

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 November 13, 2014, at
4 9:00 a.m.

5
6 **PRESENT:** **DEAN BULLOCK, COMMISSIONER**
7 **STEVEN STIENMETZ, COMMISSIONER**
8 **BRIAN GARNER, COMMISSIONER**
9 **DAVID MASON, COMMISSIONER**
10 **PATSY WAITS, COMMISSIONER**
11 **SADIE SULLIVAN, COUNTY CLERK**
12 **ANGIE ELQUIST, 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 November 13, 2014, at 9:00 a.m.]

23
24 **CHAIRMAN GARNER:** Call to order the meeting of the Lander
25 County Commission meeting, Town Board of Battle Mountain, and
26 Austin Board of County Highway Commissioners.

27
28 (Pledge of Allegiance.)
29
30

31 **APPROVAL OF AGENDA NOTICE**

32
33 **CHAIRMAN GARNER:** Discussion for possible action regarding
34 approval of agenda notice.

35 **COMMISSIONER STIENMETZ:** I'll make a motion to approve the
36 agenda notice.

37 **COMMISSIONER BULLOCK:** Second.

38 **CHAIRMAN GARNER:** Any public comment?

39 (No comment.)

40 **CHAIRMAN GARNER:** All those in favor?

1 COMMISSIONER MASON: Aye.
2 CHAIRMAN GARNER: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER STIENMETZ: Aye.
5 COMMISSIONER BULLOCK: Aye.
6
7

8 **APPROVAL & ACCEPTANCE OF MINUTES**
9

10 CHAIRMAN GARNER: Discussion for possible action regarding
11 approval and acceptance of minutes of October 9th, 2014th,
12 regular session.

13 COMMISSIONER WAITS: I'll make a motion we approve the
14 minutes of October 9th, regular session.

15 COMMISSIONER MASON: Second.

16 CHAIRMAN GARNER: Any public comment?
17 (No comment.)

18 CHAIRMAN GARNER: All those in favor?

19 COMMISSIONER MASON: Aye.

20 COMMISSIONER WAITS: Aye.

21 COMMISSIONER STIENMETZ: Aye.

22 CHAIRMAN GARNER: Aye.

23 COMMISSIONER BULLOCK: Aye.

24 COMMISSIONER GARNER: Do we have 23rd?

25 COMMISSIONER BULLOCK: Mm-hm.

26 COUNTY CLERK SULLIVAN: Yep.

27 COMMISSIONER STIENMETZ: Make a motion to -- or --
28 discussion for possible regarding approval of October 23rd,
29 2014, regular session.

30 COMMISSIONER WAITS: I'll make a motion we approve the
31 October 23rd, regular session minutes.

32 COMMISSIONER MASON: Second.

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

35 CHAIRMAN GARNER: All those in favor?

36 COMMISSIONER MASON: Aye.

37 COMMISSIONER STIENMETZ: Aye.

38 COMMISSIONER WAITS: Aye.

39 CHAIRMAN GARNER: Aye.

40 COMMISSIONER BULLOCK: Aye.

1 **COMMISSIONER REPORTS**

2
3 CHAIRMAN GARNER: Commissioners' reports on meetings,
4 conferences, and seminars attended.

5 COMMISSIONER MASON: Last night, the planning commission
6 met at 6:00 o'clock and approved a variance and deferred just
7 about everything else.

8 Had a lengthy discussion on changing the regulations. I'll
9 just read that.

10 Agenda notice: Discussion possible action for Lander County
11 Code Chapter 17 and possible revisions and/or updates, in
12 particular: 17.14, special-use permits; 17.64, industrial
13 district M; and 17.68, government purposes.

14 And basically, the discussion was lengthy because changing
15 the regulations -- had a lot to talk -- you know, there -- it's
16 just a -- it's one of those things that -- that needs to be
17 looked into. There'll be more meetings on it. They couldn't
18 make a decision on it last night.

19 Other than that, that's -- it was a short meeting. That's
20 all I have.

21 COMMISSIONER WAITS: I have a few meetings. The first one
22 was on October 28th and it was the joint land use study policy
23 committee.

24 Steve sits on the technical committee of that one. I sit on
25 the policy committee. This is the one with Fallon Air Force Base
26 and the surrounding counties that are affected by their air space.
27 They're actually putting together strategies that the Fallon navy
28 base will be using.

29 And there's a couple of things that will affect us.
30 They're asking us to develop MOU's on the areas for
31 coordination -- in the coordination of airports. They also want
32 some contacts so that they will be letting people know when
33 they're doing supersonic training exercises.

34 And they have some concerns about what they call their dark
35 sky ordinances where they have industrial and energy facilities
36 and the lights might be affecting the pilots. They want to
37 ensure that lighting is facing down and so forth. So they're
38 looking to the counties to be putting ordinances up to work with
39 them on that.

40 On October 29th, I attended an attorney general's workshop,

1 actually for annual boards and commission training. There were
2 several items throughout the day: audits, public records, social
3 media, and a few things that were very, very informational that we
4 can be using as we go along.

5 On October 31st, there was a NACO meeting. And these are all
6 in Carson City.

7 A couple things on the NACO that I do want to share. And
8 number one, they were talking about the -- the U.S. waterways.
9 And we sent the information on to Keith. That's on our agenda a
10 little bit later.

11 The recommendations regarding the Indigent Defense
12 Commission's Rural Subcommittee, and that's going to have a
13 hearing in the supreme court on December 4th, which will make a
14 difference with many of the counties on what they're doing, if
15 they're contracting, if they're hiring a new employee, if they're
16 on a flat-fee schedule for indigent defense.

17 Basically, the U.S. Constitution puts it on the states for
18 the costs. It's just in Nevada they have been allowed to go
19 down into the county costs.

20 So part of what they're looking at is what they call a hold
21 harmless rural counties agreement that would not increase the
22 main county's cost of what we're paying. And the balance will
23 be picked up by the state. And then the commission on indigent
24 defense will be looking over that one.

25 NACO also has a new commissioners' handbook that they will be
26 giving out at the Ely conference on the annual conference there.
27 And they also put together a calendar of county responsibilities
28 that are required by law. And I've passed that on to our -- to
29 our administration folks there.

30 They're also hosting today -- the National Association of
31 Counties has a webinar with the Bureau of Land Management, what
32 they call a planning two-point initiative. And of course, it's
33 going on during our commissioners meeting. But our public lands
34 people will be on that with the webinar. And it has to do with
35 some of the resource management planning and some of the things
36 they will be bringing forth on it, which was interesting to get
37 some feedback on that.

38 On Saturday, on 11/1, we had the parade, the 150th parade.
39 It was over four hours long, over 200 entries. Lander's looked
40 wonderful, absolutely wonderful. We got comments everywhere.

1 And there was about eight of us that were in costume and walked
2 alongside and passed out pencils from the museum and such. And
3 we even -- they even had sound effects for the train. The train
4 was great. And one of the fellows was in his -- his conductor
5 engineer uniform. And the sound effects were the regular train
6 one. You don't have to put this down. (Non-word utterance.)

7 COMMISSIONER MASON: That's going to look --

8 COMMISSIONER WAITS: (Non-word utterance.)

9 COMMISSIONER MASON: -- good.

10 COMMISSIONER WAITS: Really it was great. In fact, some of
11 the people sitting on -- sitting on -- on the parade thought it
12 was an engine ahead of us and commented that they never did see
13 the big engine that was ahead of us and didn't realize it was
14 our own.

15 We did really well, represented Lander County very well.
16 And it was very nicely done. My complements to all the parade
17 committee that -- and volunteers that worked so hard on that.
18 And we had wonderful comments.

19 On 11/3, I had a public lands use advisory meeting. They
20 wanted to go over the Amodei bill that was part of the sage
21 grouse bill and -- that was put out just a bit after the
22 Heller/Reid draft. And so I found copies and sent those over.
23 So we're going to be discussing that next time.

24 On the Heller/Reid Bill, they assured us we would be having
25 another draft before the end of the year. And also Senator Heller
26 has co-sponsored a bill to block the -- the initiative of the US
27 waterways. So that's already in the --

28 COMMISSIONER MASON: Good.

29 COMMISSIONER WAITS: -- in the works. And they're hoping
30 for good things there.

31 On PILT, we had two -- two bills, one in the senate and one
32 in -- in the assembly, that actually were putting in for permanent
33 funding. And there's no action on those whatsoever. They're on
34 hold. So they will automatically die the end of this year on
35 12/31. But they have assured us they will renumber them, and it
36 will be on the 2015 agenda. So that's an ongoing.

37 On 11/10, I had an Austin Airport advisory meeting. The
38 modular we have at the pilot's lounge is all winterized. And we
39 were going to ask J.D. and Keith about our GPS approach system.
40 We had asked San Francisco, and they said they had it way, way

1 on the bottom list. And we're hoping when it got to Arizona, it
2 would move up a little bit because everything was done that we
3 know of as far as we know of as far as them coming out and
4 taking all the coordinates and everything. So we're looking to
5 see what the status is and if we might be able to increase that
6 timeframe a little bit.

7 That's all I have.

8 COMMISSIONER STIENMETZ: All right. On the 28th, I had the
9 joint land use study with Fallon Air Force Base, the technical
10 part of it. And we talked more into how they were affecting the
11 counties, mainly Fallon and around there, on their building
12 codes due to the vibration and noise and the fly patterns of the
13 planes and stuff. They were working on that. And then we were
14 supposed to be comment- -- receiving things to comment on
15 Section 5, which is the final before we get our final draft on
16 everything.

17 On the 29th, I had a Humboldt River Basin Water Authority
18 meeting in -- in Winnemucca. And it was a special one. It was
19 more we went over the base flows in the Humboldt River and looked
20 at everything back. And we had hydrologists there, the
21 department -- the state engineer had about eight, himself and
22 several more people from his staff. And we had a lot of people
23 there that were water experts. And we talked about just what was
24 affecting the flow in the Humboldt River.

25 And then tomorrow we have another Humboldt River Basin, our
26 regular one.

27 And then we also have the meeting with the mining association
28 before the Humboldt River.

29 And then on the 30th, I had a hospital board meeting.

30 And that's all I have.

31 COMMISSIONER BULLOCK: On the fifth, I attended LEDA
32 meeting. A lot of discussion on our participation in the Great
33 Basin Regional Development Authority. And no recommendations
34 are coming forward at this time. Still investigating our
35 participation there.

36 Also had a major discussion on the gateway project, which of
37 course is Front Street, Broad Street. And there's already an
38 evaluation and meetings going on with business owners on Front
39 Street to try to improve what is going on there and to try to help
40 out with that gateway project.

1 That's all I have.

2 CHAIRMAN GARNER: All I have is the convention and tourism
3 hosted the chukar tournament. It was a good success, good
4 turnout, a lot of people. I think it was almost sold out.

5 So that's all I had.
6
7

8 **STAFF REPORTS**
9

10 CHAIRMAN GARNER: Staff reports on meetings, conferences,
11 and seminars attended.

12 KEITH WESTENGARD: Good morning.

13 CHAIRMAN GARNER: Morning.

14 COMMISSIONER WAITS: Morning.

15 KEITH WESTENGARD: I met with Phil Hanna last week. So
16 he'll be in today or -- I'm sorry -- the week before. He'll be
17 in today to give you a thorough report on EMS, the direction
18 it's heading, finances, and so forth.

19 We did take delivery of the TufPort. It's going to be
20 outside here for you guys to look over after the commission
21 meeting so that -- that will end up being at southern Lander
22 EMS.

23 And Phil Hanna and Rick Bell, like I said, will be here a
24 little later and can answer all your questions on EMS and the
25 direction it's going.

26 We did have our kick-off meeting yesterday for the aquatic
27 center for the county. So we are -- we are moving forward with
28 that. And as things progress, I'll be reporting to you weekly
29 or monthly on that.

30 I continue to work with Kingston on their new fire department
31 development. That seems to be going very well. They have nine
32 active members. They did actually have an incident two weeks ago.
33 And they had seven of their members or -- I'm sorry -- six of
34 their members turn out. So they did -- they're doing real good.

35 A little -- a little later on the agenda J.D. and Lew Lott
36 from J-U-B will be here to answer all your questions. They're
37 going to give you a complete update on the airport, where we're at
38 with that, grants and so forth.

39 Our LEPC, we -- we continue to move forward. We're
40 purchasing equipment for decontamination as well as sheltering in

1 place for the county.

2 And as far as safety goes, we maintain six recordable
3 accidents for the year. So we're doing very well compared to
4 the past.

5 And that's all I have.

6 COMMISSIONER STIENMETZ: Thanks, Keith.
7
8

9 **PAYMENT OF THE BILLS**

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11 CHAIRMAN GARNER: Discussion for possible action regarding
12 payment of the bills.

13 VICKI PETERS: Good morning.

14 CHAIRMAN GARNER: Morning.

15 COMMISSIONER WAITS: Good morning, Vicki.

16 COMMISSIONER STIENMETZ: Morning, Vicki.

17 VICKI PETERS: The expenditures this time in the amount of
18 \$652,492.96 or 96 cents from check #49903 through 50023.

19 COMMISSIONER WAITS: I will be abstaining from check
20 #50018, travel expenses.

21 COMMISSIONER STIENMETZ: I'll be abstaining from check
22 #50003 for travel expenses.

23 CHAIRMAN GARNER: I'll be abstaining from 49912, Car Wash.

24 VICKI PETERS: Ratified checks, you will be very happy. We
25 only have four of them this time.

26 Midway Market, check #49873 in the amount of \$58.27.

27 Another check to Midway Market, check #49874 for the amount
28 of \$367.13.

29 Check to TufPort, check #49880 in the amount of \$10,513.04.

30 Now you're going to have to forgive me. Check for John F.
31 Winnepninkx, ---

32 COUNTY CLERK SULLIVAN: Winnepninkx.

33 COMMISSIONER STIENMETZ: Winnepninkx.

34 VICKI PETERS: Check #49881 for \$5,332.60.
35

36 (Commissioners reviewing payment of the bills.)
37

38 COMMISSIONER WAITS: Vicki, on the invoice that you have
39 for the TufPort, the one we have in our records is the full
40 price. The one you just gave us now shows the deposit that we

1 paid. Just so you know, if you're not getting them to us early,
2 you need to give the current ones.

3 VICKI PETERS: Okay. Can I -- let me look at that for just
4 a second.

5 Oh, I see what you're -- yes.

6 COMMISSIONER WAITS: Just adjust the packet to the current
7 one. Thank you.

8

9 (Commissioners reviewing payment of the bills.)

10

11 COMMISSIONER MASON: Did you see all the concrete that's
12 being poured? Man.

13

14 **Midway Market**

15

16 COMMISSIONER BULLOCK: I'll make a motion we ratify check
17 #49873 to Midway Market in the amount of \$58.27.

18 COMMISSIONER STIENMETZ: I'll second the motion.

19 CHAIRMAN GARNER: Any public comment?

20 (No comment.)

21 CHAIRMAN GARNER: All those in favor?

22 COMMISSIONER MASON: Aye.

23 CHAIRMAN GARNER: Aye.

24 COMMISSIONER WAITS: Aye.

25 COMMISSIONER STIENMETZ: Aye.

26 COMMISSIONER BULLOCK: Aye.

27

28 COMMISSIONER BULLOCK: I'll make a motion we ratify check
29 #49874 to Midway Market in amount of \$367.13.

30 COMMISSIONER STIENMETZ: I will 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 CHAIRMAN GARNER: Aye.

39

40

1 **TufPort**

2

3 COMMISSIONER BULLOCK: I'll make a motion to ratify check
4 #49880, TufPort, in the amount of \$10,513.04.

5 COMMISSIONER WAITS: I'll second that.

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 WAITS: Aye.

12 COMMISSIONER STIENMETZ: Aye.

13 COMMISSIONER BULLOCK: Aye.

14

15 **John F. Winnepninkx**

16

17 COMMISSIONER BULLOCK: I'll make a motion to ratify check
18 #49881 to John F. Winnepninkx in the amount of \$5,332.60.

19 COMMISSIONER STIENMETZ: I'll second that.

20 CHAIRMAN GARNER: Any public comment?

21 (No comment.)

22 CHAIRMAN GARNER: All those in favor?

23 COMMISSIONER MASON: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER STIENMETZ: Aye.

27 COMMISSIONER BULLOCK: Aye.

28

29 **Submitted Expenditures**

30

31 COMMISSIONER BULLOCK: I'll make a motion we approve
32 submitted expenditures in the amount of \$652,492.96 from check
33 #49903 through check #50023.

34 COMMISSIONER STIENMETZ: I will second the motion.

35 CHAIRMAN GARNER: Public comment?

36 (No comment.)

37 CHAIRMAN GARNER: All those in favor?

38 COMMISSIONER MASON: Aye.

39 CHAIRMAN GARNER: Aye.

40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER STIENMETZ: Aye.
2 COMMISSIONER BULLOCK: Aye.

3
4

5 PAYROLL CHANGE REQUESTS

6

7 CHAIRMAN GARNER: Discussion for possible action regarding
8 payroll change requests.

9 There's actually --

10 COUNTY CLERK SULLIVAN: Five.

11

12 COMMISSIONER MASON: Thank you.

13 VICKI PETERS: You're welcome.

14 COMMISSIONER WAITS: Thank you, Vicki.

15 VICKI PETERS: You're welcome.

16 COMMISSIONER STIENMETZ: Signed it.

17 COMMISSIONER BULLOCK: Hm?

18 COMMISSIONER STIENMETZ: (Indiscernible.)

19 COMMISSIONER WAITS: Yep.

20 COMMISSIONER BULLOCK: You already signed it.

21 COMMISSIONER WAITS: We've already signed it. That's
22 yours. That's okay.

23 COMMISSIONER STIENMETZ: I was looking at something else.

24

25 COMMISSIONER BULLOCK: I would make a motion that we
26 approve the employee change requests for employee #1374,
27 employee #1135, employee #1258, employee #1494. And with
28 employee #0133 with a change from salary increase to an
29 incentive increase.

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 PUBLIC COMMENT

2
3 CHAIRMAN GARNER: This is public comment for non-agendized
4 items only. Any public comment?

5 IDONNA TREVINO: Good morning.

6 CHAIRMAN GARNER: Good morning.

7 COMMISSIONER WAITS: Good morning.

8 COMMISSIONER STIENMETZ: Morning, Idonna.

9 IDONNA TREVINO: Idonna Trevino, Lander County Recorder.

10 I'm here this morning to just notify everyone that as of
11 December 24th, that'll be the last day that DMV services can be
12 offered out of the office until the new recorder takes over.

13 At that time, she'll have to submit paperwork, have her
14 background check done, negotiate the contract between herself and
15 the commissioners.

16 So I just wanted to -- to put you on notice and the public
17 that that's what is going to happen. And the reason it's December
18 24th is that gives us time to complete our reports that are
19 necessary to close my account and get all the banking done,
20 everything that needs to be done to close out my term.

21 COMMISSIONER WAITS: So this will be just the Battle
22 Mountain office and the Austin --

23 IDONNA TREVINO: It will be both because they're both under
24 my contract name.

25 COMMISSIONER WAITS: Okay. Okay. Both offices.

26 IDONNA TREVINO: Yes.

27 COMMISSIONER BULLOCK: Thank you.

28 COMMISSIONER STIENMETZ: All right.

29 CHAIRMAN GARNER: Thanks.

30 COMMISSIONER STIENMETZ: Thanks, Idonna.

31 IDONNA TREVINO: Thank you.

32 CHAIRMAN GARNER: Any other public comment?

33 (No comment.)

34 CHAIRMAN GARNER: With that, moving forward to Finance.

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1 FINANCE

2
3 1) Discussion for possible action regarding budget review,
4 contracts, financial update, and other matters properly
5 related thereto.
6

7 CHAIRMAN GARNER: Discussion for possible action regarding
8 budget review, contracts, financial update, and other matters
9 properly related thereto.

10 NAN ANCHO: Good morning.

11 COMMISSIONER STIENMETZ: Good morning.

12 COMMISSIONER BULLOCK: Good morning.

13 COMMISSIONER WAITS: Good morning, Nan.

14 NAN ANCHO: Nan, Finance.

15 I apologize. I don't have the accounts receivable for
16 October. I didn't have them in time to submit them for the
17 packet separator. So I'll report on them on the next commission
18 meeting.

19 I'll be attending the NACO conference next week in Ely. So
20 I'll be out of the office till Friday.

21 Cindy and I attended the PERS conference last Thursday the
22 fifth. And it was the very informative. The contribution rates
23 will increase the next fiscal year, but we don't know what
24 exactly that is. They'll submit out to us in the next couple of
25 weeks.

26 After attending the conference, we notices that we have an
27 issue within the Austin justice court with the part-time
28 position. I did send a letter to Judge Schaeffer, and I copied
29 the executive director and commissioners. But I did notice
30 after I sent it out there is an error in stated salary and
31 wages. It is hours, not salary and wages. And that has to do
32 with PERS. So that may be something that we may want to put on
33 the agenda later for discussion. That's totally up to you.

34 And just an update on the grant to Kingston. I did receive a
35 notice from the executive director on 10/29 to proceed with the
36 grant request. And the check was issued to Kingston for \$84,000
37 on November 7th.

38 And that's all I have right now.

39 CHAIRMAN GARNER: Thanks, Nan.

40 NAN ANCHO: Thanks.

1 COMMISSIONER STIENMETZ: Thanks, Nan.

2 COMMISSIONER WAITS: Thank you.

3

4 2) Discussion for possible action regarding approval/disapproval
5 of a letter to the Department of Taxation requesting an
6 extension of time to file FY 13-14 Audit, and other matters
7 properly related thereto.

8

9 CHAIRMAN GARNER: Two, discussion for possible action
10 regarding approval/disapproval of a letter to Department of
11 Taxation requesting an extension of time to file fiscal year
12 '13/'14 audit, and other matters properly related thereto.

13 KEITH WESTENGARD: You have a copy of the letter in your --
14 in your packets there. We needed to request an extension due to
15 some difficulty in -- in obtaining some documents.

16 So I'll let Nan go from there.

17 NAN ANCHO: Sorry about that.

18 KEITH WESTENGARD: It's okay.

19 NAN ANCHO: I forgot there was a second item.

20 Yes, auditors Drake Rose & Associates asked that we request
21 an extension on our audit. They were not able -- they may not
22 be able to complete it, most likely, on time to file. So we
23 need to request the 30-day extension.

24 COMMISSIONER WAITS: Are there any penalties involved for
25 filing an extension?

26 NAN ANCHO: Not that I'm aware of for penalties. The
27 Department of Taxation, she stated that they could possibly just
28 kind of give us a black mark for not --

29 COMMISSIONER WAITS: A credit rating?

30 NAN ANCHO: No. I don't know to the extent of it, but --

31 COMMISSIONER WAITS: This is in verbal conversations;
32 right?

33 NAN ANCHO: Verbal conversation.

34 But it extends out our deadline for 30 days. Hopefully we
35 only have to ask for one extension.

36 COMMISSIONER BULLOCK: So what we can do to make sure this
37 doesn't happen again?

38 NAN ANCHO: Well, I -- there was talk rec- -- recommending
39 that we form an audit committee that gets together possibly 30
40 days within the end of each quarter to make sure that everybody

1 is accountable for turning in -- because we -- we can do a lot
2 of reconciliations quarterly. There are certain things that are
3 annual. But if you stay up on them quarterly, it's not as
4 excessive at the end of the year.

5 So that would be my suggestion is that we form an audit
6 committee with a commissioner, the executive director, myself,
7 and the treasurer and see if we can make our departments more
8 accountable to be on time.

9 COMMISSIONER BULLOCK: Okay.

10 COMMISSIONER MASON: Would you have that meeting at the end
11 of each quarter or what?

12 NAN ANCHO: Probably 30 days at the end of each quarter.
13 The state usually is two months behind. But you can get a lot
14 done, say, 30 days -- have a meeting 30 days after the end of
15 the quarter -- each quarter. And then, you know, the -- the
16 auditors give us the schedule each year of what they need by the
17 end of July and what they need by the end of September. And if
18 we follow that, there shouldn't be any issues.

19 COMMISSIONER WAITS: So did it take us longer when they
20 were here with the audit to get our --

21 NAN ANCHO: They were having --

22 COMMISSIONER WAITS: -- paperwork together or --

23 NAN ANCHO: They were having difficulty getting in contact
24 with our treasurer's office. They would take two or three weeks
25 for the phone calls to be returned. And I don't know what the
26 issues were. I cannot speak on what would -- the issues were
27 there. But communication and getting information within that
28 office hindered the audit somewhat.

29 COMMISSIONER WAITS: So if we had a committee, they would
30 be putting those together quarterly, and they wouldn't have to
31 go back to them? Is that what we're saying?

32 NAN ANCHO: Well, we would have it ready. And then when
33 they asked for it, we would be able to present it to them. And
34 then they would just have to -- if they needed any additional
35 information that, you know.

36 COMMISSIONER WAITS: Okay.

37 NAN ANCHO: So that's -- that's my next step that I think
38 that we could take to make it happen.

39 COMMISSIONER WAITS: Thank you.

40 COMMISSIONER BULLOCK: I'll make a motion we approve the

1 letter to the Department of Taxation requesting an extension of
2 time to file fiscal year '13/'14 audit.

3 COMMISSIONER STIENMETZ: I will second the motion.

4 CHAIRMAN GARNER: Public comment?

5 (No comment.)

6 CHAIRMAN GARNER: All those in favor?

7 COMMISSIONER MASON: Aye.

8 COMMISSIONER WAITS: Aye.

9 CHAIRMAN GARNER: Aye.

10 COMMISSIONER STIENMETZ: Aye.

11 COMMISSIONER BULLOCK: Aye.

12 NAN ANCHO: Thank you.

13 CHAIRMAN GARNER: Thanks, Nan.

14
15
16 **ROAD AND BRIDGE SOUTH**

17
18 **3) Discussion for possible action regarding operations and**
19 **projects for the Road and Bridge South Department, and other**
20 **matters properly related thereto.**
21

22 CHAIRMAN GARNER: Three, discussion for possible action
23 regarding operations and projects for the Road and Bridge South
24 department, and other matters properly related thereto.

25 Bert?

26 KEITH WESTENGARD: Bert. Bert's on vacation so he did send
27 me an email and asked me to pass this on to you to the
28 commission.

29 He winterized the pool and the bathrooms at the rodeo
30 grounds. Hauled, mixed, and stockpiled salt, sand for the winter.
31 Installed snow plows and sanders and tested them all.

32 Finished up Gold Park for the year. They're going to be
33 doing two cattle guards provided by the Forest Service next
34 spring to complete the project.

35 They finished trenching for the propane line at the Austin
36 Airport.

37 He also met with DOT on permit -- permitted and non-permitted
38 approaches to be paved by NDOT at no cost to the county on SR 722.
39 And they're in the process of getting all approaches off State
40 Route 722 permitted.

1 COMMISSIONER BULLOCK: Thank you, Keith.
2 KEITH WESTENGARD: Mm-hm.
3 COMMISSIONER WAITS: Thank you.
4
5

6 **ROAD AND BRIDGE NORTH**
7

8 4) **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: Four, discussion for possible action
13 regarding operations and projects for Road and Bridge North
14 department, and other matters properly related thereto.

15 KEITH WESTENGARD: Donnie's also on vacation. He's out
16 hunting.

17 Donnie's is quite a bit simpler. All is going smooth.
18 So everything's good in Road and Bridge North.
19
20

21 **PUBLIC WORKS**
22

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

27 CHAIRMAN GARNER: Five, discussion for possible action
28 regarding operations and projects for the Public Works
29 department, and other matters properly related thereto.

30 JAKE EDGAR: Morning. Jake for the record.
31 Water leaks, that's what we're doing. That's about it. We
32 had five or six this last week, old boxes.

33 But besides that, we're just getting ready for winter too.
34 Basically today was the first day we got to use our salt. So
35 everything's going smooth.

36 A few phone calls here and there, but nothing that's out of
37 the ordinary.

38 COMMISSIONER WAITS: What's our story on the water
39 pressure? You were going to check out some of our --

40 JAKE EDGAR: Yep. Called Elko. They're -- they have three

1 different pressure zones. One's -- I -- I don't know the names.
2 Forgive me. I can't remember what he called them. But anyway,
3 one of them is at 80. One of them is at 75. And one's about
4 60. So they have three separate zones that they run.

5 Winnemucca is right there around 75 to 65. They also have
6 two different pressure zones.

7 Roger, who used to work here, informed me that they're
8 actually going to go to three different pressure zones here
9 shortly. So they'll three separate tank farms feeding town. But
10 he said they're normally running right there at 75 to 65, so --

11 COMMISSIONER WAITS: Have we had anything any other
12 incidents with them blowing anything out?

13 JAKE EDGAR: Our own stuff. But it's just old, so --
14 That's it.

15 KEITH WESTENGARD: No other calls from the community to me.

16 COMMISSIONER WAITS: Okay.

17 JAKE EDGAR: Other than that, winterized everything. I
18 mentioned that last time. So all the parks and everything are
19 winterized.

20 We have two Porta-Potties out at Lemaire soccer field.
21 They're still playing a little bit of soccer. As soon as they're
22 done with that, we'll take the Porta-Potties away.

23 But other than that, everything's just normal.

24 So is there any questions?

25 CHAIRMAN GARNER: Nope.

26 JAKE EDGAR: All right. Thank you, guys.

27 COMMISSIONER STIENMETZ: Thanks, Jake.

28 COMMISSIONER WAITS: Thank you.

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30

31 **BUILDING DEPARTMENT**

32

33 6) **Discussion for possible action regarding operations and**
34 **projects for the Building Department, and other matters**
35 **properly related thereto.**

36

37 CHAIRMAN GARNER: Six, discussion for possible action
38 regarding operations for the projects for the Building
39 Department, and other matters properly related thereto.

40 ANNA PENOLA: Morning.

1 COMMISSIONER WAITS: Morning, Anna.
2 ANNA PENOLA: My boss is also on vacation. That was at the
3 end of my report.
4 For October, we had -- we issued twenty-seven permits, two
5 inspections,
6 Ongoing projects are still AT&T mobility at Stony Point,
7 Antelope Valley, and Cortez.
8 AT&T Stony Point in Austin, adding and -- they're adding
9 and replacing -- adding and replacing antennas, upgrading.
10 In the south, AT&T towers in town -- or the AT&T tower in
11 town.
12 They received the naval station -- air station approval
13 letter and just waiting on the AT&T to permit.
14 There's still the Verizon tower.
15 There's 11 open construction permits in the south.
16 And Ormat is still going on phase two.
17 For Kingston, the helipad is complete. Building and
18 plumbing and electrical complete. Contractor's working on the
19 exterior grading.
20 The Battle Mountain helipad is near completion. They're
21 working on the framing and the building and the plumbing on
22 that.
23 Our admin building is, as you can see, going like crazy.
24 Getting the walls up and all the flooring in.
25 The school district, they're just breaking ground at
26 Lemaire. And they're starting the stem walls at
27 (indiscernible).
28 Thompson Dental, they just got their walls up. And I did
29 the framing Monday.
30 The Airport fuel system, the bids went out. And they're
31 supposed to be in to the clerk yesterday.
32 And Joe's on vacation
33 CHAIRMAN GARNER: Thanks, Anna.
34 COMMISSIONER STIENMETZ: Thanks, Anna.
35 COMMISSIONER WAITS: Thank you.
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1 COMMUNITY DEVELOPMENT

2
3 7) Discussion for possible action regarding operations and
4 projects for the Community Services/Planning Department, and
5 other matters properly related thereto.
6

7 CHAIRMAN GARNER: Seven, discussion for possible action
8 regarding operations and projects for the Community
9 Services/Planning department, and other matters properly related
10 thereto.

11 JAN MORRISON: Hi. Jan Morrison, community services
12 officer.

13 Quick update on LEDA and the planning, zoning, economic
14 development.

15 LEDA's been working on redevelopment in the co- -- in the
16 core area, talking with business owners, working closely with the
17 chamber and cooperative extension. And you'll see some things
18 coming to you after the first of the year.

19 There's something very exciting that you may start hearing
20 some -- the word on. And it was Commissioner Bullock lit a spark
21 and that would be a mining museum. Big.

22 And so we're working on that with the historical society.
23 And it's in the very beginning, formative stages. But hopefully
24 coming -- coming to you with something about that. And that comes
25 under LEDA for economic development. It also is a gateway project
26 because it would be right off of the 305 exit.

27 Cooperative extension is really stepping up with quite a few
28 projects. And they're working on -- Rod is working on a branding,
29 marketing project through the university for the Austin and
30 Kingston area. Having an intern -- graduate student intern
31 working on that.

32 And then we're working -- we have our own intern working on a
33 database for recruiting businesses to Lander County and our
34 website.

35 In planning and zoning, we're doing some -- the major project
36 that we're working on right now, will go on for a couple of
37 months, is Title 16, which is subdivisions and mappings and Title
38 17, zoning and land use review. And it's planning department
39 along with building department because everything works together
40 on that. And -- and some of the codes haven't been re- -- haven't

1 been addressed probably since the -- at least ten years and out of
2 compliance with a lot of things.

3 Although they're codified with NRS, they're pretty
4 disjointed. So we're working on those and -- and bringing them
5 up to speed.

6 Along with that comes applications. Some of our
7 applications, consumers come in and they haven't been updated in
8 a dozen years. So we're bringing those up to snuff also.

9 Records, which have been maintained basically by hand, for
10 example, special-use permits, I've got them all converted to --
11 electronically with pull dates on them.

12 And -- and another big thing that we'll -- planning
13 commission will be working on and probably take a couple of
14 months is a master plan of streets for the town.

15 And we're working really hard on -- on mapping process to
16 make sure roads are properly dedicated and approved. And Road and
17 Bridge has been really good with that, testing them and -- and
18 making sure our standards are met and easements for the overall
19 plan.

20 So that's just a quick update.

21 There's an exciting item coming up on number nine. And
22 Commissioner Bullock may speak to that. I'd like to say I'll
23 also come up and come back for that item.

24 That's it. Any questions?

25 COMMISSIONER WAITS: Thank you, Jan.

26 COMMISSIONER BULLOCK: Thank you, Jan.

27 COMMISSIONER STIENMETZ: Thank you.

28 CHAIRMAN GARNER: Anybody else need the bathroom?

29 Bathroom?

30 COMMISSIONER BULLOCK: It's only 9:35.

31 CHAIRMAN GARNER: I know, like --

32 COMMISSIONER STIENMETZ: Too much coffee?

33 CHAIRMAN GARNER: Uh-huh.

34

35

36 LANDER COUNTY CLERK

37

38 8) Discussion for possible action regarding the canvass of votes
39 for November 4, 2014 General Election and other matters
40 properly related thereto.

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CHAIRMAN GARNER: Discussion for possible action regarding the canvass of votes for November 4th, 2014 General Election and other matters properly related thereto.

COUNTY CLERK SULLIVAN: Good morning. Sadie Sullivan, Lander County Clerk, for the record.

MOLLY GONZALES: Molly Gonzales, executive secretary, for the record.

COUNTY CLERK SULLIVAN: I emailed everybody last night and then passed it out this morning, if you prefer the paper copy.

This is something that comes before the board after each election. It's the canvass of the vote.

It's per the NRS 293.387. And I have attached a letter with the canvass and also the reports behind it.

COMMISSIONER WAITS: Sadie, did they give you any idea on the -- voting folks that helped us with the cartridges -- is this a common thing that -- that happens or --

COUNTY CLERK SULLIVAN: I do know that it happened in a couple of other counties throughout the state. And I do have that in my letter as well. And there's another county that I know for a fact, which is one of our tri-counties that had some issues as well.

The morning after the election, when we had done our precinct report, that gave the break down in that. And that's when it was caught was that day.

I was grateful that we were able to find that. I know that the other county was still looking on Friday of how to correct theirs. So I was very, very pleased that it was something that we were able to correct very quickly in the sense of we knew what it was, but we had to wait for the programmers to be able to get back with us to -- to lead us in the direction --

COMMISSIONER WAITS: I mean, we've been using this system, this cartridge system, for a long time?

COUNTY CLERK SULLIVAN: Quite some time.

COMMISSIONER WAITS: And we've never had any problems. So it was just this year?

COUNTY CLERK SULLIVAN: Not that I'm aware of.

COMMISSIONER WAITS: Thank you.

CHAIRMAN GARNER: I guess my question is: How do we know everything else is correct?

1 COUNTY CLERK SULLIVAN: I did have to go back. And we went
2 ahead and retallied because I'm going to bring totals to the
3 board that aren't correct. So that was something that we did go
4 ahead and do. We caught it. We fixed it.

5 This is just one of the steps that we have to follow in
6 order to go on to the next one if there is questions, so --

7 CHAIRMAN GARNER: So they were recounted?

8 COUNTY CLERK SULLIVAN: Correct. We had to go back and
9 re-run the cartridges in order to get the correct result.

10 CHAIRMAN GARNER: Hm. I've never -- I personally would
11 like to see a recount. I'll just throw it out there. I'll just
12 -- I'd like to see a recount of everything just because of the
13 -- all the controversy. I don't know a hundred percent what
14 happened. I don't know. I'm not saying you're at fault. I'm
15 not saying anybody's at fault. The computers, whatever, they
16 glitched.

17 I don't -- I don't know if it would be a bad idea to have a
18 recount on everything. I don't know if that would be farfetched
19 or if you guys are good with it or I don't know.

20 COUNTY CLERK SULLIVAN: There are several other counties
21 that are doing a recount. So it's not uncommon.

22 I believe there's one in Washoe -- don't quote me on
23 this -- Washoe, possibly White Pine, possibly Elko. This is one
24 of the steps that we have to go through in order to get to that
25 next NRS to be able to have somebody file a recount.

26 COMMISSIONER STIENMETZ: Is it just you re-run the
27 cartridges or revote?

28 COUNTY CLERK SULLIVAN: It would be, as far as the
29 cartridges, rerunning it and then whatever procedures they tell
30 us that we have to follow per the NRS. Plus Dominion Voting has
31 their steps to tell us how we need to go ahead and follow those
32 processes to be able to be legal.

33 COMMISSIONER WAITS: So would the programmers have to come
34 out again?

35 COUNTY CLERK SULLIVAN: Yes.

36 MOLLY GONZALES: Yes.

37 COMMISSIONER MASON: Did you --

38 COUNTY CLERK SULLIVAN: And there was -- there was a
39 programmer that day on site from 6:00 o'clock until 10:00 or
40 11:00, somewhere within that time that was with us all day long

1 with Dominion Voting.
2 COMMISSIONER MASON: After your corrections, did you find
3 any errors or omissions --
4 MOLLY GONZALES: None.
5 COMMISSIONER MASON: -- that would make us consider a
6 recount?
7 MOLLY GONZALES: There were no errors --
8 COMMISSIONER STIENMETZ: There was --
9 MOLLY GONZALES: -- after our recount.
10 COMMISSIONER STIENMETZ: -- only one err- -- one cartridge
11 that had --
12 COUNTY CLERK SULLIVAN: What happened --
13 COMMISSIONER STIENMETZ: -- an error; wasn't it?
14 MOLLY GONZALES: Just one cartridge.
15 COUNTY CLERK SULLIVAN: There was one cartridge. It's the
16 mail-in precinct. It doubled the votes. What happened was
17 there was an error that came up on that cartridge.
18 At that time, staff had asked the Dominion representative:
19 What do we do at this point? He said, go ahead and hit delete.
20 They went ahead and hit delete, took the cartridge out. He
21 said, go ahead, reinsert cartridge and go ahead and tally that.
22 And the night of the election, there's just a summary report
23 that gets sent to the secretary of state. The next morning is
24 when there's the precinct summary with the breakdowns to show that
25 there was the double count for the southern end, precinct six
26 through nine. And it was the one cartridge.
27 And then we had to wait for the programmers to let us know
28 what to do next.
29 COMMISSIONER MASON: After your corrections, did you find
30 any reason that the count was off?
31 COUNTY CLERK SULLIVAN: No, in fact I went over with
32 another person that had ran in the election that is a current
33 elected official.
34 And Molly had ran several things herself. I was with her
35 also. We were -- had Dominion on the phone. And then that
36 elected official, also her and I went down through and done hers
37 as well to do the -- to show that double count.
38 MOLLY GONZALES: Actually, the night we -- the day we found
39 the error, that night we had stayed, and I had done actually a
40 hand count and had a rough draft of what I thought the vote

1 should be. So when we ran -- reran it with the programmers, I
2 matched mine to what theirs were. And we were right at 100
3 percent accurate.

4 COMMISSIONER MASON: Good. Good. I don't see any need for
5 recount at all or the cost. If you've -- if you're balanced and
6 you're happy with your work, you know, it's -- it's enough.

7 COMMISSIONER WAITS: I -- I know these were my precincts.
8 And I know on a couple I was appalled when I read how many
9 people we had registered. Because it was twice the number that
10 we had before in Kingston.

11 And in Gillman, I know that many people don't even live
12 there, let alone being registered voters. But what I didn't
13 know was many times people have a mailbox in Gillman but they
14 don't live there. So it was something I was going to speak with
15 the clerk's office at another time.

16 So I'm -- that -- that certainly explains all the mysteries
17 of everything right off the bat. And -- and since the numbers
18 come out with what we thought it was and what they were before
19 and everything, I'm -- I'm comfortable. If you've got
20 programmers that are saying this is okay and we did the full
21 recount, I'm -- I'm certainly okay.

22 COMMISSIONER STIENMETZ: I make a motion that the
23 commission approve the canvass of the vote for the
24 November 14th, 2014 --

25 COMMISSIONER BULLOCK: November 4th.

26 COMMISSIONER STIENMETZ: November 4th -- excuse me -- 2014
27 general election.

28 COMMISSIONER MASON: I second that.

29 CHAIRMAN GARNER: Any public comment?

30 State your name for the record, please.

31 REESE_SCHOORL: Do I need to step up?

32 My name is Reese Schoorl. I just -- I have a couple of
33 questions as far as -- I know you said hand count. So the --
34 the southern four precincts all the mail-ins were -- you guys
35 went back and hand counted all of those?

36 MOLLY GONZALES: I went back through after we had
37 discovered that because after we discovered that problem, I
38 started to freak out thinking, what in the heck?

39 So I started rethinking everything that happened. And my
40 first thought was this is -- that's what happened is that

1 cartridge glitch. So we went back through all the ballots. I
2 checked every one. I had done a rough draft and wrote out what
3 I thought the vote should have been. And so when we had
4 Dominion help us fix it, I had Sadie read what Dominion had. I
5 had read what I had and everything matched.

6 REESE SCHOORL: It did match?

7 MOLLY GONZALES: It did match.

8 REESE SCHOORL: Okay. And I just -- I'm kind of with Brian
9 here.

10 I'm just concerned if -- if there was a glitch as far as the
11 cartridge or the computer system or what have you, who's to say
12 that there wasn't some kind of mistake or glitch that hasn't been
13 found or wasn't caught with the five northern precincts?

14 And I just -- personally, I'm not a sore loser, but just to
15 be 100% sure in my mind as -- not only as a candidate, but as a
16 voter also.

17 I was -- I was really hoping that we could find a common
18 ground to where -- to satisfy everybody in the county that may
19 be concerned with this to have a hand count done, not only -- it
20 sounds like it's already been done with the four southern county
21 -- or precincts but also the five northern.

22 COUNTY CLERK SULLIVAN: It was actually done with the five
23 northern, also, to let you know.

24 REESE SCHOORL: There was a -- there was a hand count?

25 COUNTY CLERK SULLIVAN: Those were reran also.

26 REESE SCHOORL: Okay. Reran?

27 COUNTY CLERK SULLIVAN: Mm-hm.

28 REESE SCHOORL: Okay. But just through the -- the
29 cartridge?

30 COUNTY CLERK SULLIVAN: Right. There's no way of -- yeah.
31 We did what we were told legally to do. So it was just the --

32 REESE SCHOORL: Legally?

33 COUNTY CLERK SULLIVAN: -- yeah -- the correct. Just so
34 that you know.

35 REESE SCHOORL: Obviously, the further steps would be taken
36 with the request for -- to have the paper rolls counted by hand
37 and what have you, according to the 293 NRS then is basically
38 where we're at, unless the commissioners would approve it on
39 their own --

40 COUNTY CLERK SULLIVAN: I don't know how that --

1 REESE SCHOORL: -- is basically where we're at.
2 COUNTY CLERK SULLIVAN: Yeah. I don't know -- I don't know
3 legally as far as, you know, the actual request or anything like
4 that. Somebody would have to submit it. And it's three
5 business days of today's date.
6 REESE SCHOORL: Correct. Okay. Thank you, very much.
7 COMMISSIONER WAITS: Reese, on the southern part, it
8 actually doubled our numbers. That's -- that's why we're saying
9 there weren't that many people registered.
10 REESE SCHOORL: Right.
11 COMMISSIONER WAITS: But in the northern part, everything
12 came together well with what they had and the amount that were
13 registered and the amount that voted. So if that would have
14 been the same glitch and doubled, we would have known that too.
15 REESE SCHOORL: I understand that.
16 COMMISSIONER WAITS: Yeah.
17 REESE SCHOORL: And I -- excuse me -- I thought of that.
18 It's just I have -- I don't know. I guess I've lost faith in
19 the voting system that we have. Not just ours, but as Sadie
20 stated, you know, we're not the only county to have problems,
21 quote/unquote, with the -- with the way that these election
22 computer systems are set up. And so I'm doubtful in the system.
23 As -- you know, I've just lost faith in it as -- we -- we're
24 pretty sure -- but we're not 100% sure.
25 I know I'm not. And I've heard many other people say,
26 we're -- we're, you know, comfortable that we've solved this
27 problem. But I've not heard anybody say 100% absolutely sure that
28 there's no other mistakes in the system. And that's where I feel
29 uncomfortable.
30 COMMISSIONER WAITS: I understand your point.
31 But we have been assured by the programmers that everything
32
33 COMMISSIONER STIENMETZ: Yeah.
34 COMMISSIONER WAITS: -- was working. So if we've got
35 something and fix it, you know --
36 CHAIRMAN GARNER: And the programmers are who broke it.
37 Just saying.
38 Just saying.
39 COMMISSIONER WAITS: I know.
40 CHAIRMAN GARNER: Any other public comment?

1 REESE SCHOORL: Thank you.
2 CHAIRMAN GARNER: All those in favor?
3 COMMISSIONER MASON: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER STIENMETZ: Aye.
6 COMMISSIONER BULLOCK: Aye.
7 CHAIRMAN GARNER: All those opposed? Aye.
8 COUNTY CLERK SULLIVAN: Thank you.
9 CHAIRMAN GARNER: We'll take a five-minute bathroom break.

10
11 (Break taken between 9:51 a.m. and 9:58 a.m.)
12

13 CHAIRMAN GARNER: We're back, Austin.
14 MITESHELL LANHAM: Okay.
15 COUNTY CLERK SULLIVAN: Okay.
16

17 **COMMISSIONERS**

18
19 9) **Discussion for possible action regarding approval/disapproval**
20 **for the appointment of Jay Fisher to the Lander Economic**
21 **Development Board, and other matters properly related**
22 **thereto.**
23

24 CHAIRMAN GARNER: Nine, discussion for possible action
25 regarding approval/disapproval for the appointment of Jay Fisher
26 to the Lander Economic Development Board, and other matters
27 properly related thereto.

28 JAN MORRISON: Although this is a commissioner's item, --
29 Jan Morrison, community services officer -- I've spoken to Jay.
30 And by the way, the LEDA board is very excited to have Jay come
31 on.

32 Jay has spoken with ethics commission. And he's fine. He
33 needs to recuse in the event any -- there's any conflict of
34 interest that comes up. But he has cleared with the state
35 ethics board that he's fine to serve on, if that would be your
36 pleasure.

37 COMMISSIONER BULLOCK: I'd make a motion we approve the
38 appointment of Jay Fisher to the Lander Economic Development
39 Board.

40 COMMISSIONER WAITS: I'll second that motion.

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.

9 JAN MORRISON: Thank you.

10 COMMISSIONER WAITS: Thank you, Jan.

11

12 **10) Discussion for possible action regarding approval/disapproval**
13 **to adopt and support the Grass March Petition Resolution, and**
14 **other matters properly related thereto.**
15

16 CHAIRMAN GARNER: Ten, discussion for the possible action
17 regarding approval/disapproval to adopt and support the Grass
18 March Petition Resolution, and other matters properly related
19 thereto.

20 LYNN TOMERA: I'm Lynn Tomera.

21 When we were at the Nevada Cattlemen's meeting the first of
22 this month, Demar Dahl gave Pete and I this Grass March
23 petition.

24 Demar asked that -- he is circulating it among all the
25 county commissions in the state. He wants it to be supported
26 and signed by the commissioners.

27 Congressman Amodei is going to have a -- is -- is planning
28 to have a congressional field commi- -- meeting to look into
29 some of the practices of the BLM in the state regarding the
30 ranchers.

31 -- If you'd like, I will read this -- this petition.

32 It says:

33 Whereas, the livestock industry is and has been the
34 centerpiece for maintaining a thriving ecological balance on
35 Nevada's rangelands;

36 And whereas, ranching has been an integral part of the
37 communities in Nevada and has long been an important part of the
38 custom and culture of rural Nevada;

39 And whereas, because less than 13 percent of the land in
40 Nevada is privately owned, ranchers are heavily dependent on the

1 use of federal land for their livelihood.

2 And whereas, the Taylor Grazing Act was passed to stabilize
3 the livestock industry in the west and provides that the grazing
4 permit be sold, bought, used as collateral for financing, passed
5 on to her heirs, and taxed as property.

6 And whereas, at a meeting of approximately a hundred
7 ranchers in Winnemucca, Nevada on October 27th, 2014, many
8 ranchers testified to a deteriorating relationship between the
9 BLM and the ranching community that has intensified since the
10 beginning of 2014.

11 Actions by the BLM based on the one-size-fits-all national
12 drought monitoring index are threatening the value of the
13 grazing permit and the rancher's ability to remain in business.

14 And whereas, an example of those actions is the BLM issuing
15 a license to graze that is only good for two months at a time
16 even on ranges that independent range scientists and often
17 lower-level BLM employees agreed are in good condition.
18 Licensing two months at a time makes it impossible to plan and
19 operate a viable livestock operation.

20 Another example is the practice of requesting the rancher
21 to take a voluntary reduction of up to 50 percent in livestock
22 numbers with the threat of all -- the alternative being a BLM
23 full-force-and-effect decision to close the allotment for an
24 undetermined amount of time, once again, regardless of rain
25 conditions.

26 And whereas, ranchers depend on their ranges for a living and
27 recognize that the long term good health and condition of those
28 ranges are essential for their survival. Where drought conditions
29 exist, ranchers, for their own wellbeing, reduce their numbers.
30 When BLM uses a national drought map instead of considering range
31 conditions in specific areas to make draconian reductions, it
32 makes their motives suspect.

33 And now therefore be it resolved, when so many ranches
34 regardless of their stewardship and condition of their ranges
35 are being threatened with a dimish- -- diminished value of their
36 ranch and inability to use their property, do join ranchers who
37 have not yet been reduced but recognize the vulnerability of
38 their position and do altogether join with the Nevada
39 Cattlemen's Association, Nevada Farm Bureau, and the Nevada
40 counties individually and as a Nevada county -- Nevada

1 Association of Counties, and petition Congressman Amodei to hold
2 a field hearing in Nevada concerning these actions of the BLM
3 detrimental to the livestock industry and economy in Nevada.

4 Now, Demar Dahl asked that you consider this petition,
5 support the Nevada ranchers, the Lander County ranchers,
6 especially, and sign, date it, and return it to the Elko County
7 commission and Demar Dahl.

8 And we will pass this on to Congressman Amodei and hope
9 that he continues with his support of the ranchers.

10 Any questions?

11 COMMISSIONER WAITS: I do have a comment on it. And I
12 think the resolution is -- is quite encompassing and certainly
13 more timely than -- than we know. We probably should have done
14 it a long time ago.

15 But I do have concern that we haven't said anything in here
16 on the economy and what that would do, losing our ranchers and
17 not just our county, but it would be millions to our county and
18 let alone every county along with that.

19 So since -- since this is going on, especially to our
20 Congressman, I think that somewhere in that first part in there,
21 we should have something that the economic or economically or
22 something to put that into -- from that end. Because I think
23 that's extremely important --

24 LYNN TOMERA: I think that's --

25 COMMISSIONER WAITS: -- along with our heritage.

26 LYNN TOMERA: -- important too. Yes, it is.

27 I can get it -- the numbers. I can get the information and
28 put it -- give it back to you.

29 COMMISSIONER WAITS: I don't know whether we have to go
30 that -- that far for you, Mrs. Tomera. I just think if we just
31 use the words --

32 LYNN TOMERA: Yes.

33 COMMISSIONER WAITS: -- economically --

34 LYNN TOMERA: Yeah. Mm-hm.

35 COMMISSIONER WAITS: -- that our affected, you know,
36 drastically. Something in -- in that course. And --

37 LYNN TOMERA: I -- yeah, --

38 COMMISSIONER WAITS: So --

39 LYNN TOMERA: -- I agree you.

40 COMMISSIONER WAITS: So it wouldn't be anything you --

1 LYNN TOMERA: I think that's --
2 COMMISSIONER WAITS: -- have to bring back to us.
3 LYNN TOMERA: Okay.
4 COMMISSIONER WAITS: We -- we've seen some of the numbers.
5 And I don't think it's necessary we give them a fact sheet with
6 it. I just want that wording in there.
7 LYNN TOMERA: Yeah, I think that's a very good idea. And I
8 think that should have been -- that should have definitely been
9 part of it.
10 COMMISSIONER WAITS: I looked it over carefully. I didn't
11 --
12 LYNN TOMERA: No, it --
13 COMMISSIONER WAITS: -- see that part.
14 LYNN TOMERA: -- it's not in there, but I think -- I think
15 that's definitely a good -- good addition.
16 COMMISSIONER MASON: I want to say something too.
17 All along, or at least in my term of office, I felt that the
18 -- the authority over our Nevada lands by the BLM, and, of course,
19 their higher authority, is neglecting the fact that this is our
20 land for our economy and not a state park or not a federal park.
21 And there are rules and regulations are flooding over from
22 the national park system onto BLM system. And it affects our
23 economy, our history, and our ranching and farming because they're
24 only doing it one way. They're only managing our property one
25 way, like it's a national park. And it is not a national park.
26 It is our land. And their original contract was to manage it for
27 the State of Nevada.
28 As for the prosperity of the people of Nevada, we're not
29 getting that. We're getting tight reins. And it -- it appears
30 that they're trying to kick everybody off the land to make
31 management easier, instead of allowing the people of the state of
32 Nevada to develop the land for the economy and for the best use of
33 the people of Nevada.
34 So it's just -- to me, it's total mismanagement.
35 LYNN TOMERA: Well, and the BLM is -- the present-day BLM
36 is trying to abolish the multiple-use concept that was brought
37 about by the Taylor Grazing Act. And like you say, they -- in
38 the Taylor Grazing Act, they allow for -- for many wi- -- wise
39 uses of the land. And it -- it -- it does no good economically
40 for the -- for the counties, for the state, for the country to

1 just, like you said, make it all into a state park.
2 It -- it has to be managed. It has to be taken care of
3 wisely. But the ranchers, the miners, the hunters, they aren't
4 going to damage their own operations by overusing it. And there
5 are -- there are some. There are some that do. But the vast
6 majority do not. They realize that by taking care of the land,
7 they are taking care of themselves. And that's -- that's what we
8 do.
9 We ask your support. And we desperately need your support.
10 And --
11 COMMISSIONER BULLOCK: To me, I think there's a simple fix
12 to your economy issue and that is if you go to: Whereas
13 ranching has been integral part of communities in Nevada and has
14 long been an important part of the custom, culture, and economy
15 of rural Nevada.
16 LYNN TOMERA: The word is in there?
17 COMMISSIONER BULLOCK: No, I just added --
18 LYNN TOMERA: Okay.
19 COMMISSIONER BULLOCK: -- economy.
20 LYNN TOMERA: And -- okay, because I was listening. I
21 missed that. But yeah --
22 COMMISSIONER STIENMETZ: Yeah, I think that that
23 (indiscernible) --
24 LYNN TOMERA: Yeah, I think that sounds good.
25 COMMISSIONER WAITS: I'll make a motion that the Lander
26 County commissioners adopt the Resolution Number 2014-16 and
27 support it wholeheartedly.
28 COMMISSIONER STIENMETZ: With the adding in --
29 COMMISSIONER WAITS: With the --
30 COMMISSIONER STIENMETZ: -- word change.
31 COMMISSIONER WAITS: With adding the one-word change and
32 authorizing our chair to sign.
33 COMMISSIONER MASON: I second it.
34 CHAIRMAN GARNER: Any public comment?
35 (No comment.)
36 FRANK WHITMAN: Austin here. This is Frank Whitman on the
37 public land board. And Poncho Williams is here with me.
38 We wanted to ask the commissioners' support of this
39 petition.
40 It's a shame that the negotiations between the cattlemen

1 and the BLM have broken down. And it just seems so unresponsive
2 on the Battle -- on the BLM side, that it -- the only solution
3 seems at this point is to have a public hearing and come up with
4 a system that does work because the current system with the
5 range management and BLM is not working.

6 And so again, we just want to make it clear that the public
7 land board supported this resolution and suggest and recommend
8 to the commissioners please vote it up.

9 Thank you.

10 CHAIRMAN GARNER: Thanks, Frank.

11 Any other public comment?

12 (No comment.)

13 CHAIRMAN GARNER: All those in favor?

14 COMMISSIONER MASON: Aye.

15 COMMISSIONER WAITS: Aye.

16 CHAIRMAN GARNER: Aye.

17 COMMISSIONER STIENMETZ: Aye.

18 COMMISSIONER BULLOCK: Aye.

19
20 11) Discussion for possible action regarding formal notice of
21 intent from Theodore Herrera to withdraw as Lander County
22 Public Defender to fill the position of Lander County
23 District Attorney, and other matters properly related
24 thereto.
25

26 CHAIRMAN GARNER: Eleven, --

27
28 COMMISSIONER BULLOCK: Thanks, Lynn.

29 CHAIRMAN GARNER: Thanks, Lynn.

30 COMMISSIONER MASON: Thank you.

31 COMMISSIONER STIENMETZ: Thank you, Lynn.

32 COMMISSIONER WAITS: Thank you.

33 LYNN TOMERA: Thank you, very much.

34
35 CHAIRMAN GARNER: Discussion for possible action regarding
36 formal notice of intent from Theodore Herrera to withdraw as
37 Lander County Public Defender to fill the position of Lander
38 County District Attorney, and other matters properly related
39 thereto.

40 KEITH WESTENGARD: With Mr. Herrera being our new DA, he

1 needs to resign this position, of course, as our public
2 defender. And once you accept his resignation, we can start
3 looking for a new public defender, advertise it, or whatever we
4 need to do to fill that position.

5 COUNTY CLERK SULLIVAN: Sadie Sullivan for the record.

6 It is in the paper for the month of November per the
7 request of the board.

8 COMMISSIONER WAITS: Just as a question: Are there -- if
9 there are ongoing ones that he is defending now, which is going
10 to go over into next year, does that automatically go with
11 whoever we replace him with? Is that what happens? Or legally?

12 DISTRICT ATTORNEY ANGIE ELQUIST: Ask the Court. I would
13 think so. Yeah, they just appoint the new one.

14 COMMISSIONER STIENMETZ: (Indiscernible.)

15 KEITH WESTENGARD: Yeah, I --

16 DISTRICT ATTORNEY ANGIE ELQUIST: Return it to the courts.

17 KEITH WESTENGARD: Max, do you have --

18 JUDGE MAX BUNCH: I would just assume -- Max Bunch for the
19 record.

20 I would just assume that whoever -- because we don't know
21 what -- what the board's going to do. Are you going to make it
22 an employee? It doesn't matter what it is. Whomever it is will
23 probably will take over whatever case load that that person has.
24 Same as if going into the DA's office, they'll take over the
25 case load that's -- that's there that something might happen in
26 the last two days in the month that they don't -- they can't act
27 on.

28 COMMISSIONER STIENMETZ: So, yeah, it's covered.

29 JUDGE MAX BUNCH: I mean, it just goes every year. And
30 every time there's an election, you get a new DA, then that
31 always seems to happen.

32 COMMISSIONER WAITS: I guess the concern was because of the
33 indigent defense and everything that's coming up on that and --
34 and to make sure that they're represented and how they're
35 represented, to just switch somebody in the middle. So I
36 wondered. And our case load isn't always that high in Lander so
37 I just wondered. I thought you might have some --

38 JUDGE MAX BUNCH: If you have something on board, I will
39 make sure that they are represented guaranteed. That's my job.

40 COMMISSIONER BULLOCK: I make a motion we accept the

1 resignation of Theodore Herrera as Lander County public defender
2 and publicize to fill the position.
3 COMMISSIONER WAITS: Do --
4 COMMISSIONER STIENMETZ: I will second the motion.
5 COMMISSIONER MASON: Do we need to --
6 COMMISSIONER WAITS: Yeah, do we need a date on this?
7 COMMISSIONER MASON: Do we need to amend it to January 4th,
8 2015?
9 CHAIRMAN GARNER: It's already published.
10 COMMISSIONER STIENMETZ: Yeah.
11 COMMISSIONER BULLOCK: Why do -- why do we need --
12 COMMISSIONER WAITS: No, we're accepting his resignation as
13 of when?
14 COUNTY CLERK SULLIVAN: The end of his contract. The end
15 of year.
16 COMMISSIONER WAITS: Okay.
17 COMMISSIONER BULLOCK: The end of --
18 COMMISSIONER WAITS: That's what I'm saying.
19 COMMISSIONER BULLOCK: We need to hire now.
20 COMMISSIONER WAITS: Do we need to say that? That's what
21 I'm asking. Right? No?
22 CHAIRMAN GARNER: It's in his contract.
23 COMMISSIONER WAITS: I mean, he's not under contract
24 anymore. His contract actually expired. He's behind that.
25 Remember that came before us and we said, we don't want to
26 renew this because we won't be in this position. So with your
27 motion, I'm just asking to clarify what date?
28 COMMISSIONER BULLOCK: Sunday, Jan- -- or 11:59 p.m.,
29 Sunday, January 4th, 2015, as the contract expires.
30 COMMISSIONER STIENMETZ: It's what it says in his letter.
31 COMMISSIONER BULLOCK: It's in the letter. It's public
32 record.
33 COMMISSIONER WAITS: Thank you.
34 COUNTY CLERK SULLIVAN: And Steve, you second?
35 COMMISSIONER STIENMETZ: I second that motion. See right
36 here?
37 CHAIRMAN GARNER: Any other public comment?
38 (No comment.)
39 CHAIRMAN GARNER: All those in favor?
40 COMMISSIONER MASON: Aye.

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

6 **12) Discussion for possible action regarding approval/disapproval**
7 **of reappointing Dan Tomera to the Lander County Public Use**
8 **Advisory Planning Commission, and other matters properly**
9 **related thereto.**

10
11 CHAIRMAN GARNER: Twelve, discussion for possible action
12 regarding approval/disapproval of reappointing Dan Tomera to the
13 Lander County Public Use Advisory Planning Commission, and other
14 matters properly related thereto.

15 COMMISSIONER WAITS: I'll make a motion that we reappoint
16 Dan Tomera to the Lander County Advisory Planning Commission.

17 COMMISSIONER STIENMETZ: I'll second the motion.

18 CHAIRMAN GARNER: Any other public comment?

19 (No comment.)

20 CHAIRMAN GARNER: All those in favor?
21 Aye.

22 COMMISSIONER MASON: Aye.

23 COMMISSIONER WAITS: Aye.

24 COMMISSIONER STIENMETZ: Aye.

25 COMMISSIONER BULLOCK: Aye.
26

27 **13) Discussion for possible action regarding approval/disapproval**
28 **for the Executive Director to contact neighboring counties to**
29 **coordinate and/or co-sponsor an upcoming NACO Conference, and**
30 **other matters properly related thereto.**

31
32 CHAIRMAN GARNER: Thirteen, discussion for possible action
33 regarding approval/disapproval of the executive director to
34 contact neighboring counties to coordinate and/or co-sponsor an
35 upcoming NACO conference, and other matters properly related
36 thereto.

37 KEITH WESTENGARD: I was approached by Commissioner Waits
38 to look into possibly co- -- sponsoring or cosponsoring a future
39 NACO conference. And I want to make sure that the board is --
40 is good with that.

1 And once I get that going go ahead, I'll start contacting --
2 well, actually I did contact Winnemucca or Humboldt County. And
3 I'll contact Elko and see if anybody's interested in working with
4 us on in the future on a -- on a conference.

5 COMMISSIONER WAITS: At the NACO conference next week, they
6 will be deciding where we're going to be holding the annual
7 conference for 2015 and 2016, both years.

8 And going through all of the history, it doesn't appear
9 Lander County has ever sponsored anything. So we were looking
10 into if that's something possible. With the number of rooms that
11 they needed and we've checked with our Lander County Convention
12 and Tourism Authority, and she gave us the numbers, but it isn't
13 quite there to -- to really host the whole thing for our area.

14 So I wondered if -- if it might be something we could
15 entertain to work with maybe our -- our counties jointly. That's
16 very routinely done with several counties going together and being
17 able to handle a dinner or something or -- and do that.

18 I did approach one of the commissioners that sits on the NACO
19 board in Humboldt. And he said that's something they would be
20 very interested in doing. And they would put that on their agenda
21 too to see if -- if they would like to do that.

22 So we're just -- we need -- we need to get the feeling
23 today of yes, we would go ahead if somebody else would do that
24 with us.

25 And the timeframe is kind of close because we have to present
26 it next week if it's something that we would like to do for either
27 year.

28 COMMISSIONER BULLOCK: My issue of it is when you talk
29 co-sponsor, a lot of times those counties are close by each
30 other that they can utilize each others' facilities.

31 If we co-sponsor, all we're going to do is put out the
32 expense, and we get no benefit to our county.

33 There is nothing here. We just put out expenditures with no
34 revenue coming back in just so we can have our name with somebody
35 else's. So I have a little concern about that just to get our
36 name as a sponsor. Is it really a benefit or is that what we want
37 to do?

38 COMMISSIONER WAITS: Well, that's why it's on here to
39 discuss. And I understand your point. But since we aren't
40 going to be able to do it and bring the economy all into Battle

1 Mountain, I thought perhaps it was time that we did step up
2 since we hadn't done anything before.

3 And that's true with a lot of -- a lot of the counties.
4 For example, in White Pine, we have -- what? -- Lincoln that's
5 supporting them. And they're not picking up anything either.
6 But they're stepping up to say, we'd like to help NACO and get
7 our name out here and let them know that we're supporting all
8 these endeavors. That's all.

9 I'd much rather have them here, Dean. But that -- that isn't
10 my choice right now, I guess.

11 CHAIRMAN GARNER: Motion?

12 COMMISSIONER WAITS: Well, I'll go ahead and put it out
13 there for us to take a look at.

14 I make a motion that Lander County contact the Elko and
15 Humboldt counties to consider the request for the NACO
16 conference for 2015 or 2016 to -- for a co-sponsorship.

17 CHAIRMAN GARNER: No seconds. Motion dies.

18 Any other motion?

19 COMMISSIONER WAITS: Thank you, anyway.

20 CHAIRMAN GARNER: Any other motions?

21 COMMISSIONER STIENMETZ: We're not quite ready for it.

22

23 **14) Discussion for possible action regarding approval/disapproval**
24 **of an update from J-U-B Engineers, J.D. Heithoff and Lew Lott**
25 **regarding Lander County airports, and other matters properly**
26 **related thereto.**

27

28 CHAIRMAN GARNER: Moving on to 14. Discussion for possible
29 action regarding approval/disapproval of an update from J-U-B
30 Engineering, J.D. Heithoff and Lew Lott regarding Lander County
31 airports, and other matters properly related thereto.

32 J.D. HEITHOFF: Morning, Commissioners.

33 COMMISSIONER WAITS: Morning.

34 CHAIRMAN GARNER: Morning.

35 J.D. HEITHOFF: I thought it would be a good opportunity
36 for myself and Lew to just give you an update on the airport
37 projects. And if you have any questions and answers --
38 questions of us, we'll be glad to answer them as best we can.

39 The Austin apron expansion --

40 COMMISSIONER STIENMETZ: Tell them to state their name.

1 J.D. HEITHOFF: -- as we spoke before --

2 CHAIRMAN GARNER: Sir, could you state your name for the
3 record.

4 J.D. HEITHOFF: I'm sorry. My apologies. J.D. Heithoff
5 with J-U-B Engineers.

6 LEW LOTT: Lew Lott, J-U-B Engineers.

7 J.D. HEITHOFF: The Austin apron expansion, the contractor
8 will start in -- in May of 2015. Those contracts are -- are
9 moving forward. He --

10 Battle Mountain airport master plan. The FAA changed
11 planners on us for a third time on that. Our new planner for this
12 project is Joe Carlini of the Phoenix ADO. J-U-B was able to get
13 him to concur with the previous FAA approvals as previously noted.
14 So that's good news for the larger aircraft that was requested on
15 there as -- as part of that study. And so that's very good news
16 for Battle Mountain Airport. So we got that occurring on
17 October 16th. So we've been able to move forward a little bit on
18 that master plan work.

19 Right now we're currently evaluating the facilities, based
20 upon that FAA aircraft concurrent approval.

21 The next step, when we get done with the evaluation of the
22 facilities and recommendations of facilities, we'd like to come
23 back and discuss that with our technical advisory commission
24 meeting, our TAC meeting, which would be the next thing.

25 And we'll also like to probably have a public open house
26 and then update the commissioners, too, at that time of our
27 findings and recommendations.

28 So we're looking at potentially doing that in December or
29 January. And we thought we'd ask which is your preference?
30 Would you prefer to do something maybe the first week of
31 December? Or would you prefer to do something, like, the second
32 week of January? As far as our next update for the
33 commissioners and then doing a --

34 CHAIRMAN GARNER: It would probably be good to do it in
35 January for new commissioners.

36 COMMISSIONER STIENMETZ: Yeah, I would think so.

37 J.D. HEITHOFF: Thought we'd get your input. So okay.
38 We'll make a note of that. And then that's when we'll plan to
39 do that then.

40 The water master plan out at the airport, we received the

1 information, the water well testing and chemical analysis from
2 Jay Fisher. He's given us information on that on
3 September 29th, October 13th, and October 29th. So we've been
4 able to finally take that information that we were waiting on to
5 be able to give to our analysis people. And so they're
6 evaluating that and they're working on that water master plan
7 now. And they'll be able to move forward with that work.

8 The Battle Mountain pavement rehabilitation project, that's
9 the one that's 93.75% funded by the FAA. J-U-B is moving
10 forward with that design. The FAA has advised us that they're
11 unsure of the -- how much funding is going to be available in
12 2015. So we're proceeding -- J-U-B is -- with a design that
13 will allow for a lot of flexibility in that.

14 In other words, I'm going to design five sections or phases
15 of that project so that if we get a little bit of funding, we
16 can maybe award two sections of -- of that phasing. If the FAA
17 comes through and gets a lot of funding, then we'll be able to
18 award all five sections of -- of that phasing. But we're trying
19 to come through with a design that's very, very flexible for
20 Battle Mountain and Lander County so that we can get and obtain
21 as much of the FAA funding as we possibly can.

22 The next item up is the airport capital improvement plans.
23 These are the -- you guys are familiar with capital improvement
24 plans. That's a five-year plan or outlook on what's coming up for
25 projects and what's going to be programmed.

26 Keith and I are currently working with the FAA on -- on
27 taking last year's plan and getting that in front of them. As
28 you're aware, we've changed the FAA group from the San Francisco
29 ADO office to the Phoenix ADO office. It's completely different
30 people. So we're trying to coordinate with them on what that
31 plan is and what it is moving forward.

32 We've established a teleconference that we've set up for
33 December 9th --

34 KEITH WESTENGARD: 8:00 o'clock meeting.

35 J.D. HEITHOFF: -- at 8:00 a.m. And -- and what we're
36 going to do is we're going to submit a draft to them of what we
37 think is good, which is a -- basically, it will be just an
38 iteration of what we had previously submitted in 2000 --
39 January 2014.

40 And it will just be a revision of that and an update.

1 However, they're going to be putting in their own new, updated
2 projects and stuff. So it's basically open communication at that
3 point. And we'll find out some more on that.

4 Keith has recommended to me, and I concur, that it would be
5 good for him to go down to Phoenix to have a face-to-face meeting
6 with them to -- to get to know these people. And so I think we're
7 going to try to do that in the spring if possible. And that
8 really helps with the funding when they see that you're on board
9 with stuff then they're more open with -- with getting funding to
10 you guys. And as I mentioned previously, that funding level is a
11 lot of times 93.75%. So it's good to get their money into your
12 county.

13 And with that, I'll open it up to any questions you may
14 have.

15 COMMISSIONER WAITS: Right. The GIS approach in Austin of
16 course. I know we've -- we've had it in there for a long time,
17 but we were in hopes that -- that they might step forward in
18 Arizona. And it doesn't sound like they're going to. So I'm
19 looking forward to your report.

20 LEW LOTT: Can I address that?

21 J.D. HEITHOFF: Sure.

22 LEW LOTT: Commissioner Waits, I contacted the FAA -- what
23 was that? -- two months ago. They have had three different
24 people as a contact person for these approaches. They keep
25 coming. They keep leaving, to the point that when we asked
26 about Austin this last time, the gentleman actually laughed over
27 the phone and said, well, I'm moving on to a different job.

28 We did a little more research. And they got back to us.
29 Then they said they even lost the paperwork that we submitted.
30 And I personally worked with Gene Etcheverry about three years
31 ago to craft a letter in his office. And it was sent three
32 years ago. They did say that they're now directed that the ones
33 that have been in there and they deem high priority are the ones
34 that are going to be working on. And they said for us to
35 resubmit the application that they lost.

36 And that it will be on a first-come, first-served basis. So
37 that's frustrating. We will get that put together and get it
38 resubmitted. We just heard that a few weeks ago, just a couple of
39 weeks ago, from the new person that I don't even know -- I mean,
40 they almost put their name -- I hate to say it -- on Velcro in

1 that position.

2 But other airports are also in this condition. And -- and
3 we're hearing that they may throw more staff at this. I hope they
4 do. Because the G- -- GPS approach is the future even at the
5 bigger airports. A lot of what's called a VOR system will be
6 replaced with the GPS system.

7 So I hate to be the -- kind of the bearer of bad news, but
8 it's kind of a mess. And we can't do their job for them. It's --
9 it's a clearinghouse. They have to do it there. But we'll
10 resubmit it and hopefully have documentation and -- and call them
11 maybe on a monthly basis kind of a -- to prod some action, I would
12 hope.

13 COMMISSIONER WAITS: Well, it is -- it is disheartening.
14 There's no question about that.

15 But I do know when we met with the San Francisco and
16 Arizona folks in Minden at their -- their --

17 LEW LOTT: Right.

18 COMMISSIONER WAITS: -- meeting earlier this year, that
19 they acknowledged that they had that. So did they lose it
20 between San Francis- --

21 LEW LOTT: Yeah, I was at that meeting with you. They did
22 acknowledge it and --

23 COMMISSIONER WAITS: And I'm wondering if -- if -- is there
24 any ladder we can go up to have them -- somebody else just look
25 a little further for it because we knew they had it.

26 Along with that, that's just one. You know, sometimes if you
27 go a little bit higher to the -- the ones that were sitting there
28 with us and say, help us out there. Otherwise to resubmit since
29 we have copies, I'm assuming, of everything. But then we go on
30 the bottom of the list again; right?

31 LEW LOTT: Well, like I say, --

32 COMMISSIONER WAITS: First come, first served.

33 LEW LOTT: -- the indication that we're getting is they're
34 going to throw more effort at it. So I don't know that there is
35 a bottom. They're supposedly going to put more people in this
36 group to start sifting through these GPS approaches.

37 The letter that went from Gene, we've looked through our
38 files. I think that day he did that letter, we were sitting in
39 his office. I remember putting it together. I don't know that a
40 copy was ever kept. And we sure can't find one.

1 But we'll -- we'll continue looking and maybe even look, you
2 know, in the county files here.

3 But the bottom line is: I think we really have to have
4 someone that stays with us on the federal level on this.

5 We keep -- I think we're -- might have gotten lost in one of
6 these handoffs. Because I think this last guy was there maybe six
7 months. And now he's off, literally chuckling that he's off to
8 some other job. And that's not the kind of response we need to
9 get this complete.

10 COMMISSIONER WAITS: Well, I know there's -- there's a lot
11 of small airports in the Nevada. And, like, Eureka has theirs.
12 And we're certainly as mighty or as important, you know, with --
13 with our location of what's needed, so --

14 CHAIRMAN GARNER: Well, the discussion we had. And I think
15 we even had it that day in Minden is Austin in their mind is
16 somewhat unique because of the military operation area over
17 Austin.

18 But there's a turning point up here by the Battle Mountain
19 Airport that gives you a clear fly -- flyway, basically, a flight
20 pattern into Austin as long as you stay below that MOA. So we
21 went through that with them and said, this isn't that big a deal.
22 You know, people go to Austin all the time and stay underneath
23 that -- that military operation area.

24 So we're -- we'll continue to have dialogue.

25 COMMISSIONER WAITS: Perhaps the visit --

26 LEW LOTT: Well, they kind of made it like Austin's a
27 special case. It's not really. It's a general aviation that
28 needs that approach.

29 COMMISSIONER WAITS: Thank you.

30 FRANK WHITMAN: Austin here. Frank Whitman with the Austin
31 Airport board.

32 Yeah, I do recall that the FAA had said in -- when you met
33 with them in Minden that they did indeed have a copy. And somehow
34 they lost it. We were considering maybe a letter and asking
35 Amodei to consider then the number of years we've been waiting and
36 the number of years it normally takes to get the GPS
37 certification. But we wondered if a letter to Amodei's office
38 might help facilitate speeding this up or getting this on the
39 right track. Any comments?

40 LEW LOTT: Well, the last we've heard they're saying, don't

1 expect anything quicker than two years. That was from the FAA.
2 So --

3 COMMISSIONER WAITS: That's with the new application?

4 LEW LOTT: That's for any application. They have this
5 select few they're working on. And that's why I think from
6 Washington, D.C. they're going to hopefully put some more staff
7 on this to change that. I can't answer that for them. But
8 yeah, we heard two years. And that's for the ones that, you
9 know, are in, the ones that are submitted, they're basically
10 saying expect two years.

11 COMMISSIONER WAITS: And I'd probably be okay with two
12 years if I thought that was two years. But -- but it just seems
13 to be out there lost in infinity somewhere. And it's like we
14 want to -- we want to at least -- so whatever we need do. If we
15 have to start over, if we have to call somebody --

16 LEW LOTT: Commissioner, three years ago we heard two
17 years.

18 COMMISSIONER WAITS: I understand that. That's why I seem
19 to (indiscernible) --

20 LEW LOTT: I know. It's very frustrating.

21 COMMISSIONER WAITS: But what do you think about the
22 contact of the congressmen or senators or anything?

23 J.D. HEITHOFF: I think -- I think if we had evidence of
24 that letter, if we had copy or -- I don't know if there'd be a
25 copy in your office, Keith. I think that that would go far.
26 But I think if the FAA potentially lost the only copy, then I
27 think we should take another course of action and that course
28 should be that we resubmit.

29 COMMISSIONER WAITS: Thank you.

30 LEW LOTT: Yeah. And we'll -- we'll try to find a copy. I
31 mean, it was one of those, we got to get this in. It wasn't an
32 e-mail. It was a physical, hard letter that went in. So there
33 is no email trail unfortunately, so --

34 COMMISSIONER MASON: I have a couple of items.

35 J.D. HEITHOFF: Yes, sir.

36 COMMISSIONER MASON: There was some talk recently about
37 possibly losing one of our runways here in Battle Mountain. And
38 I don't want to see that to happen. I mean, I won't be here,
39 but the next commission in January needs to be made aware that
40 that's not a good thing for us to lose that runway. We don't

1 know what the future holds.

2 And through my term of election, the airport hasn't really
3 grown that much. You know, there's not -- but we are maintaining.
4 We've got a lot of money invested in both airports to maintain
5 them. And I would hate to us see us go backwards. I just -- if
6 you make a note of that for future discussions. It would be
7 important --

8 J.D. HEITHOFF: Agreed.

9 COMMISSIONER MASON: -- to this county.

10 J.D. HEITHOFF: Agreed, Commissioner Mason.

11 And we have -- and part of this master plan that we're doing
12 at Battle Mountain, we're fighting very hard for that crosswind
13 runway for the justification. And the big part of that is the --
14 is the wind direction and how much wind coverage that the primary
15 runway has.

16 If it exceeds 95 percent for the selected aircraft, then
17 the FAA deems that the crosswind runway is no longer needed. If
18 it's under 95 percent, then it becomes a decision that the FAA
19 needs to make on the amount of funding that they're going to
20 continue to fund for that crosswind.

21 So we are -- we're fighting very hard on behalf of Lander
22 County through the use of the master plan, which is the correct
23 document and correct way to do it. And -- and you'll see some
24 of that.

25 COMMISSIONER MASON: Yeah, and my -- my motive here is the
26 expense. If -- if we get a good tenant, somebody, you know,
27 large enough to know that we need that extra runway and we let
28 it go to seed, it's a huge expense to start it all up again
29 rather than just maintain it.

30 J.D. HEITHOFF: Agreed.

31 COMMISSIONER MASON: The other my -- the other one is
32 potable water at the Battle Mountain Airport. These are just
33 thoughts that you might check out. But I think if we drilled a
34 deeper well, we might find potable water. That could be
35 explored. And I think that's important for the future growth of
36 our airport.

37 Right now, we're not sure what -- what you're getting out,
38 you know, what your results of the test are going to be. So I'm
39 just saying a deeper well, a bigger well might be in order here in
40 the long term.

1 And then lastly, when the commission is seated in January, we
2 have one of the new commissioners elect coming on is a pilot or is
3 trying to be pilot. And he has an interest in flying, you might
4 contact him to see if he would be our representative, both with
5 the engineers here and -- and like we do in a lot of other
6 committee things, you know, we attend the meetings. He could be
7 our liaison for Phoenix.

8 KEITH WESTENGARD: I'll definitely bring that to the
9 attention of the --

10 COMMISSIONER MASON: That's all I've got.

11 KEITH WESTENGARD: -- (indiscernible) at the first
12 commission meeting.

13 COMMISSIONER MASON: Thanks, guys.

14 J.D. HEITHOFF: Commissioner Mason, would you -- would you
15 suggest that this other commissioner replace you on the TAC
16 committee, on that Technical Advisory Committee meeting for the
17 Battle Mountain master plan project?

18 COMMISSIONER MASON: It wouldn't matter. I mean, it
19 doesn't matter what I suggest at this point. But somebody who
20 likes airport and flying I think is, you know, there's a new man
21 coming on who fits that bill.

22 J.D. HEITHOFF: What's the name of that person?

23 COMMISSIONER WAITS: We assign the categories filled the --

24 COMMISSIONER STIENMETZ: Yeah.

25 COMMISSIONER WAITS: -- first of January. The board does.

26 J.D. HEITHOFF: Okay.

27 COMMISSIONER MASON: Yeah. Keith will take care of it.

28 KEITH WESTENGARD: I'll bring it up at the first commission
29 meeting.

30 J.D. HEITHOFF: Okay.

31 KEITH WESTENGARD: And they can decide.

32 J.D. HEITHOFF: Any other questions?

33 Thank you for your time.

34 LEW LOTT: Thank you.

35 COMMISSIONER MASON: Thanks, you guys.

36 COMMISSIONER WAITS: Thank you, gentlemen.

37
38 15) Discussion for possible action regarding closure of Lander
39 County offices December 26, 2014, and other matters properly
40 related thereto.

1
2 CHAIRMAN GARNER: Fifteen, discussion for possible action
3 regarding closure of Lander County offices December 26th, 2014,
4 and other matter properly related thereto.

5 COMMISSIONER MASON: What is that date?

6 KEITH WESTENGARD: It would be the Christmas --

7 COMMISSIONER STIENMETZ: It's the day after Christmas.

8 COMMISSIONER WAITS: Day after Christmas.

9 COMMISSIONER STIENMETZ: I request --

10 COMMISSIONER MASON: Oh, okay. Is that because it's a
11 Friday?

12 COMMISSIONER STIENMETZ: Well, in years past, when
13 Christmas was on a Thursday, we voted to close the office on the
14 26th just as a token to the employees as an appreciation because
15 there's not much goes on that day.

16 Granted, the elected officials can say, I'm just going to
17 have one person in there or something like that. But still that
18 one person has to work.

19 But I -- I just brought it up because I thought it would be
20 a nice gesture to the employees to do that like we did before.
21 And I don't know when it was, but it's when I was term several
22 years ago that it happened. And we voted and gave them the
23 extra day off after Christmas.

24 CHAIRMAN GARNER: Paid?

25 COMMISSIONER STIENMETZ: Yes. Paid as a holiday.

26 COMMISSIONER BULLOCK: So does that mean you're going to
27 pay the law enforcement that is working --

28 CHAIRMAN GARNER: Overtime.

29 COMMISSIONER BULLOCK: -- holiday pay?

30 They can't take the day off. So it's unfair to them to be on
31 a different standard.

32 CHAIRMAN GARNER: Because they wouldn't get the day off
33 that they would expect off. You'd have to furlough them a day
34 or --

35 COMMISSIONER STIENMETZ: I don't know how that was handled
36 in the past.

37 COMMISSIONER WAITS: Well, if we take a look at it with
38 just a skeleton crew and let everybody take it off themselves,
39 they can take it without pay or they could take it with vacation
40 pay or just individually. But we can say, we don't --

1 COMMISSIONER STIENMETZ: Just let them work then.
2 COMMISSIONER WAITS: -- we don't need to have that office
3 open. It's a day off if you'd like to take it? To make it
4 easier? Can we do something like that?
5 No.
6 JOY SWEENEY: It's one day.
7 KEITH WESTENGARD: I think the -- the option of vacation is
8 always there.
9 And I believe what Commissioner Stienmetz was after was
10 just a -- an appreciation of -- of the county employees.
11 COMMISSIONER WAITS: I understand that point. But I don't
12 think that's possible to do with the rest. So I'm wondering if
13 we could make it easy and just say, I mean, they could have it
14 off if they want it.
15 UNIDENTIFIED PARTICIPANT: Why is it not possible?
16 COMMISSIONER STIENMETZ: They can always take it off as
17 vacation.
18 COMMISSIONER WAITS: Well, I understand that. True. But I
19 mean, it's difficult when the -- for the executive director to
20 say, I've -- I've just got fifteen of my people that want to
21 take that day off.
22 COMMISSIONER STIENMETZ: Then they have to decide.
23 COMMISSIONER WAITS: And the commissioners saying, we're
24 okay with that if -- if he wants to do that.
25 KEITH WESTENGARD: If -- if you guys said that they could
26 have the day off -- I'll be here that day. I mean, that's --
27 that's not a problem. I mean, it's the appreciation of our --
28 of our employees. And I completely understand where you're
29 where you're speaking to, Commissioner Bullock, with law
30 enforcement and so forth. They -- they have a commitment. But
31 then again, that's something that when I was in the fire
32 department, you know, we just expected holidays.
33 So -- but I understand both sides of the story. I'm just
34 looking for appreciation to our county employees. That's all.
35 COMMISSIONER WAITS: So the question is: Can we take
36 something like that under consideration and just offer it like a
37 furlough day or something to them if they want to take it?
38 CHAIRMAN GARNER: All or nothing.
39 COMMISSIONER WAITS: They either get paid or they don't get
40 off.

1 CHAIRMAN GARNER: Send them all home or send them all to
2 work.
3 LURA DUVALL: What do they do on Christmas day at the
4 sheriff's office?
5 CHAIRMAN GARNER: Make it fair.
6 COMMISSIONER STIENMETZ: That's a holiday.
7 COMMISSIONER BULLOCK: They get paid a holiday.
8 COMMISSIONER WAITS: Yeah.
9 UNIDENTIFIED PARTICIPANT: They can still work.
10 COMMISSIONER BULLOCK: They don't get paid for the 26th.
11 COMMISSIONER WAITS: It's the day after.
12 COMMISSIONER BULLOCK: It's the rest of those that are on a
13 lot of the same contracts that we're talking about. They get a
14 free day off. Where those that are working, they don't get any
15 extra pay.
16 I mean, if you're going to establish this, you've got to
17 make it fair for the law --
18 COMMISSIONER WAITS: Yeah. Mm-hm.
19 COMMISSIONER BULLOCK: -- enforcement is all I'm saying.
20 Because they don't get that luxury. If you're going to give
21 people a free day off, then law enforcement deserved holiday
22 pay.
23 LURA DUVALL: Right.
24 CHAIRMAN GARNER: You're going to have to pay everybody in
25 the county a day off somewhere somehow.
26 COMMISSIONER MASON: Do you want to try for two out of
27 three?
28 COMMISSIONER STIENMETZ: If that's the case, I say just
29 drop it. Let it go as it is.
30 COMMISSIONER MASON: I say we drop it.
31 COMMISSIONER STIENMETZ: No motion. It dies.
32 COMMISSIONER WAITS: Well, there's one other option if you
33 wanted to look into the actual cost of what it would be and put
34 it back on, if that's where you're coming from. But I mean --
35 COMMISSIONER BULLOCK: It's -- it's not --
36 COMMISSIONER WAITS: -- we all mean well, but if we can't
37 do it.
38 COMMISSIONER MASON: It's not a matter of cost. It's not a
39 budget issue. It's a matter of a fairness issue is what I'm
40 looking at.

1 16) Discussion for possible action regarding update by Phil
2 Hanna, Battle Mountain General Hospital CEO, on the emergency
3 medical services in Lander County, under administration by
4 the Lander County Hospital District (LCHD), and other matters
5 properly related thereto.
6

7 CHAIRMAN GARNER: Sixteen, discussion for possible action
8 -- no motions.

9 Sixteen, discussion for possible action regarding update by
10 Phil Hanna, Battle Mountain General Hospital CEO, on the
11 emergency medical staff Lander County, under administration by
12 the Lander County Hospital District (LCHD), and other matters
13 properly related thereto.

14 PHIL HANNA: Good morning.

15 COMMISSIONER MASON: Hey, Phil.

16 COMMISSIONER STIENMETZ: Good morning, Phil.

17 COMMISSIONER WAITS: Morning, Phil.

18 PHIL HANNA: While I'm distributing this, I have a bit of
19 positive news that the hospital information system --

20 COMMISSIONER WAITS: Did you fax this to Austin?

21 PHIL HANNA: No, I didn't.

22 But what I was going to tell you that the hospital
23 information system that it has been the source of improvement but
24 great frustration.

25 CHAIRMAN GARNER: Is this new information, Phil?

26 PHIL HANNA: Mm-hm.

27 CHAIRMAN GARNER: We can't accept new information on the
28 day of the --

29 PHIL HANNA: Well, what -- what I was saying -- what I was
30 going to say is that I can come back at your December 18th
31 meeting with the next quarter. And I'll be able to send that to
32 you early and any particular questions you might have about
33 operations issues, then I can have a full report for you.

34 CHAIRMAN GARNER: Yeah, because if we can't have this to
35 Austin, we can't accept it here.

36 PHIL HANNA: Okay.

37 CHAIRMAN GARNER: So they can see what we're looking at
38 also.

39 KEITH WESTENGARD: Commissioner Garner, would you like us
40 to fax it down there right now, real quick.

1 KEITH WESTENGARD: Well, -- I'm sorry. I didn't mean to
2 interrupt.

3 COMMISSIONER BULLOCK: No, that's all right.

4 KEITH WESTENGARD: Well, why couldn't we -- if we give the
5 county employees the Friday off and then in the future we give
6 the law enforcement people an eight-hour day off? Sometime in
7 the next pay period or two -- or two pay periods?

8 COMMISSIONER BULLOCK: Because we negotiated in the
9 contract that if you work over, you got paid overtime. It's
10 just -- we did -- we did away with any of this compensation time
11 or whatever. I mean, that's in contract.

12 CHAIRMAN GARNER: How about we just buy them all a turkey?

13 KEITH WESTENGARD: You can do that too.

14 CHAIRMAN GARNER: Or --

15 COMMISSIONER BULLOCK: Well, it just --

16 CHAIRMAN GARNER: Or give a one-time bonus if that's what
17 -- I mean.

18 COMMISSIONER BULLOCK: Well, you know we talk about
19 compensation. And I'd love to give them off too. All I'm
20 saying is let's make it fair. But as far as showing
21 appreciation to the employees, I think we've done pretty good.
22 I mean, we --

23 KEITH WESTENGARD: I agree.

24 COMMISSIONER BULLOCK: They've gotten -- what? --
25 15 percent raises over the last --

26 KEITH WESTENGARD: You're correct.

27 CHAIRMAN GARNER: -- four years. Not only that, they've
28 got longevity pay that they haven't. We've shown pretty good
29 appreciation to the employees.

30 ~~KEITH WESTENGARD: You have.~~

31 COMMISSIONER BULLOCK: Would this be nothing compared to
32 that? Yeah. All I'm saying is if we're going to do it, we need
33 to make it fair for the law enforcement.

34 COMMISSIONER MASON: Welcome to the job.

35 CHAIRMAN GARNER: No motion.

36 COMMISSIONER STIENMETZ: (Indiscernible) die.

37 COMMISSIONER WAITS: We feel you can be generous with the
38 requests for those that want it off on the 26th though.

39 CHAIRMAN GARNER: Motion dies.

40

1 CHAIRMAN GARNER: That would be much appreciated. Austin?
2 Austin?
3 COUNTY CLERK SULLIVAN: Miteshell.
4 MITESHELL LANHAM: Yes.
5 COUNTY CLERK SULLIVAN: May we get your fax number down
6 there.
7 MITESHELL LANHAM: It'll be 2455.
8 UNIDENTIFIED PARTICIPANT: 933?
9 COMMISSIONER WAITS: 964.
10 CHAIRMAN GARNER: 964.
11 COUNTY CLERK SULLIVAN: 2455?
12 COMMISSIONER BULLOCK: We'll take a break.
13 CHAIRMAN GARNER: We'll take a five-minute break.
14 Miteshell, we're going to fax this down to you so you guys can
15 see also what we're looking at.
16 MITESHELL LANHAM: Okay.
17 COUNTY CLERK SULLIVAN: Thank you.
18 COMMISSIONER BULLOCK: Can we make extra copies in case
19 anybody out there wants one?
20
21 (Break taken between 10:47 a.m. and 10:54 a.m.)
22
23 CHAIRMAN GARNER: Call the -- call the meeting back to
24 order.
25 Go ahead, Phil.
26 PHIL HANNA: Yes. Good morning, I say, for the record, I'm
27 Phil Hannah, CEO at Battle Mountain General Hospital. And I
28 have Rick Bell with me, our EMS commander, here today.
29 But like I said, I'll reiterate that I'm pleased that we're
30 finally getting everything caught up with the new hospital
31 information system electronic health record that has been
32 holding several things up for me. I'll be able to come back to
33 your December 18th meeting to give you the next three-month
34 report.
35 And I can have that to out to you ahead of time so you can
36 look at that. And like I say, between now and then if you have
37 any operations questions that we can't answer for you today,
38 then we can have that information for you next month.
39 But to review the cover (indiscernible) that I included
40 with this, that this is the second year of operation for Lander

1 County EMS for the July 1st, 2013, to June 30th, 2014. And
2 there were 848 emergency responses, which is about a 5 percent
3 increase from last year, about 40 -- between 40 and 50
4 additional responses.

5 And that one of the things that I'm really like to see that
6 our average response time out to a patient has been around ten
7 minutes. And half the calls, it's been less than five minutes.

8 And for the coverage area that we have, like I said, I'm --
9 I'm pleased to see that. It's just the shoot time, the time it
10 takes to get the ambulance on the road is very short. And that
11 has a good -- good impact as far as getting people out to -- to
12 the scene to provide services.

13 And then with the training of the crew that on average we
14 spend 23, 24 minutes on scene providing support and stabilizing
15 a patient before they're taken to the emergency department. And
16 about half the time, we actually transport a patient that we --
17 you know, we get some calls that we'll get out there and
18 literally can't find the patient or calls and the individual
19 will decline any transport.

20 And as we have always done, we don't -- you know, we don't
21 bill anybody for those responses if we don't transport and
22 provide, you know, all those services.

23 But one of the other good things that Lander County EMS
24 personnel have been, I think, very successful, very active in
25 getting integrated into the community and supporting a number of
26 activities in the community.

27 The Heart Savers CPR program has gotten off to a great
28 start. And in talking with the people that are involved in
29 running that program that they would really like to see if
30 Battle Mountain, potentially Lander County, if we can't -- can't
31 get it designated through our training efforts as a Heart Saver
32 county.

33 Like I say, right now we can do a Heart Saver Community for
34 Battle Mountain. But like I say, we're looking at that to see
35 if that's possible. But like I say, that program has been
36 successful.

37 And then the effort to get more AEDs, the automated
38 defibrillators out into public places that that has been
39 successful. And that program we're going to be mapping the
40 entire county and getting information that will be available at

1 what's in the best interest of the patient.

2 But if a ground transport can take place, depending on
3 insurance issues, it can constitute a significant savings for the
4 patient for a ground transfer versus an air transfer. So like I
5 said, if that's appropriate, then I'm, you know, for the patient's
6 financial impact, I'm very pleased to see that. And also I think
7 it's just a matter that our number of inter hospital transfers
8 have increased because, like I say, of the overall availability of
9 the service.

10 And in the two years the service has been in existence, I
11 personally am not aware of one complaint in terms of, hey, care
12 wasn't adequate, care wasn't given properly. You know, like I
13 say, we have not had a complaint, which, yeah, that's one of the
14 things we want to be a hundred percent when we do something like
15 this. But, like I say, those things all fit together and
16 indicate to me that, like I say, we're doing pretty good.

17 That one of the things that I think the situation in southern
18 Lander County, I think, is getting much closer to resolution now
19 that we've had two vehicles delivered. And one of them is sitting
20 right outside for anyone who would like to see it, the TufPort.

21 And we have two EMTs. They finished their formal class. I
22 don't think they've taken their certification tests yet. I'm
23 not sure about that. But we have two more volunteers that will
24 supplement the other individuals that are already interested and
25 willing to provide some EMS support in southern Lander County.

26 And you know, I did also and I included in my report that I
27 want to take the opportunity to thank the county safety
28 committee for their support in obtaining the TufPort and for the
29 commissioners for your purchase of the transport vehicle that
30 ~~now makes a four-wheel drive squad available to southern Lander~~
31 ~~County plus the TufPort.~~ So we feel that we're going to be
32 pretty well covered down there and getting better.

33 And I know looking at these statistics, and like I say, we
34 can take talk about it more today or in a month to give you an
35 opportunity to look at things in more detail that our requests
36 when we had -- we responded to 178 requests in the April to June
37 period, which was down substantially from the 2013 period. I
38 think much of that is an indication that the community is becoming
39 better informed and better educated about how to use EMS and when
40 to call EMS.

1 dispatch so that if a call or if a request comes in and
2 someone's down from a heart attack that then they will have
3 information and say, hey, if somebody can run right next door to
4 church or the store or whatever, they have an AED there, to
5 provide assistance while they're waiting for the ambulance crew
6 to get there. Like I say, that's just another positive thing
7 that they're involved in.

8 And the personnel have been involved with the drug,
9 endangered children programs; the LEPC; the planning -- the
10 emergency planning committee -- the frontier community
11 coalition; Lander County search and rescue; and the Lander
12 County safety committee. And like I say, they're active in all
13 of those organizations. And that the EMS service routinely
14 rolls if there's fire so that they can -- if they discover any
15 victims on site or if any of our volunteer fire fighters were to
16 get hurt, like I say, we'll have an ambulance on site to take
17 care of them.

18 And that, like I say, we are routinely on standby at events
19 such as the high school football games, the rodeo, the
20 human-powered races that we have, the car shows, the stock car
21 races. Like I say, that anyone that has requested, we have gone
22 on standby. And if it's a not-for-profit endeavor, like I say,
23 then we have not charged any additional for having the ambulance
24 there. We would just charge if we transported someone.

25 And then, like I say, we continue to coordinate very closely
26 with the sheriff's office and everything from blood draws and
27 taking care of any emergency situations that they have with
28 inmates. And we have stood by for some of their intense training
29 exercises. And when the SWAT team was called out not too long ago
30 that we responded to that and stood by in the event there were any
31 injuries.

32 So like I say, the -- the EMS services I think have become
33 very, very much involved with the county and with the activities
34 that are going on. And I think, you know, I'd like to see us
35 become more and more effective in doing that.

36 And one of the other things that has -- that I have noticed
37 certainly that we're seeing a -- a significant increase in number
38 of inter hospital transfers that we do. And one of the important
39 things is that ultimately the transfer is driven -- is determined
40 by a physician decision, the emergency department physician and

1 And so as we look at all these things and our expense
2 budget from two th- -- from comparing 2013 to 2014 is down about
3 seven percent overall expense budget. And our loss, in looking
4 at the last page of the attachment I gave you, that the
5 estimated financial summary that we had expenses of \$260,000 for
6 the three-month period. And looking at our potential
7 collections -- and I have continued to factor that at 70 percent
8 -- I hopefully will be able to even sharpen up that number a
9 little bit because EMS runs about two-and-a-half to three-years
10 behind as far as finishing up cost reports and reporting
11 information back to the hospital. So I'm guardedly hopeful that
12 in the next six to nine months that we'll have then the first
13 cost report settlement from EMS for our first-year operation.

14 But looking at a 70 percent collection, which I say, based
15 on the best numbers I have been given that we've been
16 successfully having, that is a good number.

17 And then looking at the 75 percent -- or the \$75,000 stipend
18 from the county for the quieter that we had then a loss of about
19 48,000. And looking at the cost report that I am anticipating
20 that we'll be able to recover about 30 percent. Our final bottom
21 line, if you will, is a loss of about 33,000, which overall is
22 very close to the budget that I showed you last year indicating
23 that we would probably have an annual loss for the service of
24 about 120,000.

25 And I'm also -- I continue to be optimistic about things
26 because I know our costs and purchased services will be going
27 down substantially and it is certain we get our additional local
28 paramedics trained and certified, which now we're within
29 maybe -- what? -- six months?

30 RICK BELL: Three to six.

31 PHIL HANNA: Three to six months of having those
32 individuals here that then that should have a positive impact or
33 will have a positive impact on the overtime which continues to
34 be frustrating for me. But it's a matter of we need to have the
35 people available to provide the service.

36 So that's, like I say, a little overview of what we have
37 done in the last year. Like I said, I -- I -- with the support
38 of the hospital board and the board of commissioners that -- and
39 a lot of other people in this community and the efforts of the
40 EMS personnel that we have an EMS service in Lander County that

1 as I deal with other communities in the state they make positive
2 comments about what we're doing. And the state certainly
3 continues to make positive comments about what we've been able
4 to accomplish with EMS in this community. And as I say, as we
5 get more local paramedics then we'll be able to look at the
6 trends that we're seeing in trends in healthcare and will be
7 able to use community para-medicine and more ways to provide
8 services to the community.

9 So with that, I will address any questions. Like I say,
10 Rick is here to address any more -- other detailed operations
11 questions that you might have.

12 COMMISSIONER MASON: Two. I have two, if I may.

13 On your expansion into the south county, you know, with your
14 services, I know it's a -- it's a slow growth thing, but it's
15 growing. How about your grants?

16 Are ex- -- have you found any new avenues for money?

17 PHIL HANNA: We have two grant applications in right now:
18 One for telemedicine that has an impact on EMS and then we're
19 also, like I say, we're working on another grant application.
20 It's close to being submitted. And I continue to look for
21 opportunities to see -- to get us designated as a demonstration
22 project --

23 COMMISSIONER MASON: Good deal.

24 PHIL HANNA: -- for health care. So, yes, that -- that
25 will have an enormous favorable impact. And it also certainly
26 gets right to the issue of as we look at healthcare and changes
27 and just challenges with finding medical providers for rural
28 areas that this whole concept of community para-medicine is
29 becoming more significant. And these grants will certainly be a
30 positive su- -- you know, a positive support for that effort to

31 --
32 COMMISSIONER MASON: Okay.

33 PHIL HANNA: -- expand that service.

34 COMMISSIONER MASON: The other question I'd have is as you
35 expand. But this one is about insurance and it keeps coming up.
36 You know, we're -- the whole country's buried in insurance. And
37 I don't expect the ambulance service -- this is me talking
38 personally -- I don't expect to see a profit ever from your
39 ambulance service, the county's ambulance services.

40 So if there's a need -- let's say in Austin somebody has a

1 heart attack and the need is to -- whatever that need is, it
2 requires the balance service, what do you do? Do you look at
3 their insurance first? Or you do you just -- I don't know how to
4 ask that question.

5 PHIL HANNA: No. There are -- beyond everything else,
6 beyond any ethics, morality, or anything else, there are laws on
7 the books that we cannot do what is commonly referred to as a
8 wallet biopsy --

9 COMMISSIONER MASON: Okay.

10 PHIL HANNA: -- before we provide services. We provide
11 services, period, end of conversation. We provide emergency
12 services in our emergency department, period, end of
13 conversation. And then afterwards, we look at that. But we are
14 not permitted by law to consider that beforehand.

15 COMMISSIONER MASON: Good answer. Thank you. I didn't
16 know that.

17 RICK BELL: Dave, let me add just a little bit to that. I
18 don't allow people who work for us on the ambulance to know what
19 it costs. So they have no idea.

20 COMMISSIONER MASON: Good. Okay.

21 RICK BELL: If they ever have to sit in a court of law and
22 make the decisions based on economics, no, I didn't because I
23 don't know what it costs. That's why.

24 COMMISSIONER MASON: Because my original thought was that
25 on insurance, I don't expect to see a profit. If I ever do, I'm
26 going to have some questions.

27 PHIL HANNA: Yeah. The EMS, that -- like I said, I've been
28 involved in EMS for quite a while. And for a true EMS program,
29 a comprehensive EMS program, I've never seen one that has been
30 profitable by itself. Now, as we do more and more
31 inter-hospital transfers --

32 COMMISSIONER MASON: Well, you can streamline it.

33 PHIL HANNA: Yeah. And -- and we look at expense savings
34 but, as I say, as we do more and more inter-hospital transfers
35 then that certainly helps. But like I say, just looking at a
36 911 EMS service that, yeah, I would have serious questions if
37 someone says, jeez, I'm making money hand over fist from this
38 deal.

39 COMMISSIONER MASON: Oh, yeah. Okay. Thanks for clearing
40 that up.

1 COMMISSIONER STIENMETZ: I have no questions. Thanks, Phil
2 and Rick.

3 PHIL HANNA: Okay. Like I said, if you have any question
4 about this, just give them to Keith.

5 And like I say, I'll be back on the 18th and then have the
6 distinct pleasure of finally getting caught up as far as
7 quarterly reports. And like I say, we can answer any other
8 questions that you might have.

9 COMMISSIONER MASON: Thanks, you guys.

10 PHIL HANNA: Okay.

11 COMMISSIONER STIENMETZ: Thanks.

12 COMMISSIONER BULLOCK: Thanks.

13 PHIL HANNA: Thank you, very much.

14 COMMISSIONER MASON: Nice job.

15 COMMISSIONER WAITS: Thank you.

16

17 17) Discussion for possible action regarding approval/disapproval
18 for the commission chair to sign an offer of employment
19 letter to Becky Johnson for the director of Human Resources,
20 and other matters properly related thereto.

21

22 CHAIRMAN GARNER: Seventeen, discussion for possible action
23 regarding approval/disapproval for the commissioner chair to
24 sign an offer of employment letter to Becky Johnson for the
25 director of Human Resources, and other matters properly related
26 thereto.

27 KEITH WESTENGARD: You should each have the copy of the
28 offer letter within your binders. This is just a standard offer
29 letter outlining the provisions of the job.

30 ~~We did the interview several weeks back. And this was what~~
31 ~~our recommendation was from the hiring committee, which was~~
32 ~~myself, Finance, current HR, as well as Commissioner Bullock.~~

33 KEITH WESTENGARD: Keith, who's on the committee?

34 KEITH WESTENGARD: Myself; --

35 COMMISSIONER STIENMETZ: He just said that.

36 KEITH WESTENGARD: -- Finance, Nan Ancho; our current HR,
37 Joy; as well as Commissioner Bullock.

38 COMMISSIONER MASON: Good deal.

39 COMMISSIONER BULLOCK: I make a motion that we approve for
40 the commissioner -- or the chairman of the commission to sign an

1 offer of employment to letter to Becky Johnson for the director
2 of Human Resources.

3 COMMISSIONER STIENMETZ: I will second the motion.

4 CHAIRMAN GARNER: Any public comment?

5 (No comment.)

6 CHAIRMAN GARNER: All those in favor?

7 COMMISSIONER MASON: Aye.

8 CHAIRMAN GARNER: Aye.

9 COMMISSIONER WAITS: Aye.

10 COMMISSIONER STIENMETZ: Aye.

11 COMMISSIONER BULLOCK: Aye.

12 Congratulations.

13 COMMISSIONER STIENMETZ: Yeah. Welcome aboard.

14 BECKY JOHNSON: Thank you. I'm excited.

15 KEITH WESTENGARD: I meant to tell you Becky's here if you
16 have any questions for it.

17 COMMISSIONER MASON: You're it.

18 BECKY JOHNSON: I'm it. I don't know if I can replace Joy,
19 but --

20 COMMISSIONER MASON: You do what you do.

21 BECKY JOHNSON: Thank you.

22 COMMISSIONER WAITS: We can never replace Joy. You just
23 replace the position. That's all.

24 BECKY JOHNSON: Yes. Thank you.

25 COMMISSIONER WAITS: You have to fill that for us. Thank
26 you.

27

28 18) Discussion for possible action regarding approval/disapproval
29 regarding the retainer agreement in the amount of \$225 per
30 hour for collective bargaining services between Lander County
31 and Charles P. Cockerill, Esquire, and other matters properly
32 related thereto.

33

34 CHAIRMAN GARNER: Eighteen, discussion for possible action
35 regarding approval/disapproval regarding retainer agreement in
36 the amount of \$225 per hour for the collective bargaining
37 services agreement -- bargaining services between --
38 correction -- between Lander County and Charles P. Cockerill,
39 Esquire, and other matters properly related thereto.

40 COMMISSIONER WAITS: So he's with a new company now.

1 COMMISSIONER BULLOCK: New company. New agreement.
2 COMMISSIONER WAITS: New law firm, huh?
3 CHAIRMAN GARNER: Saving money.
4 COMMISSIONER WAITS: Nothing else has really changed.
5 CHAIRMAN GARNER: Two twenty-five was the same; wasn't it?
6 Last time you guys --
7 COMMISSIONER BULLOCK: He's well aware of what goes on --
8 COMMISSIONER STIENMETZ: Yeah.
9 COMMISSIONER BULLOCK: -- as far as county negotiations.
10 With that, I'd make a motion to approve the retainer agreement
11 in the amount of \$225 per hour for collective bargaining
12 services between Lander County and Charles P. Cockerill,
13 Esquire.
14 COMMISSIONER STIENMETZ: I'll second the motion.
15 CHAIRMAN GARNER: Any public comment?
16 (No comment.)
17 KEITH WESTENGARD: I'm -- I'm sorry. I had to step out
18 real quick.
19 I wanted to explain to everybody that Charlie's just
20 changed firms. There's no contractual change other than a name
21 change. So it's just he just changed firms and wanted to make
22 us aware of it.
23 COMMISSIONER WAITS: Thank you.
24 KEITH WESTENGARD: Thank you.
25 CHAIRMAN GARNER: All those in favor?
26 COMMISSIONER MASON: Aye.
27 COMMISSIONER WAITS: Aye.
28 CHAIRMAN GARNER: Aye.
29 COMMISSIONER STIENMETZ: Aye.
30 COMMISSIONER BULLOCK: Aye.

31
32 19) Discussion for possible action regarding approval/disapproval
33 regarding renewing Austin Buildings and Facilities
34 Maintenance and Repair Agreement between Lander County and
35 Desmond Skeath, and other matters properly related thereto.
36

37 CHAIRMAN GARNER: Nineteen, discussion for possible action
38 regarding approval/disapproval regarding renewing Austin
39 buildings and facilities maintenance and repair agreement
40 between Lander County and Desmond Skeath, and other matters

1 properly related thereto.

2 KEITH WESTENGARD: I think this contract got away from me.
3 It did expire October 1th. And I would like to extend it for
4 the period of six months.

5 And then next year we'll go ahead and look at how the
6 commission would like to approach it as far as re-- re-lying it or
7 readvertising or if we just want to continue to roll it over. But
8 it is currently out -- out of date.

9 And so I'd like to -- I'd like to ask --

10 COMMISSIONER MASON: What would the actual dates be? The
11 extension?

12 KEITH WESTENGARD: Six months so --

13 COMMISSIONER WAITS: It would be April 1st.

14 COMMISSIONER BULLOCK: March 31st.

15 COMMISSIONER WAITS: It would be the end of March.

16 KEITH WESTENGARD: It would be the end of March.

17 COMMISSIONER BULLOCK: April.

18 KEITH WESTENGARD: April -- so April 1st. I would,
19 certainly bring --

20 COMMISSIONER BULLOCK: No, April 3rd.

21 KEITH WESTENGARD: -- it prior. Yeah, prior to the
22 expiration date to see which way the commission wants to go.
23 We're trying to keep up on all of our contracts. And this one
24 just got away from me.

25 Currently, there is nothing in place contractually with
26 this agreement out of date.

27 COMMISSIONER WAITS: I did speak with Desi. I asked if he
28 was going to be, you know, available and that we -- we had it on
29 the agenda. And he said, no, he was fine with the way
30 everything was going with the visitor center and the other.

31 KEITH WESTENGARD: That's correct.

32 COMMISSIONER WAITS: And we had amended the original to
33 include that. So this extension will be the one we have now
34 with the combination of the contract, how we had it, and the
35 amended part; right? .

36 KEITH WESTENGARD: Correct. Yes.

37 COMMISSIONER WAITS: And then we'll go out for bid in the
38 spring?

39 KEITH WESTENGARD: Yes, if that's what the commission
40 wants. Absolutely.

1 COMMISSIONER STIENMETZ: I make a motion we approve the
2 renewing of Austin building and maintenance -- facility
3 maintenance and repair agreement between Lander County and
4 Desmond Skeath, and authorized the chair to sign.

5 COMMISSIONER MASON: Want to date on it? Do you want to
6 put an end date on it?

7 COMMISSIONER WAITS: For six months?

8 COMMISSIONER STIENMETZ: For six months.

9 COMMISSIONER WAITS: I'll second that.

10 CHAIRMAN GARNER: Any public comment?

11 (No comment.)

12 CHAIRMAN GARNER: All those in favor?

13 COMMISSIONER MASON: Aye.

14 COMMISSIONER WAITS: Aye.

15 CHAIRMAN GARNER: Aye.

16 COMMISSIONER STIENMETZ: Aye.

17 COMMISSIONER BULLOCK: Aye.

18
19 20) Discussion for possible action regarding approval/disapproval
20 of a letter from Lander County opposing the proposed Waters
21 of the U.S. Rule, under the Clean Water Act that would amend
22 the definition of "Waters of the U.S." and expand the range
23 of waters that fall under federal jurisdiction, and other
24 matters related thereto.
25

26 CHAIRMAN GARNER: Discussion for possible action regarding
27 approval/disapproval of a letter from Lander County opposing the
28 proposed Waters of the U.S. Rule, under the Clean Water Act that
29 would amend the definition of Waters of the U.S. and expand the
30 range of waters that fall under federal jurisdiction, and other
31 matters related thereto.

32 KEITH WESTENGARD: This is a letter we need to have in by
33 tomorrow opposing this?

34 COMMISSIONER WAITS: You can e-mail it?

35 KEITH WESTENGARD: I'll hand deliver it if I need to. I'll
36 make sure that it gets in though. It's outlined in your -- in
37 your packets there as opposed to the Clean Water Act -- Waters
38 of the U.S.

39 COMMISSIONER WAITS: When we -- when we spoke to Senator
40 Heller's office and I had reported earlier that he had

1 co-sponsored a bill to actually block this, they had said,
2 please do continue to get it in. They've got lots of -- thank
3 you, Keith -- lots of comments, but they certainly wanted all
4 the counties on record. And so I thank you for putting this
5 together.

6 KEITH WESTENGARD: I did have help from Nicole and the DA's
7 office. We worked on it together.

8 COMMISSIONER WAITS: I make a motion that we approve the
9 letter from Lander County regarding the Waters of the U.S. rule
10 under the Clean Water Act.

11 COMMISSIONER BULLOCK: And authorize.

12 COMMISSIONER WAITS: And authorize our chairman to sign.
13 Thank you.

14 COMMISSIONER STIENMETZ: I'll second.

15 COMMISSIONER BULLOCK: Good. Okay.

16 CHAIRMAN GARNER: Any public comment?
17 (No comment.)

18 CHAIRMAN GARNER: All those in favor?

19 COMMISSIONER MASON: Aye.

20 COMMISSIONER STIENMETZ: Aye.

21 CHAIRMAN GARNER: Aye.

22 COMMISSIONER WAITS: Aye.

23 COMMISSIONER BULLOCK: Aye.
24

25 **21) Discussion for possible action regarding status of the Lander**
26 **County Courthouse/Administration Building Project, and other**
27 **matters properly related thereto.**
28

29 CHAIRMAN GARNER: Twenty-one, discussion for possible
30 ~~action regarding status of the Lander County Courthouse/~~
31 ~~Administration Building Project, and other matters properly related~~
32 ~~thereto.~~

33 JUDGE MAX BUNCH: Good morning.

34 COMMISSIONER STIENMETZ: Good morning, Max.

35 JUDGE MAX BUNCH: Max Bunch for the record.

36 Just to give you an update, the courthouse block will be
37 topped out next week. So we should be completed with all the
38 block.

39 The solar was completed last Thursday on November 6th.
40 We're finalizing the final paperwork for our grant that we

1 originally had. We now have permanent power to the building.

2 The steel for the beams and the columns started arriving on
3 site yesterday. And Martin Iron Works has been on site since
4 Monday welding the clips and making field verifications.

5 The remainder of first floor slab on glade will be poured
6 approximately November 24th. The vapor barrier in the base are
7 being completed today.

8 Floor boxes are being installed and the rebar will be,
9 hopefully, completed by next Tuesday.

10 The enclosure slab and light standards should be poured out
11 by next week.

12 The vault column was set yesterday. And they will be doing
13 the block for the vault. They'll be getting that started. I
14 don't know if they'll get it this week, probably next week.

15 The jail integration will be begin on Monday. We'll be
16 sending (indiscernible) over to the jail to run the conduits
17 back and forth.

18 The final gas -- natural gas tie-in where the meter was set
19 was also completed yesterday.

20 Last week the generator was set.

21 We had a visit to a potential furniture dealer, which was
22 very successful. And we should be getting demo chairs in for
23 employees to try by January 2015.

24 Couple safety things, AGC Safety Site scored us at a 99.5.

25 And Core National Safety gentlemen was on site and rated
26 the site to be clean and safe. He also commented to me that it
27 is probably one of the best sites, core sites that he goes to
28 that's he's ever seen in 15 or 20 years.

29 So safety-wise everything's looking very good and keeping
30 it clean.

31 Other than that, any questions?

32 CHAIRMAN GARNER: Uh-huh.

33 JUDGE MAX BUNCH: Okay.

34 CHAIRMAN GARNER: Thanks, Max.

35 COMMISSIONER STIENMETZ: Thanks, Max.

36 COMMISSIONER MASON: Thanks, Max.

37 COMMISSIONER WAITS: Thank you.

38 JUDGE MAX BUNCH: One -- one thing that we may be getting
39 to is a potential steel or top out of the building. And I think
40 that CORE is putting together some sort of thing where

1 potentially all the commissioners would come over and we'd try
2 do that over there. And basically, I guess they sign all the
3 steel with some kind of marker-type thing. And then they set in
4 the last piece of steel. And so they'll be doing something
5 along that line. Tentatively, it's in the first part of
6 December, but we'll try and see where we're -- where we're at.

7 CHAIRMAN GARNER: Thanks.

8 COMMISSIONER BULLOCK: Thanks, Max.

9 COMMISSIONER STIENMETZ: Thanks, Max.

10 COMMISSIONER WAITS: Thanks.

11
12 **22) Correspondence/reports/upcoming agenda items.**

13
14 CHAIRMAN GARNER: Twenty-two, correspondence, reports,
15 upcoming agenda items.

16 (The following correspondence was received: canvass spelling

17 1) State of Nevada, Department of Conservation & Natural
18 Resources, Division of Environmental Protection to Commissioners
19 regarding Notice of Permit Expiration on March 24, 2015 of Class
20 II Air Quality Operating Permit #AP4581-094603, FIN: A0544

21 2) J.D. Heithoff of J-U-B Engineering notes to Commissioners,
22 dated October 20, 2014, regarding Austin apron expansion, Austin
23 fueling system, Battle Mountain Airport master plan, water
24 mini-master plan at the Battle Mountain Airport, Battle Mountain
25 pavement rehabilitation project, Battle Mountain runway 12/30, and
26 SPCC plans.

27 3) Jody Moore to Board of Directors of the Great Basin
28 Regional Development Authority, letter of resignation dated
29 October 20, 2014.

30 4) United States Department of Interior, Bureau of Land
31 Management, Mount Lewis Field Office, John D. Sherve to Interested
32 Public, notice dated October 17, 2014 regarding final decision on
33 issuance of temporary modification of grazing permit 2700138 for
34 the Roberts Mountain Allotment.

35 5) Theodore C. Herrera, Esquire to Commissioners, letter
36 dated October 13, 2014, regarding termination of agreement to
37 serve as Lander County Public Defender.

38 7) Nevada Small Business Development Center, State
39 Demographer's Office, Jeff Hardcastle, AIC to Commissioners,
40 letter dated October 20, 2014, regarding two reports: 1) 2014

1 Population Projections and 2) Nevada County Age, Sex, Race, and
2 Hispanic Origin Estimates and Projections 2000 to 2033.

3 8) Monthly & Quarterly Reports to Lander County
4 Commissioners, June 204 through September 2014 including reports
5 of monies collected by the Lander County Clerk and Austin Justice
6 of the Peace; Fines collected by the Argenta Justice Court;
7 Amounts remitted to the Treasurer by the Recorder; and Technology
8 Fees provided by the Lander County Treasurer.

9 9) State of Nevada, Commission on Mineral Resources, Division
10 of Minerals to the Commissioners, letter dated October 24, 2014,
11 regarding orphaned or hazardous mines and failure of said mines to
12 mitigate hazards located on their claim or property and possible
13 action that can be pursued by board of commissioners.

14 10) Great Basin Regional Development Authority agenda dated
15 November 13, 2014.

16 11) United States Department of the Interior, Bureau of Land
17 Management, Mount Lewis Field Office, Jon D. Sherve to Interested
18 Public, letter dated November 3, 2014, regarding Environmental
19 Assessment analyzing the impacts of the proposed CMZ Exploration
20 Project by NuLegacy Gold Corporation NV (NUG) and notice of 30-day
21 public comment period.

22 12) United States Department of Interior, Bureau of Land
23 Management, Tonopah Field Office, to Interested Public, letter
24 dated October 31, 2014, regarding the 2014 Magruder Mountain
25 Temporary Water Haul Proposed Decision.)

26
27 CHAIRMAN GARNER: Seeing none, moving on to 23.
28 We'll now go into closed personnel.

29
30 COMMISSIONER WAITS: Potential agenda items. I'm sorry. I
31 wasn't quick enough. I see we have a letter in here from the
32 Division of Minerals. And it appears we have to take some
33 action on that.

34 Did you take a look at that letter?

35 CHAIRMAN GARNER: I didn't get my packet.

36 COMMISSIONER WAITS: Oh. Okay.

37 CHAIRMAN GARNER: I'm being left out.

38 COMMISSIONER WAITS: Okay. Well, basically it says --

39 COMMISSIONER BULLOCK: (Indiscernible) -- see what I got.

40 CHAIRMAN GARNER: Yeah.

1 COMMISSIONER STIENMETZ: It was in my box.
2 COMMISSIONER WAITS: Yeah, it's regarding the mine -- the
3 hazardous mines. And they have written to our local people that
4 have not secured theirs.
5 So it says since they have not received a statement of
6 compliance that now the division is required to report the
7 hazards to the appropriate county commission per Nevada Revised
8 Statute, NRS 513.094.
9 Upon receipt of this information, the board of county
10 commissioners has the statutory authority to serve notice, seek
11 judgment, collect a fine, whatever. So at some point we need
12 put that on the agenda. If you want to do it now, if you want
13 the wait, whatever, but it does --
14 COMMISSIONER MASON: Only if you want to do something.
15 COMMISSIONER WAITS: Well, we still should discuss it.
16 COMMISSIONER BULLOCK: That's fine. I'm just saying.
17 COMMISSIONER STIENMETZ: Yeah.
18 COMMISSIONER WAITS: Right? I'll leave that up to our
19 executive director to take a look at the timeframe. But at some
20 point it does -- it should come back to us.
21 KEITH WESTENGARD: Okay. Is that in e-mail form or is it
22 something --
23 COMMISSIONER WAITS: No.
24 KEITH WESTENGARD: -- you can give me or forward it to me?
25 COMMISSIONER WAITS: Yes. Yeah.
26 KEITH WESTENGARD: Oh.
27 COMMISSIONER WAITS: It was received so -- should be in our
28 packet.
29 KEITH WESTENGARD: I closed up too early. Okay.
30 COUNTY CLERK SULLIVAN: Under correspondence.
31 COMMISSIONER WAITS: And then there was --
32 COUNTY CLERK SULLIVAN: Maybe give Keith the item number so
33 he knows.
34 Was it under the correspondence? What number was it?
35 COMMISSIONER WAITS: I'm looking under correspondence.
36 Let's see. I don't think so.
37 There was so much included that wasn't listed that I -- I'll
38 just pull out my copy for you.
39 And then there was just one earlier today. What did we
40 just say we need to put that on our agenda?

1 KEITH WESTENGARD: Oh, I see.
2 COMMISSIONER WAITS: One of our meetings?
3 Something we were just talking about?
4 Was that with Nan?
5 COUNTY CLERK SULLIVAN: Oh, was it the budget? Some type
6 of committee?
7 COMMISSIONER STIENMETZ: Yeah.
8 COUNTY CLERK SULLIVAN: Is that what you --
9 COMMISSIONER WAITS: Oh, that was it. Yeah.
10 COUNTY CLERK SULLIVAN: -- were talking about?
11 COMMISSIONER STIENMETZ: Committee.
12 COUNTY CLERK SULLIVAN: Audit committee.
13 COMMISSIONER WAITS: Thank you. Thank you. It completely
14 spaced me.
15 COMMISSIONER BULLOCK: No rush on that. I would wait till
16 January.
17 COMMISSIONER STIENMETZ: Yeah.
18 COMMISSIONER WAITS: No. We'll just put it on our
19 executive director's to-do list.
20 KEITH WESTENGARD: Got it. I did find that Division of
21 Minerals. I -- I've got it. Thank you.
22 COMMISSIONER WAITS: Thank you.
23 CHAIRMAN GARNER: We'll now go into a closed personnel
24 session discussion --
25
26

27 **CLOSED PERSONNEL SESSION**

28
29 23) **Discussion for possible action regarding approval/disapproval**
30 **of the review of the termination of employee #1189 at the**
31 **employee's request, and other matters properly related**
32 **thereto.**
33

34 CHAIRMAN GARNER: We'll go into --

35 KEITH WESTENGARD: I need to let you guys know the
36 representative contacted me after the agenda had gone out. He's
37 asked that it be deferred to December 4th commission meeting.
38 He had some things come up. I was agreeable to it. So we will
39 put this on the next agenda.

40 COMMISSIONER BULLOCK: Back to open.

1 COURT REPORTER: How much of that do you want on?
2 CHAIRMAN GARNER: Back to open personnel.
3 COUNTY CLERK SULLIVAN: She wants to know if that's okay.
4 COURT REPORTER: Do you want all of it?
5 COUNTY CLERK SULLIVAN: Angie says it's okay.
6 COURT REPORTER: Okay.
7 COMMISSIONER BULLOCK: It was deferred.

8
9 **OPEN PERSONNEL SESSION**

10
11 24) **Discussion for possible action regarding Lander County**
12 **Commissioners' decision regarding the review of the**
13 **termination of Employee #1189, and other matters properly**
14 **related thereto.**

15
16 CHAIRMAN GARNER: Twenty-four, discussion for possible
17 action regarding Lander County Commission --

18 COMMISSIONER BULLOCK: That's deferred.

19 CHAIRMAN GARNER: But we got to read it in?

20 COUNTY CLERK SULLIVAN: Yes. Angie said yes.

21 CHAIRMAN GARNER: Discussion for possible action regarding
22 Lander County Commissioner decision regarding the review of the
23 termination of Employee one -- 1189, and other matters properly
24 related thereto.

25 Motion is deferred.

26 Item was deferred.

27
28
29 **PUBLIC COMMENT**

30
31 CHAIRMAN GARNER: Any public comment for non-agendized
32 items only?

33 (No comment.)
34
35

36 **ADJOURNMENT**

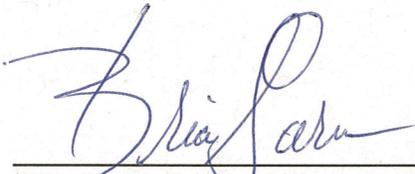
37
38 COMMISSIONER BULLOCK: Motion to adjourn.

39 COMMISSIONER STIENMETZ: Second.

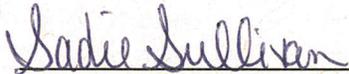
40 CHAIRMAN GARNER: Any public comment?

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(No comment.)
CHAIRMAN GARNER: All those in favor?
COMMISSIONER MASON: Aye.
COMMISSIONER STIENMETZ: Aye.
COMMISSIONER BULLOCK: Aye.



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

ATTEST: 
LANDER COUNTY CLERK

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

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STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
CERTIFY THAT I WAS PRESENT IN THE COMMISSION CHAMBERS OF THE
LANDER COUNTY COURTHOUSE IN THE STATE OF NEVADA, ON THE 13TH
DAY OF November 2014, AND REPORTED THE FOREGOING PROCEEDINGS;
THAT THE SAME IS FULL, TRUE, AND CORRECT AS REFLECTED BY MY
ORIGINAL MACHINE SHORTHAND NOTES TAKEN AT SAID PLACE AND TIME
BEFORE THE HONORABLE BOARD OF LANDER COUNTY COMMISSIONERS.

DATED AT SPRING CREEK, NEVADA,
THIS 5TH DAY OF DECEMBER 2014.



TIFFANY ELKINGTON, CCR #930