoint, I'm going  
17 to take that appointment under the contract as it exists.

18 BOB DOLAN: Hello. This is Bob Dolan. Am I able to be  
19 heard?

20 CHAIRMAN GARNER: Go ahead.

21 BOB DOLAN: Hi. Good after- -- good morning.

22 I have been able to listen to the presentation of  
23 Mr. Plimpton -- Mr. Plimpton. And I did appear there about two  
24 weeks or so ago. And I understand I have two of my employees  
25 there, Ms. Tammy Bendell and Brenda Montages.

26 I want to underscore some reasons why I believe it's in the  
27 public interest for Dolan Law to be selected to serve this  
28 contract, if I may, one is very important, is that Dolan Law  
29 does have two full-time, Spanish-speaking employees who will be  
30 ~~there to assist in providing resources to service the needs of~~  
31 ~~the indigent defendants. And we have those resources in place.~~  
32 And one said employee is there. That's Brenda Montages.

33 Additionally, Dolan Law does have three attorneys as of  
34 January of this year to be ready, willing, and able to meet all  
35 unexpected exigencies, emergencies, and the like that sometimes  
36 does visit the criminal justice system or the juvenile justice  
37 system. And those resources are in place, ready to go.

38 And rare though it may be, in the case of a capital case, a  
39 death penalty case, in which the district attorney's office deems  
40 it appropriate to charge the defendant with -- with capital

1 murder, Dolan Law, through my experience and the qualifications  
2 that I've had since 1999 here in Nevada, allows for a seamless  
3 representation of that defendant without it breaking the budget of  
4 a small county. Because frankly, I don't think anyone wants to be  
5 in a position to have financial considerations drive justice, if  
6 in fact there is an aggravated murder in your jurisdiction.

7 The district attorney would need to make the decision based  
8 upon the law of justice and what's appropriate under the  
9 circumstances. There are just too many anecdotal stories about a  
10 capital case being prosecuted which bankrupts a small county.  
11 Because it can happen. It's rare. But it can happen and in the  
12 annals of American history, that's happened.

13 Mr. Plimpton's a good man. I appreciated his kind comments  
14 about my experience and my law office.

15 The commission needs to make a decision. I believe that on  
16 balance, the selection should be my little law firm. And I'll  
17 leave it at that. But I'm ready, willing, and able to answer any  
18 questions that you may have in your deliberations.

19 Thank you.

20 COMMISSIONER WAITS: Counselor Dolan, yes, I did have a  
21 question. Would you just clarify for me then in your contract  
22 that you do understand that you do understand you also would be  
23 representing our drug court; is that correct?

24 BOB DOLAN: Correct.

25 COMMISSIONER WAITS: Thank you.

26 BOB DOLAN: The drug court team works hand in glove with  
27 the district attorney's office, the defense counsel, and the  
28 socials, you know, and of course the judge, and the counselors.  
29 It's a team effort. But certainly Nicole, Massey, and I would  
30 be fully -- fully part of the drug court team there in Battle  
31 Mountain.

32 COMMISSIONER WAITS: Thank you.

33 I would like to make a motion. And let me preface it by  
34 saying, I thank both of our professional attorneys for presenting  
35 the contracts for us to consider. And we certainly appreciate  
36 your time that you brought forth to give us the personal  
37 information.

38 I would like to make a motion that Lander County give the  
39 services to the law firm of Belanger & Plimpton for our public  
40 defender effective January 5<sup>th</sup>, 2015.

1 COMMISSIONER STIENMETZ: I will second the motion.  
2 COMMISSIONER MASON: I --  
3 CHAIRMAN GARNER: Any public comment?  
4 COMMISSIONER MASON: I'd like to -- are we going to talk  
5 about money here? Or we're just going to accept --  
6 COMMISSIONER STIENMETZ: No. We've got the contract.  
7 CHAIRMAN GARNER: No.  
8 COMMISSIONER MASON: We can't talk about negotiating?  
9 CHAIRMAN GARNER: That's a different agenda item.  
10 COMMISSIONER STIENMETZ: Yeah.  
11 CHAIRMAN GARNER: It's --  
12 COMMISSIONER STIENMETZ: We either approve or disapprove  
13 what we've got in front of us.  
14 COMMISSIONER WAITS: Perhaps some of our newly elected  
15 commissioners have a comment under public comment?  
16 SEAN BAKKER: I would say with the budget that Nan said and  
17 the money we have going forward, Plimpton would be the right  
18 choice.  
19 COMMISSIONER WAITS: Identify yourself.  
20 SEAN BAKKER: Sean Bakker.  
21 COMMISSIONER STIENMETZ: Commissioner elect.  
22 SEAN BAKKER: Commissioner, district five.  
23 COMMISSIONER WAITS: Thank you.  
24 CHAIRMAN GARNER: Any other public comment?  
25 (No comment.)  
26 CHAIRMAN GARNER: All those in favor?  
27 COMMISSIONER WAITS: Aye.  
28 COMMISSIONER STIENMETZ: Aye.  
29 COMMISSIONER BULLOCK: Aye.  
30 CHAIRMAN GARNER: Aye.  
31 COMMISSIONER MASON: Aye.  
32 COMMISSIONER STIENMETZ: Thank you.  
33 COMMISSIONER BULLOCK: Thank you.  
34 CHAIRMAN GARNER: Thanks.  
35 COMMISSIONER WAITS: Thank you.  
36 COUNTY CLERK SULLIVAN: (To Dolan Law) Are you still there?  
37 Okay. We'll be disconnecting now.  
38 Yes, it was.  
39 It was for Plimpton.  
40 You're welcome. Bye bye.

1 19) Discussion for possible action regarding approval/disapproval  
2 to accept the resignation of Jodi Moore as LEDA  
3 representative to the GRBDA (Great Basin Regional Development  
4 Authority) and appoint Rod Davis to the position, and other  
5 matters properly related thereto.  
6

7 CHAIRMAN GARNER: Nineteen, discussion for possible action  
8 regarding approval/disapproval to accept the resignation of Jodi  
9 Moore as LEDA representative to the GRBDA (Great Basin Regional  
10 Development Authority) and reappoint Rod Davis to the position,  
11 and other matters properly related thereto.

12 KEITH WESTENGARD: I believe last time Commissioner Bullock  
13 had a question. We did research it.

14 And the agenda identified the employment of an individual to  
15 serve on the Great Basin Regional Development Authority.

16 I did not hear or see any business on reference. So I did  
17 that research. And I believe you guys have copies of it. Jan  
18 helped me with it.

19 COMMISSIONER BULLOCK: And I did further research. I went  
20 and listened to the audio as I promised I would. And in the  
21 audio, it was presented by Paula Tomera as a business at large.  
22 And Jodi Moore presented herself as a business-at-large  
23 appointment.

24 But it was not in the --

25 KEITH WESTENGARD: It wasn't in the minutes.

26 COMMISSIONER BULLOCK: In the --

27 COUNTY CLERK SULLIVAN: In the motion.

28 COMMISSIONER BULLOCK: In the motion.

29 KEITH WESTENGARD: Oh, okay.

30 COMMISSIONER MASON: It was in the minutes. If you look at  
31 the minutes, that's what it said was business at large.

32 KEITH WESTENGARD: I guess -- yeah.

33 COMMISSIONER BULLOCK: So, you know, it doesn't matter to  
34 me.

35 If we want to forego a business person that, you know, I  
36 don't know if we need to be -- if it needs to come forth from LEDA  
37 that way or if we can just make that decision. So that's up to  
38 the board.

39 CHAIRMAN GARNER: I think it should stand the way it stands  
40 in the minutes or in the bylaws of that, as the bylaws of the

1 GDB- --

2 COMMISSIONER BULLOCK: Well, in the bylaws of the GDBRA, it  
3 just says person at large.

4 But the minutes I needed from LEDA I couldn't find -- where  
5 LEDA talked about it.

6 And LEDA, in their discussion, proposed a business at large  
7 rather than a member at large, I guess, so --

8 COMMISSIONER WAITS: I -- I truly appreciate all the work  
9 that you've put in to give us the backup here. And I know it  
10 certainly still gets confusing while we're weighing back and  
11 forth.

12 But I'm going go ahead and make a motion that we approve --  
13 appoint Rod Davis to the position for the LEDA representative to  
14 the Great Basin Regional Development Authority.

15 COMMISSIONER MASON: And I second that.

16 COMMISSIONER BULLOCK: As a correction, can't be the LEDA  
17 representative.

18 COMMISSIONER WAITS: He's not on LEDA?

19 COMMISSIONER BULLOCK: No. It would have to be a person at  
20 large.

21 COMMISSIONER WAITS: So he's a person at large on the Great  
22 Basin --

23 COMMISSIONER BULLOCK: Yes.

24 COMMISSIONER WAITS: -- Development? Okay. Thank you.  
25 I'll correct that.

26 COMMISSIONER MASON: I still second it.

27 CHAIRMAN GARNER: All those in pu- -- in public comment?  
28 (No comment.)

29 CHAIRMAN GARNER: All those in favor?

30 COMMISSIONER MASON: Aye.

31 CHAIRMAN GARNER: Aye.

32 COMMISSIONER BULLOCK: Aye.

33 COMMISSIONER WAITS: Aye.

34

35 20) Discussion for possible action regarding update by Phil  
36 Hanna, Battle Mountain General Hospital CEO, on the emergency  
37 medical services in Lander County, under administration by  
38 the Lander County Hospital District (LCHD), and other matters  
39 properly related thereto.  
40

1 CHAIRMAN GARNER: Discussion for possible action regarding  
2 update by Phil Hanna, Battle Mountain General Hospital CEO, on  
3 emergency medical services in Lander County, under  
4 administration by the Lander County Hospital District (LCHD),  
5 and other matters properly related thereto.

6 PHIL HANNA: Good morning. I'm Phil Hanna from Battle  
7 Mountain General Hospital and Lander County EMS.

8 The report that I just shared with you that I faxed down to  
9 Austin earlier today for the period of July 1 through  
10 September 30<sup>th</sup> of 2014, the EMS service responded to 188 requests  
11 for services during that period. And like I said, that it would  
12 appear that we are averaging -- we're not -- we're averaging  
13 between two and three responses a day. And about -- in half those  
14 cases, we are transporting an individual to the hospital.

15 That as far as benchmarks with service that we have  
16 established that our average response time is about ten minutes  
17 in Lander County, which is quite good. About half the responses  
18 are less than five minutes. And the crew is spending anywhere  
19 from 25 to 30 minutes on site stabilizing the patients before  
20 they're transferred.

21 That the personnel within Lander County EMS are still, like  
22 I say, maintaining a very active CPR program for the community.  
23 And like I say, that is for the entire county.

24 And also putting a significant amount of emphasis on  
25 continuing to place as many of the automated electronic  
26 defibrillators as possible in businesses and in public locations  
27 here in the county, for that support that -- daily I think we  
28 move closer, like I say, to a good resolution for southern  
29 Lander County that, like I said, I've extended my appreciation  
30 before for the county safety committee and the commissioners for  
31 the new vehicles that we had added that, I believe, when the  
32 graphics are all completed, we'll be able to locate the Tufport  
33 full time down in Austin, and we'll have a four-wheel drive  
34 squad to locate down in Austin.

35 And that we are -- we have an individual going down there  
36 part-time right now, helping to coordinate the development of that  
37 EMS service. And the two new EMTs that they are just now --  
38 they're finally just right at -- on the verge of getting their  
39 final sign off so that they'll be able to respond.

40 And in terms of the overall budget, as I have discussed each

1 time, with the degree of frustration or just the reality of the  
2 situation, that our overtime continues to be unacceptably high to  
3 me. But as I have told you, that the two local individuals that  
4 are in paramedic training that have completed the didactic portion  
5 of their training and they're doing their clinicals right now that  
6 we will have them available in less than six months now.

7 And that should take care of a huge piece of the overtime  
8 issue because we'll be able to go to 12-hour shifts versus 24-hour  
9 shifts, like I say, which drives a significant amount of overtime  
10 based upon what the state requires of us.

11 And one of the, I guess, additional positive elements to this  
12 that the hospital's outside auditor, BKD, they do the annual audit  
13 for the hospital. And they just sent me notification the other  
14 day that they feel that CMS, which is the Centers for Medicare and  
15 Medicaid Services at the federal level, are still not paying us  
16 appropriately for EMS under the critical access hospital  
17 designation that we have.

18 And if that is indeed the case, then for the last 12  
19 months, that will be an additional between 85- and a hundred  
20 thousand dollars that will be coming in to the EMS program,  
21 which is a wonderful thing that, like I say, we have maintained  
22 staying very close to budget since our inception. And like I  
23 say, that will put us in a very -- a much stronger position even  
24 than I thought. I was looking at a 30 percent as a result of  
25 our critical access hospital designation, underwriting the  
26 expenses that no one else can qualify for. And you know, this  
27 will push us up to about 50 percent, if this happens to be  
28 accurate.

29 And like I say, the -- in terms of just my initial  
30 comments, I continue to be very proud, very pleased with the  
31 fact that what the board of commissioners and the hospital board  
32 is doing, like I say, is putting us right in the forefront in  
33 the state and in this region, as far as rural EMS services.  
34 Like I say, it's on one hand it's nice to get calls and  
35 inquiries from other people asking us how we did what we did and  
36 what we're doing.

37 So with that, like I say, those were my just general comments  
38 to you.

39 I'm certainly available to answer any questions.

40 And one of the other things that I wanted to suggest to you

1 that I want my reports to be meaningful to you and answer  
2 questions that you have and wondered if you wanted me to get  
3 together with Keith and maybe you could give Keith some specific  
4 ideas, specific things that you might like to have discussed  
5 quarterly.

6 And like I say, see if I can -- you know, like a say, just  
7 provide a more focused report for you that is, you know, more  
8 beneficial. And as part of my New Year's resolutions one of the  
9 things I want to do is get this report out to you sooner, that I  
10 would have done this time but health issues from both my wife and  
11 myself kind of laid us low for a while and got things backed up a  
12 bit.

13 But anyway, like I said, if that sounds good to you, like I  
14 said, I'd like to meet with Keith and if you could give any  
15 comments and any suggestions of things you would specifically like  
16 to see in the report.

17 COMMISSIONER MASON: Phil, I've got a question on this -- --  
18 this EMS, the one you've talked about, this extra money.

19 PHIL HANNA: Mm-hm.

20 COMMISSIONER MASON: Is that for sure? Is that something  
21 you could count on? Or --

22 PHIL HANNA: Well, like I said, the auditors based on their  
23 review of federal guidelines and payment -- payment structures  
24 has said that CMS for Medicare and Medicaid patients that we  
25 serve that they are -- that they underpaid us for the last year.  
26 And like I say, they have identified that as between 85- and a  
27 hundred thousand dollars. And so I am just asking, okay, I want  
28 to see some black on white here, so that then we can go to CMS  
29 and, you know, talk to them about, okay, our auditors have said  
30 that you're not paying us correctly. Here's the information  
31 that they have given us saying that you're not paying us  
32 correctly.

33 COMMISSIONER MASON: Absolutely. I don't see --

34 PHIL HANNA: And then we'll work through that issue.

35 COMMISSIONER MASON: That's really not a question; is it?  
36 That's just something you have to do?

37 You have to follow up that audit report and --

38 PHIL HANNA: Yes.

39 COMMISSIONER MASON: -- send in correspondence of  
40 whatever's required.

1 PHIL HANNA: But as you know, everything becomes a question  
2 --  
3 COMMISSIONER MASON: I understand.  
4 PHIL HANNA: -- to the federal government.  
5 COMMISSIONER MASON: Does -- do they have the money?  
6 PHIL HANNA: Yes.  
7 COMMISSIONER MASON: Great. Go after it. I mean, I don't  
8 know how you're going to do that. But get it.  
9 PHIL HANNA: Well, it -- you know, we're going to go  
10 through the administrative process. And then we will contact  
11 legislative offices if need be. If it's determined that, yes,  
12 that money is owed to us and if there's any issue, like a say,  
13 then we will contact legislative offices --  
14 COMMISSIONER MASON: It sounds like you --  
15 PHIL HANNA: -- to get the money.  
16 COMMISSIONER MASON: -- have valid authority to proceed.  
17 PHIL HANNA: Yes.  
18 COMMISSIONER MASON: Good.  
19 CHAIRMAN GARNER: I'll --  
20 COMMISSIONER MASON: The other -- the other question. Let  
21 me ask one more question.  
22 CHAIRMAN GARNER: You go right ahead.  
23 COMMISSIONER MASON: Estimated time on getting the south  
24 end of our county up and running? You've got an estimated  
25 schedule?  
26 PHIL HANNA: The -- well, like I said, that we have the  
27 four-wheel drive squad ready to go.  
28 The Tufport should be -- I believe all the brackets will be  
29 completed within the next couple weeks. So we will have vehicles  
30 down there. And the two other EMTs down there that we need to  
31 provide the best service that we can, they're doing their clinical  
32 sign-off in Winnemucca right now, I believe.  
33 COMMISSIONER MASON: Good.  
34 PHIL HANNA: And like I say, that's probably going to be  
35 two to three weeks.  
36 So like I say, I don't -- I don't see any reason that we  
37 can't have something in place in mid-January.  
38 And like I say, what we're doing right now that if a request  
39 is made for services that we're rolling someone out of Battle  
40 Mountain right now to go down there.

1           And then the -- the plan that we have will be that when the  
2 EMS service is established in southern Lander County, if a request  
3 is made for them to respond, then at the same time we will roll a  
4 vehicle out of Battle Mountain. And if they call back and say,  
5 no, that, like I say, we don't need the squad, then we'll turn  
6 around and come back. But if not, then we will continue and meet  
7 that squad halfway.

8           Because one of the things that has been a real issue in  
9 southern -- in the southern part of the county is if someone on a  
10 volunteer basis says, yes, I'm going respond to an EMS situation,  
11 they're making potentially a six- to eight-hour commitment of  
12 time. And like I say, --

13           COMMISSIONER MASON: I know.

14           PHIL HANNA: -- that is just very difficult for --

15           COMMISSIONER MASON: It's a whole day really --

16           PHIL HANNA: -- for a volunteer.

17           COMMISSIONER MASON: -- when you think about it.

18           PHIL HANNA: Yeah.

19           COMMISSIONER MASON: But are we paying them enough perks?  
20 The down south? Can we pay them differently than up north here  
21 or --

22           PHIL HANNA: That there is a stipend that an individual is  
23 paid per run. And like I say, what I have been -- what I have  
24 suggested, like I say, just because of the significant time  
25 commitment, is a hundred dollar stipend per response for the --

26           COMMISSIONER MASON: Because it's a lot of time.

27           PHIL HANNA: -- two volunteers down there.

28           COMMISSIONER MASON: It's a lot of time out of man's --

29           COMMISSIONER WAITS: Even if they --

30           COMMISSIONER MASON: -- or women's life.

31           CHAIRMAN GARNER: -- don't transport?

32           COMMISSIONER MASON: But it's a service --

33           PHIL HANNA: Yes.

34           COMMISSIONER MASON: -- that we -- when we move the  
35 ambulance service to the hospital, I think we all concluded that  
36 it's worth every penny of it. It's just a question now of  
37 getting it smoothed out and getting it all up and running.

38           But if we have to pay more down there, I think that would be  
39 worth it if -- if that's a problem, you know, getting volunteers  
40 and then putting money in their pocket for their efforts.

1 PHIL HANNA: Yes. And Patsy, to address your question,  
2 like I say, that if you would like to discuss that farther  
3 certainly, like I say, that's just the -- you know, that is my  
4 proposal in terms of compensating people, like I say, for a  
5 significant time commitment.

6 COMMISSIONER WAITS: Okay. I do have some comments, but  
7 Commissioner Garner started to ask something so please go ahead.

8 CHAIRMAN GARNER: Go ahead.

9 COMMISSIONER WAITS: Okay.

10 CHAIRMAN GARNER: I remember mine.

11 COMMISSIONER WAITS: Okay.

12 I had a couple of things. One was on the retrofitting of the  
13 ambulance barn in Austin?

14 PHIL HANNA: Yes.

15 COMMISSIONER WAITS: Where are those funds coming from?  
16 Are you looking to us, the county, or is that part of your  
17 budget?

18 PHIL HANNA: I am going to be meeting with Keith. Like I  
19 say, we have just -- we've been communicating back and forth  
20 about that. And like I said, we're going to do sitting down and  
21 talking about that in terms of how we want -- want to approach  
22 that and any recommendations we want to make.

23 COMMISSIONER WAITS: Okay. You did ask how we felt about  
24 you coordinating with Keith and that's a plus. Any time you can  
25 do that directly with our county executive director, please do  
26 so. I think that's a -- that's good input, always good.

27 CHAIRMAN GARNER: Ron said he'd take it out of his budget.

28 COMMISSIONER WAITS: Pardon?

29 CHAIRMAN GARNER: Ron said that he'd take it out of  
30 sheriff's department budget.

31 SHERIFF RON UNGER: Yeah, we'd have to (indiscernible.)

32 CHAIRMAN GARNER: I'm sorry.

33 COMMISSIONER WAITS: Also, I wondered how you were coming  
34 with your drivers. Because I know you had many drivers on the  
35 south that actually took the -- the written and the -- the  
36 on-site exam --

37 PHIL HANNA: Mm-hm.

38 COMMISSIONER WAITS: -- with the ambulance. But are you  
39 following through with that to make sure they get their  
40 applications in and so forth? Because I haven't heard anymore

1 and nobody said anything.  
2 PHIL HANNA: I haven't heard anything --  
3 COMMISSIONER WAITS: I don't want you dropping the ball.  
4 PHIL HANNA: -- in terms of any issues.  
5 COMMISSIONER WAITS: Please continue with your drivers.  
6 KEITH WESTENGARD: Can I interject at this point? Phil,  
7 can I interject?  
8 PHIL HANNA: Yeah.  
9 KEITH WESTENGARD: The hold up's at the state level right  
10 now. Many of applications have been put in. And similar to  
11 what you ran into with that --  
12 COMMISSIONER WAITS: Okay, we need some follow-up.  
13 KEITH WESTENGARD: Yes.  
14 COMMISSIONER WAITS: Thank you.  
15 KEITH WESTENGARD: But that -- that is where the hold up  
16 is. And that was about two weeks ago.  
17 COMMISSIONER WAITS: I'm okay. I understand their hold up.  
18 And I know it's a different way of working with the state.  
19 But I want to be sure that our local people that went through  
20 all this have their applications in with their driver's  
21 information and so forth.  
22 PHIL HANNA: Okay.  
23 COMMISSIONER WAITS: Thank you.  
24 PHIL HANNA: I will double check on that for you.  
25 COMMISSIONER WAITS: Thank you. Just, yeah, stay on it for  
26 me, gentleman. Thank you.  
27 The other one was, you said in here in your report that you  
28 actually gave -- what? -- three AEDs to Kingston?  
29 PHIL HANNA: Yes.  
30 COMMISSIONER WAITS: Will you qualify that for me, please?  
31 Where in Kingston? And the Kingston new volunteer fire  
32 department? Or the clinic? Or where are these?  
33 PHIL HANNA: No, the -- the request came from the council.  
34 And I'm -- it was four. I thought it was four that we ended up  
35 doing. The request came from the council down there. And the  
36 hospital board discussed it and felt that it was an appropriate  
37 use. And so the units were given to the council.  
38 COMMISSIONER WAITS: To the town board?  
39 PHIL HANNA: To the -- yes.  
40 COMMISSIONER WAITS: Kingston Town Board? Okay.

1 PHIL HANNA: To the town board. I didn't want to misspeak  
2 in terms of the formal designation.

3 COMMISSIONER WAITS: That's okay.

4 PHIL HANNA: And then they were going to be -- let's see.  
5 I believe one is going to be located in the community center  
6 that they have down there. And then they were going to be  
7 putting units on fire trucks that they use to respond in that  
8 area.

9 COMMISSIONER WAITS: Thank you.

10 PHIL HANNA: And then we also had an individual go down  
11 there to provide specific training for them for the units that  
12 they were given.

13 And then that is all being managed as part of the -- like I  
14 say, we just try to provide some oversight for AEDs in the  
15 county as far as, you know, to make certain that batteries are  
16 okay and pads continue to be okay. And you know, like I said,  
17 anything that needs to be replaced periodic, like I say, we're  
18 continuing to do that out of the EMS program.

19 COMMISSIONER WAITS: Thank you.

20 CHAIRMAN GARNER: Good?

21 I got one thing. It's never been discussed. It's never --  
22 and it's for the three new commissioners and the two existing.

23 I know you're building a new facility over there to house --

24 PHIL HANNA: Yes.

25 CHAIRMAN GARNER: -- the ambulance. It's never been  
26 negotiated. And I don't want to negotiate it right now. I just  
27 want it to be put into the future the -- where we have them now  
28 is free.

29 PHIL HANNA: Yes.

30 CHAIRMAN GARNER: What if we put them there -- like I say,  
31 I don't want to negotiate or anything, but there needs to be an  
32 MOU of the placement of these vehicles.

33 And if -- I know the county has insurance on them. But now  
34 we're going to put them into a different facility of which if it  
35 burns down in the middle of the night, are they -- there's a lot  
36 of things that need to be worked out with that. And nothing's  
37 ever been worked out. So I think that's something that the new  
38 commission needs to look at with you.

39 PHIL HANNA: Okay.

40 CHAIRMAN GARNER: And it needs to be -- right now it's

1 free. Are we going to be paying rent?

2 PHIL HANNA: No.

3 CHAIRMAN GARNER: What -- you know what I'm trying to say?  
4 So that's just something that the -- just to pass on, that's  
5 never been worked out.

6 PHIL HANNA: I will include that on the agenda. Keith and  
7 I have a growing agenda --

8 CHAIRMAN GARNER: Yeah.

9 PHIL HANNA: -- of things that we need to discuss. But  
10 know that as long as -- certainly as long as the hospital is  
11 operating that, like I say, the EMS service is a department of  
12 the hospital. So there's no -- no separate rental.

13 CHAIRMAN GARNER: I just want to make sure that the  
14 county's protected and its assets being under another facility's  
15 --

16 PHIL HANNA: Okay. Like I said, I'll talk with Keith about  
17 that and then check with our insurance agent. Because I know  
18 that --

19 CHAIRMAN GARNER: yeah.

20 PHIL HANNA: That building is all, you know, falling under  
21 our insurance policy.

22 CHAIRMAN GARNER: Okay. That's all I have.

23 PHIL HANNA: I will check on that. Thank you.

24 CHAIRMAN GARNER: Yeah.

25 COMMISSIONER MASON: Phil, would you give me a quick run  
26 down on that ambulance barn and facility? Is it a clinic? What  
27 is it?

28 PHIL HANNA: The -- the facility, as far as EMS is  
29 concerned that there will be four bays over there. And then  
30 space for administrative services and some temporary sleeping  
31 quarters and then the supply areas.

32 Then the other part of the building can house the community  
33 health nurse that is in the dome right now. And the hospital  
34 board hasn't made a final decision, but I think that the dome  
35 is -- I think they're leaning towards taking the dome down. Like  
36 I say, that decision has not been finalized yet.

37 And then the community mental health program has -- there  
38 will be space for them and for the family resource center.

39 And I know one of the things, when we got into the very  
40 earliest conversations about that, was by co-locating -- is a nice

1 word the state came up with -- co-locating those services that  
2 then the whole issue of, you know, continuity of care and  
3 compliance on the part of patients were much better because the  
4 community health nurse, the mental health program, and family  
5 resource center, they tend to work with, you know, much of the  
6 same population. And by co-locating all those services in one  
7 place, you know, we're going to be able to provide more effective  
8 services --

9 COMMISSIONER MASON: I was --

10 PHIL HANNA: -- for those individuals.

11 COMMISSIONER MASON: I was hoping that the ambulance barn  
12 would also be a training center for EMS. Is it?

13 PHIL HANNA: Yes. There is a large training room that is  
14 part of that. And it's going to be for EMS, want to make it  
15 available for other community events, you know, if needed, like  
16 I say. But any training support, can be done there.

17 And like I say, it's just -- it's set up so that it can be  
18 used any time. There will be a dedicated entrance into it and a  
19 dedicated bathroom. So like I say, it'll be available for other  
20 community activities.

21 COMMISSIONER MASON: And then in -- as far as the  
22 helicopter goes, the helicopter pad is being built; right?

23 PHIL HANNA: Yes.

24 COMMISSIONER MASON: And then let's say we have a patient,  
25 local or otherwise --

26 PHIL HANNA: Mm-hm.

27 COMMISSIONER MASON: -- that needs helicopter service, is  
28 the clinic available to -- as a holding center for them?

29 PHIL HANNA: The way that that is going to work that  
30 patients transferred from the emergency department would be kept  
31 in the emergency department until the helicopter would land.

32 And then they will be transported over to the -- over to the  
33 pad and loaded directly onto the -- to the helicopter. We  
34 don't -- we don't want to move the patient --

35 COMMISSIONER MASON: I understand.

36 PHIL HANNA: -- in and out of the -- the squad more than we  
37 have to.

38 And as we've discussed earlier, that it would have been  
39 wonderful to put a pad physically over the emergency department.  
40 But by the time all the dust settled, you know, we would have had

1 over 3 quarters of a million dollars.

2 COMMISSIONER MASON: Just for an elevator.

3 PHIL HANNA: Yeah, an elevator and a pad. And then things  
4 that would meet code as far as refueling, and like I said, it  
5 just became kind of an untenable situation.

6 COMMISSIONER MASON: Well, I think you're adding a  
7 beautiful accommodation to the hospital facility.

8 And I -- and I'm just -- I just wanted a little more  
9 understanding of what that giant, new building is doing.

10 Thank you.

11 PHIL HANNA: Okay.

12 COMMISSIONER WAITS: Thank you, Phil.

13 CHAIRMAN GARNER: Okay, Phil.

14 COMMISSIONER MASON: Thanks, Phil.

15 PHIL HANNA: Well, thank you, very much.

16 COMMISSIONER BULLOCK: I have a --

17 SEAN BAKKER: Phil, I had a question for you.

18 PHIL HANNA: Yes, sir.

19 SEAN BAKKER: Last year, you billed 35 less. Or this year  
20 you billed 35 less people. And you're -- it's up 50,000 total  
21 charges. And your billed response is up \$200 from last year.  
22 Why is that?

23 PHIL HANNA: That -- it's the intensity of services that  
24 are provided.

25 That I know one of the factors last year that I think we saw  
26 that we got a number -- because they weren't inappropriate calls.  
27 I mean, I consider an inappropriate call as I've seen in other  
28 areas that, you know, someone will call 911 and say, oh, jeez, I  
29 need the ambulance. And the ambulance gets there. And there's a  
30 ~~person standing on the curb with their suitcase that wants a ride~~  
31 ~~to the hospital. You know, that to me, is a grossly inappropriate~~  
32 ~~request.~~

33 But like I say, we had, I think, more requests that were --  
34 somewhat less serious I think just very soon we see -- you know,  
35 are we going to get good response from the EMS service any time we  
36 request it?

37 I think we have established and shown the community that,  
38 yes, they're going to get a good response any time they call 911  
39 and say, we need a squad here.

40 And like I say, we have --

1 SEAN BAKKER: So it up \$200 more --  
2 PHIL HANNA: No.  
3 SEAN BAKKER: -- because the responses are a little more  
4 intensive?  
5 PHIL HANNA: They are more intensive that the paramedics as  
6 far as medications being provided, IVs being provided. Like I  
7 say, it's just been the intensity.  
8 And that is the -- I don't. You know, I don't know --  
9 SEAN BAKKER: Right.  
10 PHIL HANNA: -- why that happens, but it happens. And like  
11 I say, that's, like I say, we're just seeing the -- more of the,  
12 you know, less serious cases. You know, they're not being  
13 called in.  
14 And then the ones that we're responding to, like I say, are  
15 just -- we're finding are the more intensive as far as service  
16 requirements.  
17 SEAN BAKKER: Right. Okay. I was just curious so --  
18 PHIL HANNA: That's one of the things that freaks me out  
19 about statistics.  
20 SEAN BAKKER: Right.  
21 CHAIRMAN GARNER: One more.  
22 COMMISSIONER BULLOCK: Yeah. So when -- we went into this  
23 agreement, the MOU was a two-year agreement, which we're not  
24 running on an agreement right now.  
25 PHIL HANNA: The -- I -- I believe I've -- I've been  
26 working on too many of these things, but I believe the agreement  
27 was set up so that there was -- there's an out for either party.  
28 But it renews automatically.  
29 And here again, as I've said before, you know, I'm -- I am  
30 certainly willing to sit down at any time to talk about any issues  
31 so that everybody is just a 100% comfortable --  
32 COMMISSIONER BULLOCK: Okay.  
33 PHIL HANNA: -- with what we're doing.  
34 COMMISSIONER BULLOCK: Yeah. My understanding is this one  
35 doesn't renew. But -- but -- and I may be wrong, but that's  
36 okay.  
37 PHIL HANNA: Oh I --  
38 COMMISSIONER BULLOCK: My -- my -- I guess my concern is  
39 when this was originally set up, it was eventually the hopes  
40 were that the hospital would take this over and it was out of

1 the county's jurisdiction. You wouldn't have to come to these  
2 meetings or report. It's just under the hospital.

3 Realistically, how are we looking on that?

4 PHIL HANNA: That -- personally, like I said, I am prepared  
5 at any time to sit down and talk about that. I think that even  
6 with the delays that we have as getting -- as far as getting our  
7 cost reports settled up that, you know, right now CMS is just  
8 doing the formal review of the cost report that we submitted for  
9 what would have been the first year of EMS services.

10 Like I said, I think we have enough information to sit down  
11 and talk about that. And like I said, I -- I am ready to sit down  
12 and talk about that so that the board of commissioners and the  
13 hospital board can -- can make a final decision. But like I say,  
14 no, I'm prepared whenever anyone wants to to sit down and talk  
15 about that.

16 Because I think, yeah, it -- it would potentially simplify  
17 everybody's life. But like I say, that's -- that's my opinion.  
18 It would just -- but like I say, I'm ready to sit down and talk  
19 about it.

20 COMMISSIONER BULLOCK: Okay.

21 COMMISSIONER MASON: Keith, you'll put that on your list  
22 then?

23 KEITH WESTENGARD: It's right there.

24 COMMISSIONER MASON: I think it's important that we keep  
25 everything together and humming. In -- in other words, we have  
26 a good thing going with the ambulance and the hospital and the  
27 county. And I think we need to continue with all haste,  
28 whatever it takes.

29 Thanks.

30 ~~PHIL HANNA: Okay. Thank you, very much.~~

31 CHAIRMAN GARNER: Thanks, Phil.

32 PHIL HANNA: And I hope you have a happy holiday.

33 COMMISSIONER WAITS: Thank you.

34 PHIL HANNA: And for you, outgoing commissioners, thank you  
35 for your involvement and kept me on my toes.

36 COMMISSIONER BULLOCK: Thanks, Phil.

37 COMMISSIONER STIENMETZ: Thanks, Phil.

38 PHIL HANNA: Thank you.

39

40

1     21) Discussion for possible action regarding update on the levee  
2     project, including the formation of a committee to oversee  
3     all aspects of the levee project, and other matters properly  
4     related thereto.  
5

6           CHAIRMAN GARNER: Twenty-one, discussion for possible  
7     action regarding update on the levee project, including the  
8     formation of a committee to oversee all aspects of the levee  
9     committee, and other matters properly related thereto.

10          COMMISSIONER BULLOCK: Okay. As I reported last meeting, I  
11     got a phone call on the 25<sup>th</sup> of November that they hoped to have  
12     the design done by the end of December. And it is moving  
13     quickly.

14          I got another phone call this last Monday, the 15<sup>th</sup>.  
15     They're going to have a meeting in Sacramento on January 13<sup>th</sup>.  
16     It will be a six- to eight-hour meeting on cost analysis.

17          The new project manager's name is Chelsea Stewart. Really  
18     going forward --

19           (Phone ringing.)

20          -- and part of the great part of what's happening with the  
21     committee they have set up now is Judy Soutiere, who is our FEMA  
22     representative for years, now the Army Corps went out and got  
23     her. She started two weeks ago. And she is part of this, the  
24     Army Corps on this committee for our flood levee. So she's very  
25     familiar --

26          COMMISSIONER MASON: Wow.

27          COMMISSIONER BULLOCK: -- with what's --

28          COMMISSIONER MASON: That's a good deal.

29          COMMISSIONER BULLOCK: -- going on out here. So things are  
30     moving quickly. So you know -- so it is my proposal that we  
31     form a committee just because it -- if you have to wait for a  
32     commission meeting every time you want to do something, we may  
33     be falling further behind now that they're finally ready to go.

34          So -- and like I said, there's a meeting on January 13<sup>th</sup>.

35          COMMISSIONER MASON: How many on this committee? How many  
36     we think we need?

37          COMMISSIONER BULLOCK: Three, five, seven. It's whatever.

38          KEITH WESTENGARD: And I'm not trying to speak out of turn  
39     here, but I spoke with Tom at Summit about it. And I spoke with  
40     Joe about it because I didn't know there was a committee.

1 And both Joe -- and Joe's here too -- Joe's the floodplain  
2 manager.

3 COMMISSIONER BULLOCK: Mm-hm.

4 KEITH WESTENGARD: And Tom was under the impression, unless  
5 I misunderstood him, that Tom of Summit, the building  
6 department, and then the county commission were the -- the  
7 committee.

8 Correct me if I'm wrong. That's what I got from him. If we  
9 need do something else, I just need to --

10 COMMISSIONER BULLOCK: That's just the ones that have gone.  
11 It never was set up as a committee.

12 KEITH WESTENGARD: So it was never actually assigned.

13 COMMISSIONER BULLOCK: Yeah, so we actually assign a  
14 committee. People have been involved.

15 JOE LINDSEY: What do you need a committee for?

16 COMMISSIONER BULLOCK: Okay. There's meetings that's got  
17 to go to Sacramento.

18 JOE LINDSEY: Right.

19 COMMISSIONER BULLOCK: We're to that point. Who's going?

20 JOE LINDSEY: Well, Summit's always -- always been there  
21 for us.

22 COMMISSIONER BULLOCK: But they want somebody from Battle  
23 Mountain, --

24 UNIDENTIFIED PARTICIPANT: Okay.

25 JOE LINDSEY: Well.

26 COMMISSIONER BULLOCK: -- Lander County in that meeting.

27 COMMISSIONER WAITS: Which would be our executive director.

28 JOE LINDSEY: I wasn't aware of any of these meetings or  
29 any of this correspondence, and I'm the flood plain  
30 administrator for the county.

31 COMMISSIONER BULLOCK: Okay.

32 JOE LINDSEY: I'm not getting this correspondence.

33 COMMISSIONER BULLOCK: Okay. There hasn't been  
34 correspondence. It's just been phone calls. They're excited  
35 it's finally going.

36 JOE LINDSEY: So am I.

37 COMMISSIONER BULLOCK: Okay.

38 JOE LINDSEY: That's great.

39 COMMISSIONER BULLOCK: Yeah. So --

40 JOE LINDSEY: That's the first I've heard about it.

1 COMMISSIONER BULLOCK: So that's where it's at. You know,  
2 I mean finally this is a brand new manager. Actually this is  
3 barely the second manager since the last one you've heard from  
4 so --

5 JOE LINDSEY: Yeah.

6 COMMISSIONER BULLOCK: Because Marcy was there and now  
7 it's Chelsea. And they're looking at going forward.

8 The money's there. So --

9 COMMISSIONER MASON: Well, I think --

10 COMMISSIONER BULLOCK: You guys can deal with it however.  
11 But there's going to be a lot of meetings that's got to be  
12 attended.

13 JOE LINDSEY: Yeah. I know Summit's always been there for  
14 us. And they -- and you know they did all the engineering  
15 stuff, background.

16 COMMISSIONER BULLOCK: Oh, I understand that.

17 JOE LINDSEY: And --

18 COMMISSIONER BULLOCK: But -- but when Summit goes, you're  
19 paying.

20 JOE LINDSEY: Well, yeah.

21 COMMISSIONER BULLOCK: You form a committee -- and we have  
22 people. We could have other people there you're not paying to  
23 be there, I guess, is what I'm saying. Yeah, yeah, that's fine  
24 Summit's involved, but you are paying them to be there.

25 JOE LINDSEY: Oh, yeah. Well, we got that contract with  
26 them from -- what? -- three years ago. I think they've used  
27 approximately 50 percent of that contract amount.

28 And I believe it was around 580,000 or something like that,  
29 500,000 the commission granted for this contract for the levee  
30 project.

31 And I think my research a few days ago found that they were  
32 about 50 percent of that contract.

33 COMMISSIONER BULLOCK: Yeah, so you send three of them to a  
34 meeting in Sacramento for eight hours, you're looking at 5-,  
35 \$600 an hour.

36 JOE LINDSEY: Probably.

37 COMMISSIONER BULLOCK: And that's my point. Yeah. We want  
38 to keep Summit in the loop, but we need to be involved here.  
39 Because a lot of that can be discussed here --

40 JOE LINDSEY: Yeah.

1 COMMISSIONER BULLOCK: -- you know, and help them out. So  
2 that's where it's at.

3 COMMISSIONER MASON: With the -- with the change of the  
4 commission board, it just seems reasonable that Keith, our  
5 executive director, ought to be right on top of this and part of  
6 every one of these meetings. Our whole town of Battle Mountain  
7 is affected by this insurance.

8 CHAIRMAN GARNER: Yeah, but it's even more important that  
9 things get lost in the shift of -- the shift of people moving.  
10 I think anything, I mean, he's just as much as new to it as a  
11 lot of people.

12 He -- of all people know everything about it and has been  
13 there from the beginning. He needs to be on sort of a head or a  
14 committee. Or I don't care if you want to call it an appointment  
15 or something. He's been there for through the whole thing.

16 He knows more about it than any of us do.

17 COMMISSIONER MASON: I agree.

18 CHAIRMAN GARNER: He can't pass on his knowledge through a  
19 phone call. I think --

20 COMMISSIONER MASON: Agreed. But his time's running out.  
21 And if we want to appoint a committee, we want to do it now.

22 CHAIRMAN GARNER: That's exactly.

23 And I -- I think it's a good idea.

24 COMMISSIONER MASON: But I think Keith ought to be part of  
25 that too.

26 CHAIRMAN GARNER: Absolutely, but I think there -- Dean  
27 knows more about this. We've -- he's taken this and gone with  
28 it and --

29 COMMISSIONER MASON: I don't have a problem with that. I  
30 think you're right. I think you're right. He's got a lot of  
31 knowledge about our needs on that levee.

32 How much money do we hold on that levee right now?

33 NAN ANCHO: 4,900,000 left.

34 COMMISSIONER MASON: You know, we don't know what the Corps  
35 of Engineers is up to, so --

36 CHAIRMAN GARNER: How about -- what if we put it in as a --  
37 the -- put it on the new -- put it on the new agenda that the  
38 commission appoint one or two of the new commissioners, along  
39 with -- I would -- I would recommend --

40 COMMISSIONER STIENMETZ: Dean.

1 CHAIRMAN GARNER: -- Dean Bullock and yourself. But that  
2 could be formed at the next --  
3 COMMISSIONER MASON: Can we do it right now?  
4 CHAIRMAN GARNER: No, I would rather --  
5 COMMISSIONER STIENMETZ: No, it's not an agenda item.  
6 COMMISSIONER WAITS: Yeah, it's not an agenda.  
7 CHAIRMAN GARNER: I don't know if we could do it right now.  
8 I don't -- I would rather have the new commission. I mean --  
9 COMMISSIONER STIENMETZ: They'll be in office.  
10 CHAIRMAN GARNER: We don't just want to put people that  
11 don't want to be on it. Let them volunteer that they want to  
12 put in that kind of time and dedication like Dean has.  
13 COMMISSIONER WAITS: I understand what you're saying about  
14 the cost of Summit, but regardless of whether we have a  
15 committee or not, Summit's going to be there. So we're still  
16 going to pay for them.  
17 COMMISSIONER BULLOCK: Yeah, but we can have control of  
18 Summit. Instead of just sending Summit that they'll send three  
19 or four of them there, we can say, we only want one of you  
20 there. That's all --  
21 COMMISSIONER MASON: Yeah, there you go.  
22 COMMISSIONER BULLOCK: -- we need.  
23 COMMISSIONER MASON: Okay.  
24 COMMISSIONER WAITS: Well, that's all we need even if we  
25 don't have committee; right? So we still should be able to --  
26 COMMISSIONER BULLOCK: But if we don't have representatives  
27 from here, --  
28 COMMISSIONER WAITS: No, I think we need somebody.  
29 CHAIRMAN GARNER: Yeah.  
30 COMMISSIONER WAITS: Absolutely.  
31 COMMISSIONER BULLOCK: Yeah.  
32 COMMISSIONER WAITS: Yeah.  
33 COMMISSIONER BULLOCK: That's my point.  
34 JOE LINDSEY: How about we make you the committee? Or just  
35 make you the -- the levee rep? For the levee?  
36 CHAIRMAN BULLOCK: The what?  
37 JOE LINDSEY: The levee rep, you know, over the levee  
38 project, the representative for the levee project. Why do we  
39 need a committee? A full committee? You can go.  
40 CHAIRMAN GARNER: We don't need a committee, --

1 JOE LINDSEY: Keith can go.  
2 CHAIRMAN GARNER: -- we just need a design -- designees.  
3 JOE LINDSEY: Yeah, design -- there you go. Good word.  
4 COMMISSIONER WAITS: But we definitely want --  
5 COMMISSIONER MASON: Representation.  
6 COMMISSIONER WAITS: -- representation from the commission  
7 too. So that it's going to go on the next agenda for --  
8 KEITH WESTENGARD: I got it.  
9 COMMISSIONER WAITS: -- appointment consideration.  
10 CHAIRMAN GARNER: It's going to be engineered by Army  
11 Corps, not Summit. So it's --  
12 COMMISSIONER BULLOCK: No, Summit's done their background.  
13 COMMISSIONER WAITS: Yeah.  
14 CHAIRMAN GARNER: We --  
15 COMMISSIONER BULLOCK: Summit's give them everything. And  
16 it's good to have them in the updated meetings. And -- but like  
17 this one they talked about, you're looking at, like, an every  
18 two- to three-week meeting you've got to stay on top of.  
19 Because they want to have this meeting, do the cost analysis,  
20 wait a couple weeks, three weeks, and have NDOT to show up to go  
21 over what NDOT's proposing. If you're aware of it, they're  
22 starting on this interstate in --  
23 JOE LINDSEY: Spring.  
24 COMMISSIONER BULLOCK: -- spring.  
25 JOE LINDSEY: Yep.  
26 COMMISSIONER BULLOCK: And so that communication. Now,  
27 before we can go further with any of that, they refused to talk  
28 to FEMA.  
29 So somebody's got to be a go-between between the Army Corps,  
30 and FEMA to coordinate that to make sure before we let Army Corps  
31 touch down that everything's on so --  
32 JOE LINDSEY: Right.  
33 COMMISSIONER BULLOCK: I just -- the momentum's there. I  
34 just don't want to see it lost.  
35 JOE LINDSEY: Oh, no. We don't either. Gosh.  
36 COMMISSIONER BULLOCK: So --  
37 JOE LINDSEY: And you do. You've been involved from the  
38 get. You've got all the knowledge on it. I think that you  
39 should actually head up whatever it turns out to be.  
40 CHAIRMAN GARNER: So --

1 COMMISSIONER MASON: I think -- I think -- well, I agree  
2 that having --  
3 CHAIRMAN GARNER: Can we re-agendize?  
4 COMMISSIONER STIENMETZ: Yeah.  
5 CHAIRMAN GARNER: Put this on --  
6 COMMISSIONER STIENMETZ: Let's just re-agendize this for  
7 the next meeting and --  
8 CHAIRMAN GARNER: And re-word it as to --  
9 COMMISSIONER MASON: What I'm saying is I think Dean should  
10 be on it.  
11 COMMISSIONER BULLOCK: Well, --  
12 CHAIRMAN GARNER: Designees to the -- to the -- and  
13 basically what we just talked about and get the input of the new  
14 commission.  
15 KEITH WESTENGARD: Done that. I'll have it on the --  
16 CHAIRMAN GARNER: Good with that, Patsy?  
17 COMMISSIONER WAITS: I'm sorry. Pardon me.  
18 CHAIRMAN GARNER: Are you good with that?  
19 COMMISSIONER WAITS: Am I good with that? Putting it on  
20 the agenda? Absolutely.  
21 CHAIRMAN GARNER: Okay.  
22 COMMISSIONER WAITS: We'll tackle that next month.  
23  
24 **22) Discussion for possible action regarding the three-month**  
25 **performance evaluation of the Lander County Executive**  
26 **Director, and other matters properly related thereto.**  
27  
28 CHAIRMAN GARNER: Twenty-two, discussion for possible  
29 action regarding the three-month performance evaluation of the  
30 Lander County Executive Director, and other matters properly  
31 related thereto.  
32 KEITH WESTENGARD: I asked this to be put on the agenda to  
33 get input mostly from the three out-going commissioners as to  
34 your thoughts.  
35 COMMISSIONER MASON: I want to say this: I originally  
36 voted against you because you weren't qualified, noth--- no  
37 other reason. And I have since gathered enough information from  
38 my own personal opinion that you are going to be more than  
39 qualified as time goes on. And I think you're doing a wonderful  
40 job.

1 And I think you're pouring your heart and soul into it. And  
2 that's what this commission needs because it's all about you  
3 backing up the commission.

4 And I thank you for it.

5 COMMISSIONER WAITS: I certainly want to say that -- that  
6 am I more than pleased.

7 Every topic that I have brought up for you to research or  
8 consider, you've been right on top of. And I'm -- I'm more than  
9 pleasantly surprised.

10 I think you're doing a wonderful job the way you stepped into  
11 it especially. So thank you, Keith.

12 COMMISSIONER STIENMETZ: And I would like to say I'm very  
13 pleased. Anything I've ever went to you with, you got back to  
14 me right away on it and explained it to me, what was going on,  
15 and answered my questions.

16 I know when we first went about this, I had several people  
17 talk to me and say they didn't think it was the right thing to do.  
18 And since then, just about all of them have said they were -- they  
19 were -- appreciated your work and thought you were doing a great  
20 job. And I do too.

21 Thank you, Keith.

22 COMMISSIONER BULLOCK: Well, I got you into this so --

23 KEITH WESTENGARD: I know. I had to put you on the spot  
24 before you left.

25 COMMISSIONER BULLOCK: Yeah. I feel like you handle it  
26 well. I mean, I have no issues, just maybe some recommendations  
27 we've discussed a little bit, you know.

28 I feel where we've lacked a lot within the county is  
29 employee reviews, evaluations, --

30 KEITH WESTENGARD: Working on it.

31 COMMISSIONER BULLOCK: -- and issues. So I just encourage  
32 you to follow up on that. Because if there is issues, you can't  
33 go back if there's nothing -- never been an evaluation. So --  
34 but no, I'm -- I'm happy with the way that things are going.  
35 And just continue to work with all of the departments.

36 Good job.

37 KEITH WESTENGARD: Thanks. We're working real hard on the  
38 evaluations and the job descriptions with -- with Becky and the  
39 HR. We're really taking some -- some big strides forward  
40 with -- with all that stuff.

1 And -- and there's going to be some good changes this -- in  
2 the coming year with that.

3 CHAIRMAN GARNER: I don't think you're doing worth a damn.  
4 I think you need to go.

5 KEITH WESTENGARD: Make a motion, man.

6 CHAIRMAN GARNER: I think you're doing a good job. I -- I  
7 appreciate you taking things that are completely off your plate  
8 and you shouldn't have had to deal with them and grab them and  
9 go with them. And there's lots of times I call, smoking down  
10 the freeway, and give you just things that I constantly get  
11 bombarded with, questions and stuff. And you -- you're very  
12 effective of getting back to me where other people weren't in  
13 your position. It would take weeks to get back. And you're  
14 right on top of it, which allows me to get back to whoever I  
15 need to get back to. And it puts a lot of fires out quicker.  
16 That's what I -- I really appreciate the -- when a fire starts,  
17 it just grows and grows and grows and small towns. And so I  
18 appreciate the -- the effectiveness of getting things caboshed  
19 right away --

20 KEITH WESTENGARD: And --

21 CHAIRMAN GARNER: -- so to say.

22 KEITH WESTENGARD: Thank you.

23 COMMISSIONER MASON: Keith, you're holding two hats and  
24 safety. And my question is: How -- how is that going with  
25 safety?

26 KEITH WESTENGARD: Um.

27 COMMISSIONER MASON: Do you need help?

28 KEITH WESTENGARD: There's some things that have -- that  
29 have fallen back. I don't want to say they've -- in the safety  
30 part of it. They have not -- they weren't at the high level  
31 they were. They've come down a little bit in the safety part.  
32 But I manage to catch on. Sometimes I'm a little behind on some  
33 things. But they do get -- they do get caught up. So --

34 COMMISSIONER MASON: Let me recommend safety's really  
35 important to our credibility in the county, so --

36 And I -- you know that better than anybody. But if you need  
37 help for inspections, figure out a way that you can come to the  
38 commission and tell them what you need, rather than let it fall.

39 KEITH WESTENGARD: Oh, I won't let it fall. And I --

40 COMMISSIONER MASON: I just don't know what to ask you. I

1 just -- if you need help, the commission is more than willing to  
2 figure out a way to help you out.

3 KEITH WESTENGARD: Well, I -- we went to this new,  
4 automated or computer-based system. And I had a lot of support  
5 from Robert Quick and the sheriff's department. And I believe  
6 you guys are using it now. And it's -- it's in the county.  
7 I've had a couple of calls from different people in the county.  
8 And I'm still sending out the hard copies on the tailgate  
9 safeties. But we're getting to the automated or the  
10 computer-based system, which is a pretty -- pretty -- it's an  
11 asset.

12 So -- and I have -- I have a house for the record. I have a  
13 house in Lander, in Battle Mountain that I live in so -- so for  
14 the record, I do.

15 COMMISSIONER MASON: You're not living in your car anymore?

16 KEITH WESTENGARD: No, I'm not. Thanks.

17 CHAIRMAN GARNER: Thank you.

18 COMMISSIONER WAITS: Thank you, Keith.

19 COMMISSIONER STIENMETZ: Thank you, Keith.

20  
21 **23) Discussion for possible action regarding approval/disapproval**  
22 **of closure of Lander County offices December 26, 2014, and**  
23 **other matters properly related thereto.**  
24

25 CHAIRMAN GARNER: Twenty-three, discussion for possible  
26 action regarding approval/disapproval of closure of Lander  
27 County offices December 26, 2014, and other matters properly  
28 related thereto.

29 KEITH WESTENGARD: All right. I did a little more research  
30 on it. And what it came down to is, it's not declared a legal  
31 holiday by the President's executive order. It is a closing of  
32 selected -- selected executive -- executive departments within  
33 the federal government.

34 It does not qualify as a legal state holiday. And that's --  
35 I spoke with John Bates again yesterday to confirm all this and  
36 had a lengthy conversation with him about it.

37 Many of the -- many other counties in the state were asking  
38 about it. They did get a -- a opinion from AG's office. And  
39 it's pretty much in a nutshell what I told you. It's not a  
40 legal holiday.

1 And I know originally it was brought -- or it was looked at,  
2 or we thought it was declared a legal holiday. It's not.

3 So we either don't do it or it would be a day off with pay  
4 authorized by the commission. Those are the only two options we  
5 have.

6 It's not a legal holiday. My concern, and I expressed it  
7 with Commissioner Bullock was we might get some kick back from  
8 our bargaining units. But it's not a legal holiday. So it's  
9 not affected by our -- our CPUs.

10 That's it.

11 COMMISSIONER WAITS: Thank you, Keith. I think at the last  
12 meeting that we discussed this at, we were pretty much in  
13 agreement that if we could not do that, that we certainly would  
14 be would be very generous with any time off that people wanted  
15 to take --

16 KEITH WESTENGARD: Yes.

17 COMMISSIONER WAITS: -- as any other day. And we'd run  
18 with a skeletal crew as long as we were still open and it wasn't  
19 declared a holiday with pay or a day with pay, right?

20 KEITH WESTENGARD: Right.

21 COMMISSIONER WAITS: Right?

22 KEITH WESTENGARD: I just wanted to clarify everything.

23 COMMISSIONER WAITS: Thank you.

24 CHAIRMAN GARNER: Thank you.

25 So we don't need any action on that. Do we need action? We  
26 don't need action on that.

27 COMMISSIONER WAITS: No.

28  
29 **24) Discussion for possible action regarding update on emergency**  
30 **communications, and other matters properly related thereto.**

31  
32 CHAIRMAN GARNER: Twenty-four, discussion for possible  
33 action regarding update on emergency communications, and other  
34 matters properly related thereto.

35 SHERIFF RON UNGER: Do you need us up there?

36 CHAIRMAN GARNER: This is emergency communications.

37 COMMISSIONER WAITS: Gentlemen.

38 SHERIFF RON UNGER: Ron Unger, Lander County Sheriff. I've  
39 got Robert Quick, the undersheriff, with me so --

40 UNDERSHERIFF ROBERT QUICK: We weren't sure what you were

1 actually asking for, if there was something specific. So you've  
2 been provided a kind of a general outline of the radio system as  
3 it sits now and some of the things we've identified that still  
4 need a little work on them and things of that nature.

5 So we're open to whatever questions you have.

6 COMMISSIONER MASON: Communication. I would say -- the  
7 tower is not there. What's happening to the tower that was  
8 going in behind the jail? An AT&T tower; wasn't it?

9 (Cell phone vibrating.)

10 SHERIFF RON UNGER: Yes, that's --

11 (Cell phone ringing.)

12 COMMISSIONER MASON: It's in the works.

13 UNDERSHERIFF ROBERT QUICK: That's the county's project,  
14 not ours.

15 COMMISSIONER MASON: Okay.

16 CHAIRMAN GARNER: I think there's -- I think there was --

17 KEITH WESTENGARD: What -- what -- and I -- I spoke with  
18 Robert about it. The concern that brought this all forward was  
19 the lack of the ability for -- for the deputies to talk with EMS  
20 and that there was a safety concern.

21 What was brought to my attention and -- so I wanted to bring  
22 it to the commission for an open discussion. Because it seems  
23 that that's the talk is that the deputies do not have the ability  
24 to communicate directly with EMS. And they've rolled into some --  
25 some areas on two occasions where they were -- they were hot  
26 scenes and putting the EMS people into some danger. So -- we're  
27 trying to get it straightened out.

28 COMMISSIONER WAITS: Now my understanding is we've never  
29 been able to do this.

30 ~~We've always gone through the dispatcher at the sheriff's~~  
31 office before, right?

32 So is it the dispatcher that isn't getting the information  
33 back to EMS?

34 KEITH WESTENGARD: Once -- once the -- the radio  
35 frequencies were scrambled -- and there was a valid reason for  
36 scrambling them -- the sheriff's department -- that without  
37 switching channels, the deputies switching channels or going  
38 through the dispatchers, there was no -- there was no direct  
39 line of communication with EMS.

40 COMMISSIONER WAITS: But --

1 KEITH WESTENGARD: In the past, there was. But they were  
2 all on the same frequencies.

3 COMMISSIONER WAITS: Maybe you were in Battle Mountain, but  
4 we have never been able to in the southern end, so that was new  
5 to me.

6 UNDERSHERIFF ROBERT QUICK: So let me kind of clarify some  
7 things. So prior to the -- the -- we call it an upgrade of the  
8 radio system for the county, but it really was a replacement.  
9 Our radio system was so antiquated and outdated that -- that it  
10 truly was a complete replacement of the radio system for all of  
11 emergency management including Road and Bridge.

12 Prior to that, the EMS services ran off the sheriff's  
13 frequency, the law enforcement frequencies.

14 At present, their towers or their repeaters have been  
15 enhanced and upgraded and added. And so they have their own  
16 repeater system.

17 The sheriff's office has the capability to turn to their  
18 frequency and their repeaters and talk to them. There's some  
19 procedural issues that we're still working through because of the  
20 -- that type of a change.

21 Keith's approach to me was the first I had heard there was  
22 still a issue with this communication in probably four or five  
23 months.

24 The last conversation I had with the coordinator from the  
25 EMS service was that there was an issue. We discussed it. I  
26 told him what steps we were going to take to try to fix it and  
27 asked him to let me know if it continued. I hadn't heard  
28 anything since.

29 So the capabilities of the officers to speak to EMS on  
30 their frequencies is there and has been. There is some training  
31 and some procedural issues that we are still working through.

32 But the EMS cannot directly work on a law enforcement  
33 frequency anymore.

34 COMMISSIONER MASON: So they have to communicate through  
35 dispatch?

36 UNDERSHERIFF ROBERT QUICK: Well, the primary -- at this  
37 point, they communicate through dispatch. But the officers have  
38 the capability to communicate with them directly through their  
39 radios.

40 CHAIRMAN GARNER: Why can't they go back the other way?

1           UNDERSHERIFF ROBERT QUICK: I'm sorry. What do you mean?

2           CHAIRMAN GARNER: Why can't they talk?

3           SHERIFF RON UNGER: They can.

4           CHAIRMAN GARNER: Not through dis- -- you have to go  
5 through dispatch.

6           SHERIFF RON UNGER: No, you don't. That's what he just  
7 said.

8           I monitor every channel that's out there, including the  
9 fire department. And it's on a scan. So if I'm out on my radio  
10 and I'm doing stuff on our frequency, the sheriff's office  
11 frequency, and the fire department or ambulance service is  
12 dispatched and called out, I hear everything they say.

13          If they want to talk to me, they can call me on their radio,  
14 rescue one, Lander one. All I have to do is change my channel  
15 four clicks, five clicks over and I communicate directly to them.

16          CHAIRMAN GARNER: So the problem's with the people that  
17 aren't clicking over.

18          SHERIFF RON UNGER: There's some issues that we have to  
19 deal with.

20          UNDERSHERIFF ROBERT QUICK: It's a procedural issue.

21          SHERIFF RON UNGER: It's a procedure we have to do. But to  
22 say that we can't communicate, la dee da, that is wrong. That  
23 is not a fact. Because I have done it with you in the fire  
24 trucks through my pickup. And mine is no different than anybody  
25 else's radio system that we have.

26          So it's just a matter of -- if they want to talk to an  
27 officer, they have to call that officer, the officer has the  
28 change his radio frequency over. He can talk to them right  
29 there. And then when he gets done, he needs to go back. He can  
30 either stay on that channel and still monitor, still scan the  
31 sheriff's office. If the sheriff's office calls them, it's a  
32 matter of changing the channel back to communicate. It's easy.  
33 And I do it.

34          CHAIRMAN GARNER: I guess that would be the question. And  
35 that's what I heard. So it's what I think I heard is when  
36 intensity of a situation goes, they're -- they have to switch.  
37 They have to switch over to you -- they have to switch over to  
38 talk. And then they have to switch back. And then they have to  
39 switch over. And they have to switch.

40          SHERIFF RON UNGER: We have to switch over.

1 CHAIRMAN GARNER: That's what I'm saying. And they're not  
2 switching back over. And if they're in a bad situation where  
3 they have -- could be shots fired or something, are they going  
4 to sit there and --

5 SHERIFF RON UNGER: The ambulance won't be called in to  
6 that hot scene.

7 We've done this in the past where we've staged out  
8 (indiscernible). And they've staged in a specific area until  
9 we've cleared that area. And when the area is safe, they've been  
10 called in by the dispatch, not by the -- by the deputies to come  
11 into the scene.

12 CHAIRMAN GARNER: That's what I've heard.

13 SHERIFF RON UNGER: So the communications are  
14 (indiscernible).

15 COMMISSIONER WAITS: So with the new tower like the one in  
16 the south, and you've garbled everything, so the only ones that  
17 can't operate as the old way of doing business, is the citizens  
18 that used to monitor everything; is that correct? They can no  
19 longer do that?

20 UNDERSHERIFF ROBERT QUICK: At present, we are not  
21 scrambling our frequencies. We are not encrypting them. We're  
22 still working out a few glitches and things and some --

23 COMMISSIONER WAITS: Oh, so they still can hear everything?

24 UNDERSHERIFF ROBERT QUICK: Not on the same systems they  
25 had. They would have to buy a digital scanner.

26 COMMISSIONER WAITS: Oh, okay.

27 UNDERSHERIFF ROBERT QUICK: Because our systems are digital  
28 as opposed to the analog frequencies they were. But shortly  
29 after we finish working on the last few items, we will be  
30 encrypting our frequency.

31 COMMISSIONER WAITS: Then it's out?

32 SHERIFF RON UNGER: Yes.

33 COMMISSIONER WAITS: What kind of a time frame are we  
34 anticipating?

35 UNDERSHERIFF ROBERT QUICK: 2015.

36 COMMISSIONER WAITS: Okay. That's around the corner.

37 CHAIRMAN GARNER: This year.

38 COMMISSIONER MASON: I didn't know there was an issue, so

39 --

40 COMMISSIONER WAITS: So profound.

1 COMMISSIONER MASON: I think I'll just drop out. All  
2 right.

3 CHAIRMAN GARNER: Do we have any other?

4 KEITH WESTENGARD: I need to go back to the procedural  
5 stuff. And I wasn't going to say anything, but I've got to say  
6 something.

7 You say that the dispatchers held now -- this latest incident  
8 came up with the shooting at the laundromat.

9 The deputy got there. Ambulance was right there.

10 The -- the suspect was un- -- the deputy was working on them.  
11 There was -- there was a lot going on. And they weren't told to  
12 stage out of the area. That's what brought this whole latest  
13 issue to date.

14 So if it's a procedural thing, maybe we need to sit down with  
15 -- or -- with the EMS and explain to them the procedures.

16 COMMISSIONER WAITS: Well, that's one of the first things  
17 we learn in EMS is we -- we survey the -- the area before we go  
18 in. And usually there's an officer on the scene. If they're  
19 there before EMS is, they're telling them whether to proceed or  
20 not to proceed or where to park or something. So that's all  
21 part of the first EMS training.

22 KEITH WESTENGARD: I understand that. But they were not  
23 told to stage out of the area.

24 SHERIFF RON UNGER: I can clarify all of this.

25 COMMISSIONER WAITS: Please.

26 SHERIFF RON UNGER: I was on that scene. Okay. I was  
27 there. I was the one -- I had -- we had four people. Okay.

28 When I arrived on scene, it was like he was saying. We had  
29 one on the street that was shot. We had another, you know, fenced  
30 in area, that was detained in the alleyway.

31 Yeah.

32 We had several -- a couple of others. Now I went there. We  
33 secured the scene.

34 What I did is I run around and I checked everybody. The  
35 ambulance was not on scene at that point.

36 I was the one that -- when the ambulance was -- did show up,  
37 I was the one that went over and told them. They pulled up on the  
38 one on the street, which we weren't doing anything other than  
39 covering the individual.

40 And I got one of the ambulance attendants to come with me

1 into the alley. So the scene was cleared. We called in people  
2 into that scene.

3 The only thing we didn't do that was different than what  
4 we've done in the past, and this is when we do search warrants  
5 or something, if we think we're going to have a problem, we will  
6 notify the ambulance in advance and have them stage usually at  
7 the ambulance barn or somewhere close, depending on the  
8 situation.

9 COMMISSIONER WAITS: Mm-hm.

10 SHERIFF RON UNGER: And then we -- once we've secured the  
11 scene -- because they're actually -- we're actually doing our  
12 thing and are on call. And in this particular case, I did hear  
13 the fireman calling for the -- or the firemen -- excuse me --  
14 the deputy saying that we were needing an ambulance. I knew  
15 they were being paged out.

16 But they were not and they would not have been brought in  
17 to a hot scene. At that point the scene was clear when they  
18 arrived there. We actually needed them immediately.

19 So if that helps clarify. Now, what they've talked to Keith,  
20 I have no idea.

21 Like I said, I was there. And I know what went on. It was  
22 not a hot scene.

23 KEITH WESTENGARD: Would it be a good policy to put in  
24 place with EMS that on certain -- on shootings or something  
25 where a scene's not secured that they just sit at the ambulance  
26 barn until needed and dispatch can tell them when they're  
27 needed? I mean, is that something we can put into place or --

28 UNDERSHERIFF ROBERT QUICK: I think a -- some sort of  
29 protocol like that would be --

30 KEITH WESTENGARD: Okay.

31 SHERIFF RON UNGER: -- acceptable. However, sitting at the  
32 ambulance barn isn't. Because if the scene is out at Hilltop,  
33 that's a long drive.

34 KEITH WESTENGARD: Well, then at the dispatch they could  
35 say right off the bat -- your dispatcher pretty much knows if  
36 it's a -- it could be a potentially dangerous scene. They could  
37 say, you know, stage at -- at the freeway or something. Right  
38 at dispatch so that we don't run into this potential problem  
39 again.

40 Then dispatch tells them when to go in. That way dispatch is

1 dictating the ambulance and the ambulance (indiscernible).

2 UNDERSHERIFF ROBERT QUICK: I think we could certainly work  
3 out a protocol --

4 SHERIFF RON UNGER: Absolutely.

5 UNDERSHERIFF ROBERT QUICK: -- (indiscernible) commission  
6 meeting.

7 KEITH WESTENGARD: That would be very acceptable.

8 COMMISSIONER STIENMETZ: Yeah.

9 COMMISSIONER WAITS: Thank you.

10 COMMISSIONER MASON: Thanks, guys.

11 COMMISSIONER BULLOCK: Thanks.

12 SHERIFF RON UNGER: Thank you. And thank you, gentlemen.

13 COMMISSIONER MASON: Stick around. We can buy you lunch.

14 SHERIFF RON UNGER: It's obviously been a pleasure. I've  
15 enjoyed working with every one of you.

16 And I hope we'll continue that. And every one of you have  
17 a Merry Christmas.

18 COMMISSIONER STIENMETZ: You too.

19 COMMISSIONER MASON: Thanks.

20 COMMISSIONER BULLOCK: Thanks.

21 COMMISSIONER WAITS: Thank you.

22

23 **25) Discussion for possible action regarding a special meeting to**  
24 **swear in the new Lander County commissioners, and other**  
25 **matters properly related thereto.**

26

27 CHAIRMAN GARNER: Twenty-five, discussion for possible  
28 action regarding a special meeting to swear in new Lander County  
29 commissioners -- commissioners, and other matters properly  
30 related thereto.

31 KEITH WESTENGARD: We'll have the two swearing-ins. We  
32 have one January 2<sup>nd</sup> and we'll post it at 1:30 by Judge  
33 Wagner. And then we'll have another one January 5<sup>th</sup> at  
34 9:00 a.m. by Judge Bunch.

35 And we can go along with our -- the special meeting for  
36 election of the chair and the vice chair as well as the boards  
37 that they need to be appointed to.

38 CHAIRMAN GARNER: Okay.

39 KEITH WESTENGARD: Okay?

40 CHAIRMAN GARNER: Is this just for our information or do we

1 need to -- we need to read this in?

2 COUNTY CLERK SULLIVAN: You mind if I kind of just clarify  
3 a few things? Questions that have been put out there?

4 Sadie Sullivan for the record.

5 The reason for the January 2<sup>nd</sup> swearing-in is Judge Wagner  
6 is retiring. He's been with us for many years. He'll be coming  
7 in, swearing in our new DA whomever else also can be sworn in at  
8 that time.

9 Our other judges would be Montero and Judge Shirley. So they  
10 are in other areas on Monday. So they would not be able to be  
11 present for the Monday.

12 When we have the larger election, when there's all the  
13 boards, the commissioners, whatever have you, we've always held it  
14 in the district courtroom.

15 On the smaller ones, like two years ago, we did hold it --  
16 we held it here because it's a smaller election. So as a  
17 courtesy or as -- as respect to Judge Wagner, we went ahead and  
18 we're doing our swearing-in for, you know, for that reason on  
19 Saturday -- or sorry -- Friday, January 2<sup>nd</sup>.

20 And then Max will be available for -- it will have to be a  
21 special meeting for January 5<sup>th</sup> at 9:00 a.m. to where you guys can  
22 come on and then the new commissioners can be sworn in. So that  
23 is the purpose of the two different dates. It's to give, you  
24 know, those people both options.

25 But that is why we do have the one on Friday is of the  
26 respect I felt for Judge Wagner. So hopefully that clarifies some  
27 things.

28 CHAIRMAN GARNER: Thank you.

29 COMMISSIONER WAITS: It does in the swearing-in.

30 ~~Just a clarification on the actual special meeting. So the~~  
31 special meeting will be the board of commissioners and on the  
32 agenda will be our chairs. Are we also going to do the  
33 appointment to the boards that day?

34 KEITH WESTENGARD: Yes, you'll do the -- you'll vote for  
35 your chair, --

36 COMMISSIONER WAITS: Okay.

37 KEITH WESTENGARD: -- your vice chair. And you'll also  
38 vote for the --

39 COMMISSIONER STIENMETZ: (Indiscernible) volunteer for.

40 COMMISSIONER WAITS: Because public lands, yeah, meets that

1 evening. So if we have somebody new -- newly appointed,  
2 whatever, that's good.

3 KEITH WESTENGARD: That will be all that meeting is. And  
4 then you have a regular meeting January 8<sup>th</sup>.

5 COMMISSIONER WAITS: Right.

6 KEITH WESTENGARD: Regular commission meeting.

7 COMMISSIONER WAITS: Thank you.

8 COUNTY CLERK SULLIVAN: Thank you.

9 COMMISSIONER STIENMETZ: Thanks.

10

11 **26) Discussion for possible action regarding status of the Lander**  
12 **County courthouse/administration building project, and other**  
13 **matters properly related thereto.**

14

15 CHAIRMAN GARNER: Twenty-six, discussion for possible  
16 action regarding status of the Lander County courthouse/  
17 administration building project, and other matters properly  
18 related thereto.

19 JUDGE MAX BUNCH: Okay. So there's -- there is a few  
20 things we need to go over today.

21 And Max Bunch for the record. And I have Casey Gunther from  
22 CORE also here.

23 And first off, I'll kind of give you the quick update. I  
24 told you we had a safe-site visit, which is the safety people.  
25 And I told you I didn't know the number. And I'm going to report  
26 the number to you now. It's 99.6. So we went up.

27 Last piece of steel was placed yesterday at the building that  
28 they brought in.

29 The roof deck, which is the deck for the roof, will be  
30 starting today. They'll be moving from the back of the building  
31 towards the front of the building.

32 The conduit, which ties in to -- to the sheriff's office and  
33 the courthouse that the extra conduit that we put in, I believe  
34 that got completed.

35 The utilities for the storm drain, that should be completed  
36 today.

37 So at this point Casey is indicating that when that -- the  
38 tie-in is done, then all the utilities will be complete for the  
39 building.

40 Yesterday, the architect and I went to Newmont mine to -- to

1 look at boulders for part of our desert landscape that we have  
2 that Newmont's donating the boulders to us. And so we're -- we're  
3 working on that.

4 We have some -- we have some colors of carpets. Casey's  
5 going to hand those out. And we have some wall colors. And  
6 Casey's going to hand that out to you also.

7 COMMISSIONER WAITS: Has the committee looked at these and  
8 made any recommendations?

9 JUDGE MAX BUNCH: The -- the committee has not.

10 We just had these. I will tell you that those are not black  
11 and white. They are actually color, the actual color that's  
12 there.

13 So as you look at that, my plan is to -- that the committee  
14 has said to the architects that we don't want this to be a dark  
15 building. And I'm not sure that we're being heard correctly, as  
16 you can tell by the colors of the carpet.

17 The carpet has not been ordered. The paint for the walls has  
18 not been ordered.

19 One of the walls actually is this color here. It's called  
20 diesel, kind of a dark brown. And that would be potentially,  
21 like, in the recorder's office on one of the walls there.

22 So I think that we have to meet with them. And what I would  
23 like to try and do is meet with the elected officials some point  
24 in January and have a meeting with them and see what their  
25 thoughts are on potential colors.

26 I know it's going to be pretty contentious, similar to a  
27 mailbox room that we had before. I'm sure that it's not going to  
28 be easy to go in there because you've got different people that  
29 have different opinions.

30 And so my thought was is to let you look at it, let you see  
31 what you're seeing there. And that is -- actually Nan and I  
32 have actually seen a two-by-two square of the carpet. And that's  
33 the only sample that we have.

34 I have asked for full-color renditions of the commissioners'  
35 room, the district court, the justice court, the committee meeting  
36 room, and a break room.

37 And I will draw your attention to the paint colors on the  
38 walls. And if you look at the bottom, left corner of that, you  
39 will see the actual color of the break room wall.

40 And I'm sure that pops out to everybody that it's a great

1 color.

2 Maybe I'm just being sarcastic. I don't believe it's a  
3 great -- great color.

4 And that is actually, if you look at that, that is the whole  
5 entire wall in that office.

6 CHAIRMAN GARNER: Blue?

7 JUDGE MAX BUNCH: That would be the bottom, left color of  
8 the paint.

9 It's kind of --

10 COMMISSIONER STIENMETZ: It's going to be striped.

11 JUDGE MAX BUNCH: Striped.

12 COMMISSIONER STIENMETZ: One, two, three, four, five  
13 different colors in that.

14 CHAIRMAN GARNER: Striped?

15 JUDGE MAX BUNCH: Yes, striped. That's -- that's what they  
16 have proposed.

17 CHAIRMAN GARNER: Put some dotted lines (indiscernible).

18 JUDGE MAX BUNCH: So I just received this information. I  
19 haven't had an opportunity to actually get the building  
20 committee together to really answer your question to go over  
21 that.

22 It's kind of come in piece by piece. And you don't realize  
23 it when you're doing piece by piece that there's so much that we  
24 need to go back and look at and have a whole rendition of it, some  
25 renderings so that we can -- so we can actually see what the room  
26 looks like from inside.

27 It's kind of like a 3D rendering that you can actually, like,  
28 you're on the inside and you can look around the walls and stuff.

29 And so sometimes, I guess, I'm not making myself clear to the  
30 principal or the owners of the architectural firm.

31 And when that happens, the information is not getting down to  
32 the interior designer. And that's the interior designer that  
33 gives this type of information.

34 So with -- with your blessing, I'd like to go back and see if  
35 we can get things --

36 Unless you are absolutely happy with that.

37 COMMISSIONER MASON: No, I'm not.

38 COMMISSIONER STIENMETZ: Uh-uh.

39 JUDGE MAX BUNCH: I would like to go back to them and  
40 explain to them what we need. And -- and attempt to get

1 something a little bit lighter and maybe not as -- I'll call it  
2 new age. New age designing.

3 I think we need to step back and get something that  
4 reflects Battle Mountain and Lander County. All of Lander  
5 County.

6 COMMISSIONER STIENMETZ: I agree with you, Max.

7 COMMISSIONER MASON: We have relied on you for this project  
8 and your committee all the way through.

9 And I think you've saved the county a great deal of  
10 headache and time and trouble and money. And I'd like you to  
11 just continue.

12 I mean, I know it's a hard job for you. But, boy, I can't  
13 tell you how much I appreciate your efforts.

14 And I think you ought to continue with picking the colors and  
15 then bring your final analysis committee-wise to the commission.

16 JUDGE MAX BUNCH: Well, and that's where I wanted to give  
17 the opportunity for the elected officials to come in and have a  
18 say.

19 We've done that before. It was a very difficult meeting, a  
20 very extremely long agitating meeting -- agitated meeting. And  
21 I realize that will be that again. Because unfortunately when  
22 you get so many people together, they can't just agree.

23 So what I'm going to do is I'm going to ask that the  
24 architects be here, the building committee to be part of it, and  
25 to have the elected officials that are there when we have the  
26 meeting to have their opportunity to come in and have whatever  
27 say they want to have as far as that.

28 And then I think that the building committee will then put --  
29 get together and make a recommendation to the commission as to the  
30 direction we go.

31 There are a lot of things that come up --

32 CHAIRMAN GARNER: Or would you like to just get the  
33 blessing from -- just make it the building committee's decision  
34 and be done with -- be done with the -- all the rhetoric?

35 COMMISSIONER MASON: I think we've got to save a lot of  
36 trouble by just --

37 JUDGE MAX BUNCH: Well, --

38 COMMISSIONER MASON: -- giving you the blessing to pick the  
39 colors.

40 JUDGE MAX BUNCH: I'm willing to take the beating so --

1 COMMISSIONER MASON: It's not a --  
2 CHAIRMAN GARNER: Well, it's --  
3 JUDGE MAX BUNCH: It is a beating.  
4 CHAIRMAN GARNER: It's a --  
5 COMMISSIONER MASON: Well, yeah.  
6 CHAIRMAN GARNER: It's a committee decision.  
7 COMMISSIONER STIENMETZ: Right.  
8 CHAIRMAN GARNER: I think it would -- I -- there's just --  
9 there's just way too many different opinions of 150 people.  
10 COMMISSIONER STIENMETZ: Right.  
11 CHAIRMAN GARNER: And it just -- it's so complicated.  
12 JUDGE MAX BUNCH: Well, it's not 150 people. It's just be  
13 the elected officials.  
14 CHAIRMAN GARNER: Well, oh. But they --  
15 JUDGE MAX BUNCH: We know. We went through the one meeting  
16 and we had a lot of differently opinions.  
17 CHAIRMAN GARNER: Yeah.  
18 JUDGE MAX BUNCH: I mean, I really try to go to each  
19 individual elected official and find out --  
20 CHAIRMAN GARNER: But you can't.  
21 JUDGE MAX BUNCH: -- what they particularly want, --  
22 CHAIRMAN GARNER: But honestly --  
23 JUDGE MAX BUNCH: -- what they want to see.  
24 CHAIRMAN GARNER: But honestly, it needs to be common. It  
25 needs to be -- I would -- I would like to stop that right there  
26 and just say it needs to be building decision.  
27 COMMISSIONER STIENMETZ: I agree with Brian.  
28 CHAIRMAN GARNER: A building committee decision to stop  
29 the -- there's just -- we've been doing this so long. And  
30 there's just so many different opinions and so many different  
31 JUDGE MAX BUNCH: And -- and you know, decisions are made  
32 almost daily for a lot of different things. There -- I mean,  
33 there are a lot of things that come up: light switches, doors,  
34 windows, framing around the windows. There's so many things  
35 that come up that -- that I -- I really don't even -- I mean, we  
36 talk about in what we call our owner-architect contractor  
37 meetings, OAC meetings. And we have a representative of people  
38 that -- that show up there. For example, Steve Stienmetz shows  
39 up on occasion. Brian's there on occasion. One of the new  
40 commissioners, Sean, has come in to those meetings to observe.

1 Nan is there and kind of helping me, because I'm sure the color  
2 I pick probably would not be anywhere close to what she may  
3 pick. Because I'd probably just put up pure white and let's go.

4 But -- but there's -- I mean, we have an opportunity to -- to  
5 make it a -- a nice place for all the people, not have to have  
6 somebody come in and say, well, we're going to change the carpet  
7 out in the first six months that they're there in that particular  
8 office.

9 COMMISSIONER WAITS: I like the idea of -- of keeping it  
10 light. And I think you're on the right track.

11 But your comments earlier about, they're not paying attention  
12 to us is a real concern to me. So if -- if they don't, if you  
13 don't feel you have their attention, then you get it on our  
14 agenda, and we can always write a letter to them to pay a bit more  
15 attention to what we want to do.

16 CHAIRMAN GARNER: I think that's what he's -- we're giving  
17 him the blessing to get the attention.

18 COMMISSIONER STIENMETZ: Yeah.

19 COMMISSIONER WAITS: Yes.

20 JUDGE MAX BUNCH: I don't --

21 COMMISSIONER WAITS: What I'm saying --

22 JUDGE MAX BUNCH: I don't mind --

23 COMMISSIONER WAITS: -- is if he doesn't feel he can.

24 JUDGE MAX BUNCH: -- telling them.

25 CHAIRMAN GARNER: Yeah.

26 COMMISSIONER WAITS: Then he needs to come back to --

27 JUDGE MAX BUNCH: Right.

28 COMMISSIONER WAITS: -- us.

29 JUDGE MAX BUNCH: And I absolutely will. I'm --

30 COMMISSIONER WAITS: Okay.

31 JUDGE MAX BUNCH: I just want you to know that -- that  
32 I'm -- I mean, I'm trying to pay attention to every detail of  
33 this building and to let you know what's going on. That's my  
34 job to let you know.

35 So -- so I want you to understand --

36 COMMISSIONER WAITS: Okay.

37 JUDGE MAX BUNCH: -- where I'm sitting at on this on this  
38 color and the carpet. And those are certain things that we  
39 were -- that I think are very important that everybody's going  
40 to see, you know. Between a doorknob, whether it's a latched

1 one or a round one, I don't think you guys really care. I'm  
2 just trying to figure out what's going on, what's going to be  
3 best for -- for that -- that department or that -- for the  
4 employees going through that.

5 COMMISSIONER WAITS: Well, I don't think we want to -- we  
6 want to go in and say, oh, my golly, I wish we'd have known  
7 about that. Now, when you show me a dark-colored wall. Well,  
8 if that's a small wall and a accent only and the rest is white,  
9 I mean, that's one thing. But my goodness, I can't believe they  
10 would do that on more than one wall. I just can't.

11 JUDGE MAX BUNCH: Well, no.

12 COMMISSIONER WAITS: But I've seen architects --

13 JUDGE MAX BUNCH: It really is -- it really is an accent  
14 wall. But it's a large accent wall.

15 COMMISSIONER WAITS: Okay. Well, that makes a difference  
16 too, because I know --

17 JUDGE MAX BUNCH: And you see that bottom picture of the  
18 break room.

19 COMMISSIONER WAITS: A good example is our visitor's center  
20 in Austin. And I can't believe some of the things that they  
21 have done. If we'd be on top of some of the things that the  
22 architects did, we would have prevented a lot of situation  
23 there. And so stay on it.

24 COMMISSIONER MASON: Can we get --

25 COMMISSIONER WAITS: And that's all we can do.

26 COMMISSIONER MASON: -- a couple more copies while we have  
27 three new commissioners and they don't have --

28 Can you supply it?

29 JUDGE MAX BUNCH: I don't think they're going -- I don't  
30 think they're going to want --

31 CHAIRMAN GARNER: Yeah.

32 JUDGE MAX BUNCH: -- the old stuff.

33 COMMISSIONER MASON: Well, it's just the floor plan. I  
34 mean, I'm just looking at floor plan. It would really help them  
35 a lot.

36 JUDGE MAX BUNCH: They're more than welcome to come talk to  
37 me any time.

38 COMMISSIONER MASON: Well, I know that.

39 JUDGE MAX BUNCH: I have more than floor plans. I've got  
40 electrical plans. I've got sewer plans. I've got every -- I've

1 got two kkstacks of paper about that tall --  
2 COMMISSIONER MASON: I know.  
3 JUDGE MAX BUNCH: -- that I'll sit there and go through for  
4 hours if I need to.  
5 I guess the next thing that we have is that we wanted to  
6 try to get some information on is the -- is the flag. We talked  
7 about the flag.  
8 I will tell you that Brian has helped me.  
9 COMMISSIONER MASON: Phil, you don't want to stay for  
10 lunch?  
11 PHIL HANNA: I have lunch over at the hospital. It's a  
12 recognition meeting.  
13 COMMISSIONER WAITS: Oh.  
14 PHIL HANNA: Thank you.  
15 JUDGE MAX BUNCH: So -- so Brian is -- has helped me in  
16 getting some of this out.  
17 COMMISSIONER STIENMETZ: He's getting me a copy.  
18 COMMISSIONER MASON: Oh, that's pretty.  
19 JUDGE MAX BUNCH: So there's different options with the --  
20 CHAIRMAN GARNER: Somebody else wants it, give them.  
21 UNIDENTIFIED PARTICIPANT: Yeah, I'll take one.  
22 (Indiscernible.)  
23 COMMISSIONER STIENMETZ: This is the best color with this  
24 (indiscernible) in the center.  
25 COMMISSIONER MASON: That's quite a few options.  
26 COMMISSIONER STIENMETZ: Stretch it out.  
27 UNIDENTIFIED PARTICIPANT: Hey, Max, are these the only  
28 options?  
29 JUDGE MAX BUNCH: Those are not the only options. I mean,  
30 that's the only options I brought here today. That's the only  
31 options that I've got. But if somebody else has more opinion --  
32 COMMISSIONER BULLOCK: Well, my opinion is the stripes are  
33 totally out. But that's my opinion.  
34 COMMISSIONER STIENMETZ: That's my opinion too.  
35 COMMISSIONER WAITS: I'll third that.  
36 COMMISSIONER BULLOCK: This can just go.  
37 COMMISSIONER MASON: Me too.  
38 UNIDENTIFIED PARTICIPANT: I like the orange.  
39 UNIDENTIFIED PARTICIPANT: You're not an orange guy?  
40 (Simultaneous conversations.)

1 UNIDENTIFIED PARTICIPANT: Only in my glass, buddy.  
2 COMMISSIONER WAITS: Going to be a good year.  
3 CHAIRMAN GARNER: The orange is actually supposed to be  
4 tan.  
5 UNIDENTIFIED PARTICIPANT: I was joking.  
6 JUDGE MAX BUNCH: I -- I know that we weren't able to get  
7 everything that we kind of wanted. And as I come in here and  
8 see our current county flag that we have here, I was wondering  
9 if that could potentially be an option where -- and maybe  
10 somebody can stand up and hold it out. Thanks, Brian. And it  
11 kind of is more -- is more centered --  
12 COMMISSIONER BULLOCK: Mm-hm.  
13 JUDGE MAX BUNCH: -- in the flag. And if that's something  
14 that somebody may be -- if you -- if that's a style you want to  
15 look at -- I mean, I did a solid-colored background and maybe if  
16 that's something that --  
17 UNIDENTIFIED PARTICIPANT: What about --  
18 JUDGE MAX BUNCH: -- people are interested in.  
19 UNIDENTIFIED PARTICIPANT: -- the same idea but dark green?  
20 UNIDENTIFIED PARTICIPANT: Go for the high school colors.  
21 CHAIRMAN GARNER: Any --  
22 JUDGE MAX BUNCH: Okay.  
23 CHAIRMAN GARNER: Any of these can --  
24 JUDGE MAX BUNCH: It's a Lander County flag.  
25 UNIDENTIFIED PARTICIPANT: I know.  
26 JUDGE MAX BUNCH: And there's two different high schools in  
27 Lander County.  
28 UNIDENTIFIED PARTICIPANT: Well, that's true.  
29 CHAIRMAN GARNER: What's the color of Austin's?  
30 UNIDENTIFIED PARTICIPANT: I'm not saying for a high  
31 school, but --  
32 JUDGE MAX BUNCH: They are blue and gray.  
33 UNIDENTIFIED PARTICIPANT: -- the blue matches the  
34 (indiscernible) flag.  
35 JUDGE MAX BUNCH: Blue and orange.  
36 UNIDENTIFIED PARTICIPANT: So maroon, black, yellow,  
37 white.  
38 CHAIRMAN GARNER: But the new crest or seal or whatever  
39 also -- it kind of had a lot of colors in it. So -- and it can  
40 be placed anywhere. I mean, we can.

1 JUDGE MAX BUNCH: Correct.

2 CHAIRMAN GARNER: If we get a general idea, we can go back  
3 to the computer and we can throw it in, you know what I mean?  
4 We can -- you can put --

5 COMMISSIONER WAITS: I like the lighter color. When you go  
6 dark, they look like SOS signs?

7 COMMISSIONER BULLOCK: Mm-hm.

8 COMMISSIONER STIENMETZ: I like the light gray.

9 COMMISSIONER MASON: Top one.

10 COMMISSIONER STIENMETZ: The one at the top.

11 COMMISSIONER MASON: Yeah.

12 COMMISSIONER STIENMETZ: But move it down to the center,  
13 the seal.

14 COMMISSIONER MASON: Yeah, I think you're right. Seal in  
15 the center of the gray.

16 COMMISSIONER STIENMETZ: Mm-hm.

17 COMMISSIONER MASON: That'd be good.

18 COMMISSIONER STIENMETZ: I think it would look really good.  
19 (Indiscernible conversation.)

20 JUDGE MAX BUNCH: Hey, I just brought out options.

21 KEITH WESTENGARD: I know.

22 JUDGE MAX BUNCH: Those are what we were supposed to come  
23 back with.

24 COMMISSIONER STIENMETZ: Show up here the --

25 JUDGE MAX BUNCH: Either way.

26 COMMISSIONER STIENMETZ: Lander County would show up better  
27 there.

28 JUDGE MAX BUNCH: I mean, obviously we can't make a final  
29 decision because we don't have that final product here.  
30 But I wanted to get the input of all the commission.

31 CHAIRMAN GARNER: We could --

32 JUDGE MAX BUNCH: And I'm assuming, Brian, you're still  
33 going to help me with this.

34 CHAIRMAN GARNER: It's going to start costing you now. My  
35 IT guy's getting expensive. We could possibly -- I'm just  
36 kidding. We could possibly do -- we could do come back with  
37 even more of the blue and the grays combined. We could put the  
38 crest more towards the middle. We could get rid of the Lander  
39 County above that crest. But we could make the Lander County  
40 big --

1 COMMISSIONER STIENMETZ: On the flag above.  
2 CHAIRMAN GARNER: -- for the whole flag. And then that  
3 crest be underneath the big so you see the Lander County is --  
4 JUDGE MAX BUNCH: How about -- how about keeping the crest  
5 the way it is and just making Lander County bigger?  
6 CHAIRMAN GARNER: That's what I'm saying.  
7 JUDGE MAX BUNCH: I mean.  
8 CHAIRMAN GARNER: Take the little, tiny Lander County up  
9 off the crest but make it large but still keep the crest  
10 proportional to Lander County.  
11 And then do that and flip it in grays and blues and different  
12 colors of grays and blues and see.  
13 JUDGE MAX BUNCH: Well, we're pretty close to being  
14 satisfied with maybe the grays and the blues?  
15 COMMISSIONER STIENMETZ: Yes.  
16 COMMISSIONER MASON: Yes.  
17 JUDGE MAX BUNCH: For the state flag?  
18 CHAIRMAN GARNER: Because if you do a gray --  
19 UNIDENTIFIED PARTICIPANT: Just not that blue.  
20 COMMISSIONER MASON: Well, the gray --  
21 CHAIRMAN GARNER: The darker blue?  
22 UNIDENTIFIED PARTICIPANT: Yeah.  
23 CHAIRMAN GARNER: Lighter blue? But we can mess with the  
24 shades --  
25 COMMISSIONER STIENMETZ: Yeah.  
26 CHAIRMAN GARNER: -- on the computer too.  
27 COMMISSIONER BULLOCK: My opinion is that we stay away from  
28 blue --  
29 UNIDENTIFIED PARTICIPANT: Yeah.  
30 COMMISSIONER BULLOCK: -- just for the fact that everything  
31 ~~the state does is blue. You look back behind you, it's blue.~~  
32 The state flag's blue. So if we go with a different color, it  
33 stands out more than if we get with a blue.  
34 JUDGE MAX BUNCH: I will tell you that the concept here is  
35 that our flag will be on the flag pole. There will be a U.S.  
36 flag and the state flag and the county flag. So I'm not sure  
37 that we want -- when we fly that flag, I'm not sure we want to  
38 have that color combination state blue and --  
39 CHAIRMAN GARNER: Yeah.  
40 JUDGE MAX BUNCH: -- county blue.

1 UNIDENTIFIED PARTICIPANT: That's why I said green, gray.  
2 COMMISSIONER WAITS: No, I like the gray silver.  
3 CHAIRMAN GARNER: What about a -- what about a nice tan  
4 with a silver border?  
5 COMMISSIONER WAITS: The gray and -- the gray goes better  
6 with our blue on here.  
7 CHAIRMAN GARNER: A silver?  
8 COMMISSIONER WAITS: Yeah. Silver. Blue. Silver. Gray.  
9 Yeah.  
10 SHERIFF RON UNGER: Silver (indiscernible).  
11 CHAIRMAN GARNER: So what color letters so I can play with  
12 it? Just do a --  
13 UNIDENTIFIED PARTICIPANT: Black.  
14 CHAIRMAN GARNER: -- variety? Black?  
15 I mean, gray you could go --  
16 COMMISSIONER WAITS: Probably have to go --  
17 CHAIRMAN GARNER: -- you could go yellow. You could go --  
18 if you want it to stand out.  
19 COMMISSIONER WAITS: Maybe dark blue.  
20 COMMISSIONER BULLOCK: Sean wants green.  
21 COMMISSIONER WAITS: Maybe dark blue or something?  
22 COMMISSIONER STIENMETZ: I don't know.  
23 CHAIRMAN GARNER: You can put anything.  
24 UNIDENTIFIED PARTICIPANT: I said lime green.  
25 COMMISSIONER WAITS: Yes. Yes, and we appropriately  
26 ignored your comment.  
27 UNIDENTIFIED PARTICIPANT: That'd really stand out.  
28 CHAIRMAN GARNER: We can go back and play with it more --  
29 JUDGE MAX BUNCH: Okay.  
30 CHAIRMAN GARNER: -- and refine it more if we need to.  
31 JUDGE MAX BUNCH: At least have a general just direction  
32 from -- from you.  
33 COMMISSIONER WAITS: You do.  
34 COMMISSIONER STIENMETZ: Mm-hm.  
35 COMMISSIONER WAITS: Thank you.  
36 CHAIRMAN GARNER: Yeah.  
37 JUDGE MAX BUNCH: Thanks for all your hard work on that.  
38 COMMISSIONER MASON: Thank you.  
39 JUDGE MAX BUNCH: Unless there's any questions? Have I  
40 missed anything?

1 COMMISSIONER WAITS: Yes, the party.  
2 JUDGE MAX BUNCH: The party. What party?  
3 SHERIFF RON UNGER: The one behind you.  
4 JUDGE MAX BUNCH: There's a party behind me?  
5 CHAIRMAN GARNER: Twenty-seven.  
6 JUDGE MAX BUNCH: Hold on. There's -- oh, yes. And just  
7 to remind everybody, I'm going to -- I forgot Casey wants to  
8 go ahead and talk about something that's going to happen around  
9 the 5<sup>th</sup> of January.

10 CASEY GUNTHER: Yeah, so basically like -- like Judge Bunch  
11 mentioned earlier with the three-inch piece of steel yesterday,  
12 which was our topping out.

13 So the fact that we didn't want to necessarily stop  
14 construction and have the party then, we -- everybody signed their  
15 name who could make it. And we helped others who couldn't make  
16 it. But the week of the 5th right around there, we want to do our  
17 little topping out celebration. So once I have a better idea of  
18 what's going on, I'll let Judge Bunch know. And we'll -- he'll  
19 let the appropriate parties know.

20 COMMISSIONER WAITS: See? It is a party.

21 CHAIRMAN GARNER: Next month.

22 JUDGE MAX BUNCH: They're -- yeah.

23 CASEY GUNTHER: Next month.

24 JUDGE MAX BUNCH: So -- and obviously, we will try and  
25 coincide it with the county commission meeting. There's a  
26 special meeting on the 5<sup>th</sup> and then there's a regular one on the  
27 8<sup>th</sup>. So those are two days that you'll potentially have to  
28 shoot for. That way we don't have people having to travel up  
29 separate.

30 CHAIRMAN GARNER: Good. Thank you.

31 COMMISSIONER MASON: Thank you, guys.

32 COMMISSIONER WAITS: Thank you.

33

34 **27) Correspondence/reports/upcoming agenda items.**

35

36 CHAIRMAN GARNER: Correspondence, reports, potential  
37 upcoming agenda items.

38

39 (The following correspondence was received:

- 40 1) BLM to Interested Part, from Barrick Gold Exploration,

1 Inc., an amendment to the Mill Canyon Exploration Project Plan  
2 of Operations.

3 2) NACO to All, NACO's 2014 conference was a huge  
4 success.

5 3) Dahn S. Puckett, Management Assistant, White Pine  
6 County Community & Economic Development to Lander County  
7 Commissioners, copy of the signed BEC Environmental,  
8 Incorporated, Work Order Number 1 for 069.14.001 for the Great  
9 Basin Regional Economic Development Authority.

10 4) BLM to Interested Public, 2014 Magruder Mountain  
11 Temporary Water Haul Final Decision, including the allotment map  
12 and mailing list of interested public members.

13 5) Division of Child and Family Services to Lander County  
14 Commissioner Brian Garner C/O Keith Westengard, Executive  
15 Director, Summary Report for FY 2014 (July 1, 2013 - June 30,  
16 2014) for Child Protective Services (CPS) for Lander County.

17 6) BLM Winnemucca District to Permittee/Stakeholder, list  
18 of meeting places and times for meet and greet sessions in your  
19 area.

20 7) State of Nevada, Department of Conservation & Natural  
21 Resources to permit-holder, recent updates to Nevada  
22 Administrative Code (NAC) for air quality operating permit.

23 8) BLM to Interested Public, Environmental Assessment  
24 (EA) on Barrick Gold Corporation.

25 9) Email from Dean Christopher to Lander County  
26 commissioners, auto dealers open letter form.

27 10) Jeremy B. Harrell, legislative assistant, U.S. Senator  
28 Dean Heller (NV) to all, Heller urges support of lands  
29 provisions for Nevada.)

30  
31 CHAIRMAN GARNER: Seeing none --

32 COMMISSIONER BULLOCK: Hold on. Are you going to be  
33 available for the 29<sup>th</sup> because I won't be -- or if not, we need  
34 to have Steve.

35 COMMISSIONER STIENMETZ: I won't be here. I'll be out of  
36 town on the 29<sup>th</sup>.

37 CHAIRMAN GARNER: What day is the 29<sup>th</sup>?

38 COMMISSIONER BULLOCK: A Monday.

39 COMMISSIONER WAITS: What's the --

40 COMMISSIONER BULLOCK: Agenda setting.

1 COMMISSIONER STIENMETZ: Agenda setting.  
2 KEITH WESTENGARD: I'll be here the 29<sup>th</sup>.  
3 COMMISSIONER STIENMETZ: Can you -- Patsy, can you --  
4 COMMISSIONER BULLOCK: No, it would be the 29<sup>th</sup>. That's  
5 when the normal agenda setting is.  
6 CHAIRMAN GARNER: I think I'll be burning (indiscernible).  
7 COMMISSIONER BULLOCK: That's why we move the meetings and  
8 it isn't on the agenda.  
9 COUNTY CLERK SULLIVAN: Is anybody available?  
10 COMMISSIONER WAITS: I can come. What is it?  
11 COMMISSIONER BULLOCK: It's up.  
12 CHAIRMAN GARNER: I can. We can do it. I can do it. And  
13 if I can't do it, I can get. I mean, I can do a phone  
14 conference. Or Patsy can do it. I'll let you know.  
15 KEITH WESTENGARD: The 29<sup>th</sup> or the 22<sup>nd</sup>?  
16 CHAIRMAN GARNER: I'm going to be burning two  
17 (indiscernible).  
18 KEITH WESTENGARD: The 29<sup>th</sup>?  
19 CHAIRMAN BULLOCK: Agenda is the 22<sup>nd</sup>. It should be the  
20 29<sup>th</sup>.  
21 COUNTY CLERK SULLIVAN: Right, but we could change it the  
22 22<sup>nd</sup> if he was available.  
23 CHAIRMAN GARNER: You've got two-and-a-half weeks before  
24 the meeting and you're setting the agenda?  
25 KEITH WESTENGARD: But it's just for the special meeting.  
26 COMMISSIONER BULLOCK: No, no, no. The special meeting we  
27 don't even have to have an agenda setting for.  
28 COUNTY CLERK SULLIVAN: Yeah, it's for the 8<sup>th</sup>.  
29 CHAIRMAN BULLOCK: It's for the 8<sup>th</sup> meeting. It has to be  
30 the 29<sup>th</sup> or should be. That's when it's scheduled.  
31 KEITH WESTENGARD: For -- yes.  
32 COUNTY CLERK SULLIVAN: You said you'd be available --  
33 right? -- by phone? On the 29<sup>th</sup>?  
34 CHAIRMAN GARNER: I'll --  
35 (Simultaneous indiscernible conversations.)  
36 COUNTY CLERK SULLIVAN: So Brian or Patsy said they'd be  
37 available for the 29<sup>th</sup>.  
38 KEITH WESTENGARD: Perfect.  
39 CHAIRMAN GARNER: Patsy, why don't you just -- do you want  
40 to do that?

1 COMMISSIONER WAITS: I'll handle it.  
2 CHAIRMAN GARNER: We'll just give it to Patsy since it's  
3 going to be her meeting anyway.

4 COUNTY CLERK SULLIVAN: So the 29<sup>th</sup>. Patsy.

5 COMMISSIONER WAITS: What time?

6 COMMISSIONER BULLOCK: Two o'clock.

7 COMMISSIONER WAITS: Two o'clock in the afternoon.

8 COUNTY CLERK SULLIVAN: Correct.

9 COMMISSIONER WAITS: Wouldn't be 2:00 o'clock in the  
10 morning. Duh?

11 CHAIRMAN GARNER: She could do it by phone. You could do  
12 it via phone, Patsy.

13 COMMISSIONER WAITS: Okay.

14

15

16 **PUBLIC COMMENT**

17

18 CHAIRMAN GARNER: Public comment for non-agendized items  
19 only.

20 COMMISSIONER STIENMETZ: Yes. I would like to thank Brian,  
21 Dean, and Dave for their -- their time on the -- on the cou- --  
22 on the commission and for all the work they've done. And I  
23 would like to welcome Doug, Sean, and Art on to our new  
24 commission.

25 CHAIRMAN GARNER: Thank you.

26 COMMISSIONER BULLOCK: Thanks.

27 UNIDENTIFIED PARTICIPANT: Thank you.

28 UNIDENTIFIED PARTICIPANT: Thank you.

29 CHAIRMAN GARNER: Anything else?

30 COMMISSIONER MASON: Is there -- is there a provision for  
31 waiving my property taxes for a year or anything?

32 NAN ANCHO: It doubles and triples.

33 COMMISSIONER STIENMETZ: It doubles once you're off.  
34 (Simultaneous indiscernible conversations.)

35 COMMISSIONER MASON: I was just asking. You know, I --  
36 didn't think it'd create a comment.

37 COMMISSIONER WAITS: Thank you, all, for your -- your  
38 contribution.

39 SHERIFF RON UNGER: (Indiscernible.)

40 COUNTY CLERK SULLIVAN: Keith, you want to go ahead and let

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STATE OF NEVADA        )  
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COUNTY OF ELKO        )

I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY  
CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "FOR  
THE RECORD" ELECTRONIC AUDIO RECORDING OF A MEETING WHICH TOOK PLACE  
THE 18TH DAY OF DECEMBER 2014, AND SAID RECORDING WAS PROVIDED TO ME  
BY LANDER COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS  
CORRECT AS THE AUDIO RECORDING ALLOWED.

DATED AT SPRING CREEK, NEVADA,  
THIS 19 DAY OF DECEMBER 2014.

  
\_\_\_\_\_  
TIFFANY ELKINGTON, CCR #930