The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada, on May 14, 2015, at 9:00 a.m. Transcript produced by Tiffany Elkington, C.C.R., #930.

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

ABSENT: STEVEN STIENMETZ, COMMISSIONER

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

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

[Meeting commenced on May 14, 2015, at 9:00 a.m.]

VICE CHAIRWOMAN WAITS: Good morning, everybody.

I'd like to call to order the Lander County commissioners' meeting, Town Board of Battle Mountain, and Austin Board of County Highway Commissioners.

We will begin with the Pledge of Allegiance.

Commissioner Bakker, if you would lead us in our salute to the flag.

(Pledge of Allegiance.)

VICE CHAIRWOMAN WAITS: Thank you.

Next is our moment of silence that you would please respect that with the next 30 seconds.

(Moment of silence.)

VICE CHAIRWOMAN WAITS: Thank you.

And good morning to my fellow commissioners and our --

COMMISSIONER BAKKER: Good morning.

VICE CHAIRWOMAN WAITS: -- elected officials and our staff and our public. We're glad you could join us this morning.

COMMISSIONER REPORTS

VICE CHAIRWOMAN WAITS: We'll start out with our commissioner reports. And may I start with you, Commissioner Clark?

COMMISSIONER CLARK: I had a meeting with the Public Lands. The -- the pressing issue there is the public lands committee wants legal opinion on a proclamation that was written during the Clinton administration. The big problem is that in the proclamation it puts the board of commissioners over the sheriff's office. I've talked with the DA many times. And he can step in and explain the --

DISTRICT ATTORNEY HERRERA: What -- it's my understanding that this -- this was presented to Art from Ray Williams in -- in Austin.

When it was presented to me, it was presented by the nature of resolution. And within the confines of the resolution, it didn't resolve anything. It didn't say, we resolve anything. It was just vacant. It was just a sentence. And so I pointed out to Art, I said, we've got a resolution that doesn't resolve anything and -- except to -- to -- to make the sheriff's department do certain things that the county commission cannot ask them to do or make them do.

So we didn't put it on the agenda because of those reasons.

I then received a call from Dalton Wilson, who informed me that he was working with Mr. Williams on this project and why it didn't get in front of the commission.

I advised him that -- of -- of what I just informed you. And he said that, well, it was his understanding that he agreed with me, that they can't resolve to do that. But it needs to be an ordinance. And we need to change the ordinance so that we can make the sheriff's department do certain things.

And I explained to him, that's how it was presented to us.

And -- and he said, okay. You're right. You're right. You're right.

So that's the last I heard of it until Art advised me that -- that this commission wants a legal opinion.

And I can't give them a legal opinion on -- on -- on such an abstract question. So -- so if they want a legal opinion, they need to put it on paper and specifically ask me for a legal opinion on -- on a certain issue. And they have to specify what issue it is.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER CLARK: Also attended planning commission last night. They passed some variances for property. So it seems like we're moving ahead with some property change.

VICE CHAIRWOMAN WAITS: Commissioner Bakker?

COMMISSIONER BAKKER: I had a rec center meeting. You guys were there. Anyway, they're actually going to be here today to present two different options for us to look on kind of which way the commission wants to go and just kind of show you some designs we're working with.

Also, we did a walk-through at the sheriff's department. And it was pretty good. There's actually a lot of moving parts to that building.

Anyway, it's -- everything looked good. And that's about all I have --

COMMISSIONER MILLS: Okay. I was out of town most of last couple of weeks; so I actually missed a couple of meetings.

One was the fair and rec board meeting. I had Sean sit in for me on that one.

I did attend the -- a meeting with some people from the governor's office. There was a Janis Kalnins, who was from the U.S. Department of Commerce. And he deals with international trade for the State of Nevada. Peter Wallish is the director of Rural Community and Economic Development through the governor's office -- and then Sheldon Mudd. And we met together on some matters dealing with economic development. It was a good meeting. They were actually kind of excited about our change to the NNRDA and thought that was a good move for our county. And we talked quite a bit about some of the community redevelopment plans that have been put into place, largely through Jan Morrison. And it was -- it was good meeting. It sounds pretty

exciting. They're very much backing the community in doing some of this redevelopment and having some of those things move forward. And that was really good to hear.

Other than that, I didn't have any meetings.

I do know that coming up, there's the -- the rec center meeting today.

Tomorrow there's a Humboldt River Basin Water Authority meeting in Winnemucca that I'll be attending tomorrow.

Other than that, I don't have anything.

VICE CHAIRWOMAN WAITS: Thank you.

I have a few meetings to record on.

On April 24th, there was a NACO meeting. And they did announce our 2015 annual conference for NACO. It will be held in Clark County, September 28th to October 1st.

On their NACO website, you can follow all the different bills that are still going through and we're within our last few weeks now of getting everything in. And then the next couple of weeks will be coming out of all of the committees and the senate and the assembly to be going to the governor's office. So they've really been on a fast track all this year. And everybody's been pretty excited about it. And certainly NACO has been busy representing us with everything.

On 4/29, there was a school board meeting regarding Austin, specifically, and the closing of the school. And that has been resolved. I'm sure that the paper will be holding it. But we can go into a little bit more detail. But just in general, we do have reprieve. And they have set up a policy with a certain number of students that will have to be maintained. They will look at the policy again in three years and see if we're maintaining that, if they should make a decision then, or make an exception, or what the situation is then. But for right now, everything is open with the students and continuing on with our -- with three full-time school teachers.

On 4/30, we had our annual POOL/PACT meeting. And just a quick synopsis. I know all of you are familiar with POOL/PACT, but I want to read you their mission statement, which is kind of interesting.

POOL/PACT Member Services Consortium provides response of risk and management resources for public agencies. They excel in innovative solutions that help members serve the public, financial

strength, security and durability, cost-effective risk sharing and financing, interactive claim service, and the member networking and resource sharing. And that's exactly what they are.

We had our staff present. Our executive director and our finance director were -- were both there too.

Couple of things that did come up with that. They gave a full workshop on cybersecurity trends, the risks, the predictions, the trends. And the concern is the breach insurance, regarding our IT.

And there are different grants available. There's a 50 percent matching grant available for funding something like that. So we need to look further.

They had -- the HILT stretcher. It's called Human Injury Limiting Tool. And it's a very small, compact stretcher that -- that actually folds up to just a few feet long and about a foot wide, which was an excellent tool in a lot of different areas. It can even do a stair carry on it. And they were so impressed with the way that worked that the POOL/PACT ordered 300 of them for us that will be spread out when that comes in in -- in the fall.

I was also very interested in the grants that were available. There were so many that I don't think we've been taking advantage of. And I'd really like to see us look forward to that.

They have a loss control excellence program. And we need to complete that survey for Lander County so we can take a look at some of the grants. They have things such as grants for our -- our Stryker EMS lift that we use. They even had some of the grants available for the vests, bullet proof vests, for our sheriff's office.

There were so many that I thought, we've been paying for some of our EMS emergency bags, medical bags. We should be looking at that. They still have things available. So we need to really tune in on some of those things that they are offering. We do take advantage of many of them with the workshops and our training, of course. They've been an excellent resource for us in most of our everyday, daily life.

On 5/11, we had an Austin Airport advisory board. A couple of things from there. A&K did mobilize last Monday. They came in with all of their equipment, ready to do our apron. The request from the advisory board was that the bid for our Austin fuel system go out early, as soon as we can look up and see what we

actually had, all of the bid documents ready to go at one time, but not the funding. And so hopefully we can find all those. Those were given to our county engineer. So we can find those and be ready to go. If not, we have to go back to J.D. and our -- our airport engineers and get those again. But if we could get that on the agenda and go out to bid, it wouldn't be awarded or even in until the first of July, but then we'd be on track and ready to go to it.

And they did set a tentative date for their fly-in this year for August 22nd.

And that takes care of the commissioners' reports and meetings.

STAFF REPORTS

VICE CHAIRWOMAN WAITS: And we go into our Staff.

KEITH WESTENGARD: Good morning.

The department heads and elected officials, we continue to work on a solid policy and procedure handbook that we'll be able to get to -- to the commission for approval, hopefully end of June, first part of July.

We had our second meeting yesterday to go through the book. We're going to have a third one next week. And we continue to meet weekly on that.

I wanted to remind everyone that we do have a special budget meeting on Monday, May 18th, here in the cha- -- in commission chambers. It starts at 8:55, Monday morning.

I attended a homeland -- I sit on a Homeland Security grant funding committee that we met two weeks ago.

We had 26 applicants throughout the state. We were able to award 23 of the grant requ- -- requests. We had about $6 million that we put out throughout the state, and the focus was cybersecurity. So that seems to be a pretty big issue right now, breaches in cybersecurity and infrastructure and so forth. So we were able to, hopefully, help out with that issue.

Commissioner Waits covered the -- the POOL/PACT spring meeting, which I also attended.

She also kind of covered some of the airport stuff. So construction started with the Austin Airport expansion last

week. We are working on the fuel system with J-U-B. We're also looking into a GPS approach for Austin Airport. But we've run into some -- some problems with the military and air space and so forth. But we're going to see if we can work through that.

The Battle Mountain pavement rehab project, we continue to move forward on, as well as the water mini master plan for the airport.

I did receive a letter from Phil Hanna regarding the opening of their new building and looking at moving our EMS -- our ambulances over there. There is no cost to us as long as the EMS is run by the hospital. So we're good there.

Joe Lindsey's here. So I had a monthly report from him, but since he's here, he can cover that.

I've received a couple faxes from the FBI regarding sovereign citizen criminal activity and potential indicators of self-radicalization, extremist activity on campus in our areas. We're going to address this in our safety committee. So as more information becomes available, I'll get that information to you as well.

We had some money set aside for a consultant at the golf course. So I've gone ahead and put a consultant at the golf course, started this week. He's going through. He's looking at what needs to be done at the golf course and different options to bring our greens and our golf course up to standard to make our golfers happy. And that will actually also be addressed a little later in the commission meeting.

The Austin ambulance station has started this week, the build-out that we spoke of a few commission meetings ago. Desi Skeath in Austin has started that build out. And once we have that completed, I'll get you some pictures. And we'll show it at a meeting.

Tomorrow I'll be in Carlin. Newmont's celebrating their 50th year at the Carlin Trend. There's a luncheon and a get together and a tour. So we'll be attending that. I'll be. Is anybody else interested in attending that?

Okay.

That's all I have.

VICE CHAIRWOMAN WAITS: Thank you. Just a comment on the GPS?

KEITH WESTENGARD: Uh-huh.

VICE CHAIRWOMAN WAITS: We heard there might be a conflict with the military, but we didn't know if it was hearsay or -- or anything to it.

So I sit on the joint land use study, you know, that's with the Naval Air Force Base in Fallon. And I gave the operations manage -- department manager's name and phone number and e-mail to our advisory board. So they will --

KEITH WESTENGARD: Okay.

VICE CHAIRWOMAN WAITS: -- be contacting them to clear that up to see if we can --

KEITH WESTENGARD: Okay.

VICE CHAIRWOMAN WAITS: -- finish up with that.

KEITH WESTENGARD: Yeah, we would have to go through a process. When we were going down to the preconstruction meeting last week, Nan and I had a very, very good conversation with J.D., our consultant through J-U-B for our airports, regarding that.

And it's a process. But we're looking into it to see if we can clear that up.

VICE CHAIRWOMAN WAITS: Thank you.

KEITH WESTENGARD: Uh-huh.

VICE CHAIRWOMAN WAITS: Counselor, did you have anything for us today?

DISTRICT ATTORNEY HERRERA: Nothing.

VICE CHAIRWOMAN WAITS: Okay.

PUBLIC COMMENT

VICE CHAIRWOMAN WAITS: Moving on. The next would be our public comment. This is for non-agendized items only.

And persons are invited to make comments on any non-agenda item. We do limit that to three minutes at the discretion of the board. But we'd be happy to take public comment at this time, if anyone would like to step up?

Seeing no one and hearing no one from Austin, we move on to our consent agenda.

CONSENT AGENDA

VICE CHAIRWOMAN WAITS: All matters listed under the consent agenda are considered routine and may be acted upon by the Board of County Commissioners with one action, without extensive discussion. Any member of the board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. Consent agenda materials are available at the Lander County Clerk's Office for viewing. And copies are available for a nominal charge.

On the consent agenda today, we have April 23rd, 2015, minutes; the payment of bills; and our payroll change request.

Okay. Hearing no one that wants to take those out, we'll entertain a motion to approve the consent agenda.

COMMISSIONER MILLS: I'll make a -- I'll make a motion to approve the consent agenda.

COMMISSIONER BAKKER: Second.

VICE CHAIRWOMAN WAITS: Thank you. It's been moved and seconded.

Any other discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

VICE CHAIRWOMAN WAITS: Thank you.

FINANCE

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

VICE CHAIRWOMAN WAITS: Our next one is Finance. Good morning, Nan.

NAN ANCHO: Good morning. Nan with Finance.

Most of my items are agendized today, but Patsy spoke on the POOL/PACT meeting. And Keith spoke on the airport meeting. So I

guess I'm covered.

Over the next couple of weeks, I'll be looking at our current budget to see what funds need to be augmented. And if we need an augment, I'll bring it before you the last meeting of June. And that's all I have on the update.

COMMISSIONER BAKKER: Thanks, Nan.

VICE CHAIRWOMAN WAITS: Thank you.

2) Discussion and possible action to approve Resolution No. 2015-11, a resolution directing apportionment of net proceeds received in the month of April 2015, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We now have Agenda Item Number 2. This is discussion and possible action to approve Resolution No. 2015-11, a resolution directing apportionment of net proceeds received in the month of April 2015, and other matters properly related thereto.

NAN ANCHO: We received a quarterly settlement on our net proceeds on April 1st in the amount of $432,745.72.

And we have certain funds that it's mandated to, starting with the Commission Fees, the amount of $12,982.37; Assessor Tech Fees, $8,654.91; China Springs, $407.58; State Medical Indigent, $8,898.92; State Indigent NACO, $2,037.92; Capital Acquisition, $4,075.84; Landfill, $6,793.07; the Hospital, $65,941.01; and the School District, $96,801.25, for a total mandated of $206,592.87.

And the remaining is the discretionary, which we put into the CCP Fund or Infrastructure of $226,152.85.

I just need you to approve that.

VICE CHAIRWOMAN WAITS: Thank you. Do we have any --

COMMISSIONER BAKKER: Okay.

VICE CHAIRWOMAN WAITS: -- questions for Nan?

Okay.

COMMISSIONER BAKKER: I'll make a motion. I make a motion to approve and adopt Resolution No. 2015-11, a resolution directing apportionment of the net proceeds and mineral taxes received on April 1st, 2015, in the amount of $432,745.72 and to allocate the Lander County portion in the amount of $226,152.85 to the appropriate funds as designated in the resolution.

COMMISSIONER MILLS: I'll second.

VICE CHAIRWOMAN WAITS: Thank you. It's been moved and seconded that we adopt that.

Any other discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: Any public comment?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

VICE CHAIRWOMAN WAITS: Aye.

Thank you.

COMMISSIONER CLARK: Hold on a second.

DISTRICT ATTORNEY HERRERA: Who's going to sign it?

COUNTY CLERK SULLIVAN: In your motion, could you say, authorize the vice chair to sign?

COMMISSIONER BAKKER: No. I can't.

COMMISSIONER CLARK: Oh, we -- we need to --

VICE CHAIRWOMAN WAITS: Just make a new motion.

COMMISSIONER CLARK: -- amend your motion.

COMMISSIONER BAKKER: I amend my motion to --

VICE CHAIRWOMAN WAITS: No, just make a new one. It's okay.

DISTRICT ATTORNEY HERRERA: Make a new one.

COMMISSIONER BAKKER: Okay.

COUNTY CLERK SULLIVAN: He has to read the whole thing?

COMMISSIONER BAKKER: I'll --

DISTRICT ATTORNEY HERRERA: You don't have to include the whole thing. Just --

VICE CHAIRWOMAN WAITS: No, just --

DISTRICT ATTORNEY HERRERA: -- make a motion --

VICE CHAIRWOMAN WAITS: -- move the --

DISTRICT ATTORNEY HERRERA: -- to have the ch- -- vice chair --

VICE CHAIRWOMAN WAITS: Yeah.

DISTRICT ATTORNEY HERRERA: -- sign.

COMMISSIONER BAKKER: Yeah. I make a motion to have the vice chair sign the Resolution 2015-11.

COMMISSIONER CLARK: There we go.

COMMISSIONER MILLS: I'll second that.
COMMISSIONER BAKKER: Okay.
VICE CHAIRWOMAN WAITS: Thank you.
Any public comment?
(No comment.)
VICE CHAIRWOMAN WAITS: All those in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
VICE CHAIRWOMAN WAITS: Aye.
Thank you. We need to stay on top of those resolutions; don't we? They all need signatures.
COMMISSIONER BAKKER: Yeah.
COMMISSIONER MILLS: Remember to sign them.
COMMISSIONER BAKKER: Put a little FYI.
COMMISSIONER CLARK: Do you want to sign it now?
VICE CHAIRWOMAN WAITS: I'll get it. Thank you.

3) Update on FY 15/16 Final Budget, to add one-quarter percent option tax revenue to the Battle Mountain Sewer Enterprises Fund, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Agenda Item Number 3. Update on fiscal year '15 and '16 final budget to add one-quarter percent option tax revenue to the Battle Mountain Sewer Enterprises Fund, and other matters properly related thereto.
Ms. Nan, again.
NAN ANCHO: This was revenue that goes into the Sewer Fund annually. I left it off the budget because we understood that it ended June 30th. It does not end June 30th this year. It ends June 30th, 2025. So we have ten more years.
So I'm -- just an update to let you know, I'll be putting it into the budget as revenue, not as an expense. So --
COMMISSIONER BAKKER: That's always good.
NAN ANCHO: Yes.
And that's all I have.
COMMISSIONER BAKKER: Thanks, Nan.
NAN ANCHO: Thanks.
VICE CHAIRWOMAN WAITS: Thank you. We don't need any action on that item. So we'll move over to the building

department.

BUILDING DEPARTMENT

4) Discussion for possible action to approve bid for Battle Mountain Airport fuel system project, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Agenda Item Number 4, discussion for possible action to approve the bid for the Battle Mountain Airport fuel system project, and other matters properly related thereto.

JOE LINDSEY: Good morning. Joe Lindsey, --

VICE CHAIRWOMAN WAITS: Mr. Lindsey.

JOE LINDSEY: -- Building Department.

COMMISSIONER CLARK: Good morning, Joe.

VICE CHAIRWOMAN WAITS: Good morning.

COMMISSIONER BAKKER: Good morning, Joe.

JOE LINDSEY: Okay. And in your packet, we actually had Summit Engineering review the -- the two bids that were submitted for the Battle Mountain fuel project -- airport fuel project.

And Clint Thiesse with Summit Engineering came back with a -- a response that recommends -- although LA Perks came in with a higher bid than Westech Fuel -- Clint Thiesse recommends that we accept the LA Perks bid because there were some questions on the Westech Fuel submittal.

So with that said, have you had the opportunity to review that documentation yet?

VICE CHAIRWOMAN WAITS: I believe we have. I know have some questions on it.

JOE LINDSEY: Okay.

VICE CHAIRWOMAN WAITS: Is there anybody from Summit Engineering today?

JOE LINDSEY: Not here today. We can get Clint on the phone, if you would like.

VICE CHAIRWOMAN WAITS: Okay. No, that's -- that's fine. Perhaps you can answer them. I'll give you some of my concerns.

And I understand they're our county engineers and that's

what we pay them to do.

JOE LINDSEY: Yes.

VICE CHAIRWOMAN WAITS: But a hundred thousand dollars is a lot of difference. And I know in many occasions -- and I have a construction background too -- that the low bidder isn't always the one that we do want to take. But in this, one of my questions was -- the concern they had right off the bat was their licensing.

JOE LINDSEY: Yes.

VICE CHAIRWOMAN WAITS: And they said they had underground, but they didn't have the other. And there was no question LA Perks had everything in it. Although I do have some questions on that too. But they had everything. But for a hundred thousand dollars difference, I wondered why someone -- them, you -- didn't pick up the phone and ask the contractor's board, hello...

JOE LINDSEY: We did.

VICE CHAIRWOMAN WAITS: Are they licensed okay? Did we do that? Since they had underground, you most certainly would assume they would have the rest to handle the storage tanks, so...

JOE LINDSEY: We did that.

VICE CHAIRWOMAN WAITS: Okay.

JOE LINDSEY: Yes.

VICE CHAIRWOMAN WAITS: And were they?

JOE LINDSEY: The contractor's board would not give us anything other than what is in their book. And it does specify underground tanks only.

VICE CHAIRWOMAN WAITS: Not the rest. Okay. And the other concern was the certified welders. And I know that -- that welders change companies all the time.

JOE LINDSEY: Sure.

VICE CHAIRWOMAN WAITS: I've worked with them. We've had to certify them on some of our government jobs right on site. So that wasn't a big concern either.

JOE LINDSEY: Yeah.

VICE CHAIRWOMAN WAITS: But the hundred thousand really concerned me. So with this, I'm saying, I did see in the contract the start date and the end date, which we will be filling in.

JOE LINDSEY: Correct.

VICE CHAIRWOMAN WAITS: But I'm -- and that's based on what we're doing and such.

JOE LINDSEY: Yes.

VICE CHAIRWOMAN WAITS: But I am concerned about the time frame. How long did they expect to complete this? It looks like a fairly easy --

JOE LINDSEY: It's not a terribly complicated project, other than the fact that until one of these contractors receives approval, they cannot order the tanks.

VICE CHAIRWOMAN WAITS: So is that a delay to order the tanks?

JOE LINDSEY: Not necessarily. The thing about it is, we have a certain amount of money in this budget that is not going to be approved for -- for spending until after July 1. Therefore, they could order the materials, have the materials delivered, and they could actually start work out there without being in the way of the airport should we have a fire event. Okay.

However, it will not -- the project cannot be completed until after July 1.

VICE CHAIRWOMAN WAITS: Okay. But the time frame, once they start, are we looking at 30 days, --

JOE LINDSEY: Oh, we're looking at --

VICE CHAIRWOMAN WAITS: -- 60 days, nine- --

JOE LINDSEY: -- probably up to 90 days.

VICE CHAIRWOMAN WAITS: Okay, that's --

JOE LINDSEY: I --

VICE CHAIRWOMAN WAITS: I was just trying to get an idea, so --

JOE LINDSEY: Yes. Yes.

VICE CHAIRWOMAN WAITS: We'll have it done this summer. Okay.

JOE LINDSEY: It'll be fairly quick.

VICE CHAIRWOMAN WAITS: Okay. My other question was: What role is Summit actually playing after this? Do they come out and do any of our quality checks? Or do you do all the inspections? Do they help --

JOE LINDSEY: I will do --

VICE CHAIRWOMAN WAITS: -- you with the inspections?

JOE LINDSEY: I will be doing all the inspections. The only structural project or inspections required on this will be the foundation for the tanks. And that's not a -- a big deal.

VICE CHAIRWOMAN WAITS: So does Summit Engineering play any other role now that they have --

JOE LINDSEY: If -- if after the tank installation is complete, we ask them to come out and -- and do a courtesy inspection, I'm sure they would be more than happy to do so. They're working near- -- very nearby right now, so they're out here constantly. And I don't see where we'd have a problem with that.

VICE CHAIRWOMAN WAITS: I -- I just wondered whether that's something they automatically did with the quality control, you know, out --

JOE LINDSEY: Yeah.

VICE CHAIRWOMAN WAITS: -- intermittent, in between --

JOE LINDSEY: And that's something --

VICE CHAIRWOMAN WAITS: Because your --

JOE LINDSEY: -- that I think we should --

VICE CHAIRWOMAN WAITS: -- inspections are done.

JOE LINDSEY: -- be involved in. We should have them involved in that. Yes.

VICE CHAIRWOMAN WAITS: Yeah. After the fact.

JOE LINDSEY: After the fact.

VICE CHAIRWOMAN WAITS: So --

JOE LINDSEY: After installation.

VICE CHAIRWOMAN WAITS: -- I just wondered. Okay.

JOE LINDSEY: Sure.

VICE CHAIRWOMAN WAITS: Thank you.

JOE LINDSEY: Thank you.

VICE CHAIRWOMAN WAITS: No, it was a very complete bid. The only other question I had was on the licensing. And again, I asked who's responsible for checking on the licensing. Because on a couple of the licenses they sent, they were current licenses. But they expire the end of April.

JOE LINDSEY: Yes.

VICE CHAIRWOMAN WAITS: So assuming that's you? That's the reason I was asking: --

JOE LINDSEY: That is us.

VICE CHAIRWOMAN WAITS: -- who checks on those? So --

JOE LINDSEY: And we did check on those.

VICE CHAIRWOMAN WAITS: -- we check. I'm sure -- I mean -- it's not a --

JOE LINDSEY: And Clint --

VICE CHAIRWOMAN WAITS: -- a problem.

JOE LINDSEY: -- and Summit did as well.

VICE CHAIRWOMAN WAITS: Okay. But that's something that needs --

JOE LINDSEY: Yes.

VICE CHAIRWOMAN WAITS: -- to be handled. And I wondered who did it. Thank you.

JOE LINDSEY: Thank you.

COMMISSIONER MILLS: So I have a question. Did -- did this go through our new bid committee process?

KEITH WESTENGARD: This was prior to the bid committee being --

COMMISSIONER MILLS: This was --

KEITH WESTENGARD: -- in place.

COMMISSIONER MILLS: -- prior to that?

KEITH WESTENGARD: Yes.

COMMISSIONER MILLS: Okay.

KEITH WESTENGARD: And -- and they did -- Joe did come in to talk to us about it. And due to the fact that there was two bids --

COMMISSIONER MILLS: Uh-huh.

KEITH WESTENGARD: -- and one bid didn't even qualify, we -- we -- but he did discuss it with us. So -- so we said, just go ahead and go with the one bid.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: Do we need to make a motion to reject Westech bid?

KEITH WESTENGARD: It would probably be a good idea to -- to do that just to show on the record that it was discussed, and that we went ahead and went with the higher bid and why.

COMMISSIONER BAKKER: Okay.

COMMISSIONER MILLS: So how do -- I'll make a motion that we approve a bid for Battle Mountain Airport fuel system project and award the bid to LA Perks Petroleum Specialists for that project and reject the bid from Westech due to non-compliance with the bid requirements.

KEITH WESTENGARD: Okay.

COMMISSIONER CLARK: And I would ask that you add to your motion that Summit Engineering will have a representative present at our meetings when -- when it's appropriate. Summit Engineering.

COMMISSIONER MILLS: Meetings for what?

COMMISSIONER CLARK: Well, when we have issues like this with the airport that Summit would send a representative.

VICE CHAIRWOMAN WAITS: Art, we might want to handle that separately from --

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: -- from this.

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: It is a bit confusion.

COMMISSIONER MILLS: Right.

VICE CHAIRWOMAN WAITS: So let's just leave --

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: -- the motion as --

COMMISSIONER BAKKER: I'll second that.

VICE CHAIRWOMAN WAITS: -- it is. Okay. Moved and seconded that we do approve LA Perks to being on the airport fuel system in Battle Mountain. And it has been seconded.

Any other discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: Any public comment?

Okay. My only general comment would be that they have quite a detailed list in there of all the things they were going to do. So in the contract, we want that they will be fulfilling all of the requirements per the plans and specs, --

JOE LINDSEY: Absolutely.

VICE CHAIRWOMAN WAITS: -- which is a very common --

JOE LINDSEY: And may I make a comment for Mr. Clark? Summit Engineering asked me if I felt that they needed to be here for this meeting. And I told them, no, that if the board had any questions, we would get them on the phone.

COMMISSIONER CLARK: I understand.

JOE LINDSEY: And he stated that he would be here or would be available for this meeting.

COMMISSIONER CLARK: Okay. I -- I just was voicing Patsy's concern about the --

JOE LINDSEY: Okay.
COMMISSIONER CLARK: -- the engineer.
VICE CHAIRWOMAN WAITS: Thank you. We'll call for the vote. All those in favor?
COMMISSIONER MILLS: Aye.
COMMISSIONER BAKKER: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
Thank you very much.
JOE LINDSEY: Thank you.
VICE CHAIRWOMAN WAITS: No, it wasn't so much of a concern as it was a question. Because I know they're -- they have some reports further on down with the Austin road project too. And so I thought they might have someone present.
JOE LINDSEY: Yeah.
VICE CHAIRWOMAN WAITS: Thank you.
COMMISSIONER CLARK: Okay.
We are now into the Building Department.
GRACE POWRIE: Oh.
JOE LINDSEY: Building Department?
VICE CHAIRWOMAN WAITS: The Treasurer. Excuse me.
GRACE POWRIE: Oh. We're just going to dance.
VICE CHAIRWOMAN WAITS: Gracie. Gracie, come on back. Scratch that off.

TREASURER

5) Discussion for possible action regarding approval of up to $10,000 for the cemetery fencing project located at the Battle Mountain Cemetery, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We're on Number 5. Discussion for possible action regarding approval of up to $10,000 for the cemetery fencing project located at Battle Mountain Cemetery, and other matters properly related thereto.
Good morning.
GRACE POWRIE: Good morning.
COMMISSIONER BAKKER: Good morning.

GRACE POWRIE: I am going to -- my name is Grace Powrie, for the record. Lander County treasurer and the cemetery administrator for the Battle Mountain Cemetery.

And I'm going to ask for the help of the executive director in -- in explaining where we got to to this point.

We had this on the agenda for the potential funding through budgets. And at that time, there was a misunderstanding, I guess, on where the funding was coming from between the hospital and the county.

So between Commissioner Mills and Executive Director Keith Westenburg -- or Westengard -- sorry -- and myself, we kind of worked with the hospital. And they're still wanting us to be good neighbors and help with the funding.

So between the players, I'm kind of the initiator of this, but I really don't know where we are at this point. So maybe the two of the gentlemen can help fill in the blanks.

VICE CHAIRWOMAN WAITS: I think we just wanted to ascertain that the hospital indeed was -- was paying half. I knew they wanted us to pay that. But we were -- wanted to be sure that we weren't covering it all.

GRACE POWRIE: And the funding -- the funding I originally put in for had nothing to do with the hospital, the fence projects that I've had going for the few years. The south fence just needed to be the next phase.

And with the six-foot, chain link, nine-gauge the same, a hundred percent privacy is our west side neighbor is entertaining, we were going to try to keep that, you know, all the same.

Well, when I contacted the hospital, knowing that they had a new wing going on, I asked if they would help pay half. And then we found out the helipad is over there.

So if something in that fence heighth or strength in that area needs to be upgraded, then the county would not pay half of that. The county is only going to pay half of the original fence that we were going to put in. If the hospital helipad costs -- or if -- if that siding makes the cost go up, then I would like them to pay a hundred percent of that. Because the county had nothing to do with putting the helipad there. But as far as the original fence costs, with the quote I got for the whole thing, that's where the 10,000 is.

VICE CHAIRWOMAN WAITS: The original quote was 18,000;

right?

GRACE POWRIE: Well, the original quote for fencing is only like 6,000.

VICE CHAIRWOMAN WAITS: Well, including their labor. Thank you.

GRACE POWRIE: Including about 12,000 for labor. And so it's 18-. You divide that by two; it's nine. And I rounded it to ten for the county's half. Just because I don't know if materials are going to go up between now and July 1. You know, we will only do what we can with that money. But, you know, that's where the -- that's where the dollar amount came from.

VICE CHAIRWOMAN WAITS: Okay. So we actually -- if we approve this today, it will be the -- the motion not to exceed $10,000 or half of whatever the cost is; is that correct?

GRACE POWRIE: Correct.

VICE CHAIRWOMAN WAITS: Okay. Gentlemen, any questions?

COMMISSIONER MILLS: Is this still being entertained by the safety committee to cover this cost?

KEITH WESTENGARD: Yes. This -- this -- what Grace is asking for, that $10,000, that's -- that's more of a backup. We plan on addressing it with the safety committee to pay for it. The 10,000 will be a backup in the event -- the unlikely event that the safety committee --

GRACE POWRIE: My question to the board and to the executive director is: The funding whether it be out of the safety budget or out of the cemetery budget, is this going to go forth to the '15/'16 year? Or are you going to try to pay for it out of the '14/'15 year?

KEITH WESTENGARD: Whenever they need the money, we can do it, whether it's this fiscal or next fiscal. We've got the budget to cover that.

GRACE POWRIE: Okay. Are we rolling over funds?

KEITH WESTENGARD: No.

GRACE POWRIE: No. So I would recommend putting this in for the '15/'16 budget. And if the funds are available for '14/'15 before July 1, then this would basically just go away.

If you don't put this into the '15/'16 budget, it won't be there. And you don't have it in your budget for '15/'16; do you?

KEITH WESTENGARD: Yes.

GRACE POWRIE: In the Safety?

NAN ANCHO: He has the funds available. Sorry. Nan, Finance. He has the funds available in both years' --

GRACE POWRIE: Oh, good.

NAN ANCHO: -- to pay for this fence.

GRACE POWRIE: Okay. Okay. I just wanted to clarify that because it had to be done today.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER MILLS: So it's, again, -- so it's my understanding that if we approve this, this is just a -- an insurance, basically?

KEITH WESTENGARD: It's contingency. Yes.

COMMISSIONER MILLS: Right. Okay.

COMMISSIONER BAKKER: Any questions?

COMMISSIONER MILLS: So...

COMMISSIONER BAKKER: Okay. I'll make a motion to approve 10,000 for the cemetery fencing, not to exceed $10,000.

COMMISSIONER MILLS: I'll second. Do we need to say for the 2015/'16 budget? Okay.

VICE CHAIRWOMAN WAITS: No, we're fine on both. Thank you.

It's been moved and seconded that we approve up to $10,000 for the cemetery fence to be shared with our hospital.

Any other public discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER MILLS AND COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Okay. Thank you. That passes. Thank you, Gracie.

GRACE POWRIE: Thank you.

6) Discussion and possible action to approve additional funding for possible promotions for FY '15/'16, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Agenda Item Number 6. Discussion and possible action to approve additional funding for possible promotions for FY '15/'16, and other matters properly related thereto.

And we have you again on the agenda.

GRACE POWRIE: Yes. Grace Powrie, Lander County treasurer for the record.

I have an employee within my staff that I would like to promote her to the next classification level as she has been there -- will have been there four years and has definitely met all the qualifications.

So I just need to ask for the additional funding to do that in the next year's budget.

VICE CHAIRWOMAN WAITS: Okay. So this was something we missed on the budget --

GRACE POWRIE: Yes.

VICE CHAIRWOMAN WAITS: -- going in with the funding?

GRACE POWRIE: Yes.

VICE CHAIRWOMAN WAITS: And I'm assuming the amount that they gave us, Nan, was for everything, all of the fringe benefits and retirement and everything for the maximum?

NAN ANCHO: Yes, that includes all the benefits in --

VICE CHAIRWOMAN WAITS: It's a full total --

NAN ANCHO: -- taxes, --

VICE CHAIRWOMAN WAITS: -- of what we would --

NAN ANCHO: -- everything. Yep.

VICE CHAIRWOMAN WAITS: -- for the county.

NAN ANCHO: 5,560.

VICE CHAIRWOMAN WAITS: Thank you.

Gentlemen, any questions? Okay, what is your pleasure?

COMMISSIONER MILLS: I'll make a motion that we approve the additional funding for possible promotions for fiscal year '15/'16 for the Treasurer's Office.

GRACE POWRIE: Thank you.

COMMISSIONER MILLS: Put it that way.

COMMISSIONER BAKKER: Second.

VICE CHAIRWOMAN WAITS: It's been moved and seconded.

Any further discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: Any public comment?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.
Thank you.
GRACE POWRIE: Thank you very much. Thanks, Nah.

BATTLE MOUNTAIN GENERAL HOSPITAL

7) Discussion for possible action to approve John Peters Health Services Center lease, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We now move to the Battle Mountain General Hospital. Agenda Item Number 7, discussion and possible action to approve the John Peters Health Services Center lease, and other matters properly related thereto.

KEITH WESTENGARD: What you have before you is the lease for the -- the new -- the move from the dome to the new John Peters building. There is no increase in funding. It's just a change of location.

COMMISSIONER MILLS: It's a one-year lease? Is that correct?

VICE CHAIRWOMAN WAITS: It's one year. Yes.

KEITH WESTENGARD: It's a one-year.

VICE CHAIRWOMAN WAITS: So one-year lease. Yes. And I do have a question. Mr. Hanna, since you're here, would you mind stepping up to the microphone for us?

I actually went through the minutes of last May 2014 when this was discussed originally by the commissioners at that time on what they wanted to do. They said they had not made a decision yet whether they wanted to put the county nurse at the new building or whether they wanted to put it somewhere else since we were going to have so many different vacant offices.

And at that time, Mr. Hanna, you said that the rate would not go up. And it has not. It's exactly the same amount.

PHIL HANNA: That's correct.

VICE CHAIRWOMAN WAITS: But my question is: In the lease that we had last time, with the round building, that 613 that we were paying, was that for the whole building?

PHIL HANNA: The -- that was for the space that the community health nursing program is using. And I would say that

was about half the building.

VICE CHAIRWOMAN WAITS: I remember you saying that you actually were handling almost a pilot program to put the three different resource groups together with the -- what our --

PHIL HANNA: Yeah.

VICE CHAIRWOMAN WAITS: -- resource --

PHIL HANNA: The state refers to that as a co-location program. And they have been promoting -- placing the community health nursing program, the community mental health program, and the family resources center in the same location.

VICE CHAIRWOMAN WAITS: So this is what we will be doing if we take this lease. We will be putting all three of them together?

PHIL HANNA: Right.

VICE CHAIRWOMAN WAITS: Which is your pilot program for Nevada; is that correct?

PHIL HANNA: Yes. That is correct.

VICE CHAIRWOMAN WAITS: Are you charging them the same amount? Or are we paying for their portion too? Or how is that --

PHIL HANNA: No.

VICE CHAIRWOMAN WAITS: -- working?

PHIL HANNA: The community mental health, the family resources center, and the community health nursing program are all paying rent. And the rents that -- the hospital board said that, like I say, the present rent that individuals were paying would be the rent in the new building.

And both the community mental health program and the family resources center will be paying about 40 percent more than the lease for the family health nursing program or the community health nursing program.

VICE CHAIRWOMAN WAITS: So that will help offset your costs tremendously to have the three together; right?

PHIL HANNA: Yes. That's --

VICE CHAIRWOMAN WAITS: Good.

PHIL HANNA: -- that's -- that's the plan. And we continue to look at ways to economize, if you will, as we, you know, as you looked at keeping the building clean and all those types of things. Like I said, we just have an ongoing conversation how we can continue to restrain costs as much as we can.

VICE CHAIRWOMAN WAITS: So our square footage is pretty much the same, not a lot less than what we actually had at the other building.

PHIL HANNA: Actually, it's substantially more.

VICE CHAIRWOMAN WAITS: Good.

PHIL HANNA: Because we're providing pharmacy spaces and patient intake spaces. And even the exam rooms are larger. And the staff at the community health nursing program has expressed great satisfaction that they'll actually have windows.

VICE CHAIRWOMAN WAITS: Thank you. I appreciate that clarification.

I assume we have looked from the DA's Office at the contract? It seems like a --

DISTRICT ATTORNEY HERRERA: I have looked --

VICE CHAIRWOMAN WAITS: -- very simple --

DISTRICT ATTORNEY HERRERA: -- at it. And we have a -- if you recall, we had a similar contract earlier with the -- with the state about the -- the health nurse and the mental health, that they're going to combine them in a year in the future.

But we're not paying any extra for that this year. But we will a year from now, apparently, when they -- when they bring that project together.

I didn't -- I didn't know the family resource center was going there too. But -- but everything's fine legally as far as this lease is concerned.

VICE CHAIRWOMAN WAITS: Do you any plans for increasing the rent at this point for the year after, whatever?

PHIL HANNA: No. I have no plans. And I think we will look at the overall expenses next year and make some decisions. But the -- I know the board discussed it. The hospital board discussed it this past Monday. And they said their intent was to be very reasonable in anything that was ever done.

VICE CHAIRWOMAN WAITS: Thank you. We appreciate your input.

COMMISSIONER MILLS: Well, I've got a couple of questions, just kind of unrelated. The building over there looks like there's not a lot of activity going on. Is it -- is it finished now?

PHIL HANNA: It is effectively finished. And we just got the final occupancy approval about a week or ten days ago. And

people are going to be moving in, in the next week to ten days.

COMMISSIONER MILLS: And your open house -- remind me the day of the open house you're having.

PHIL HANNA: The open house will be the May 30th.

COMMISSIONER MILLS: The 30th. Okay.

PHIL HANNA: And we'll be starting the formal dedication of the building in Dr. Peters' name. That will start at 11:00 o'clock in the morning. And like I say, we'll have an open house and activities and a little picnic that runs till about 4:00 o'clock.

COMMISSIONER MILLS: Okay. Thanks.

VICE CHAIRWOMAN WAITS: Thank you, gentlemen.

COMMISSIONER BAKKER: I'll make a motion that we approve the John Peters Health Service Center lease and authorize the chair or vice chair to sign.

COMMISSIONER MILLS: I'll second.

VICE CHAIRWOMAN WAITS: Thank you. Moved and seconded. Any other discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: Public comment?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Thank you so much.

And we have you on the agenda again.

PHIL HANNA: Yes. Oh, and for the record, I'm Phil Hanna. I'm the administrator at Battle Mountain General Hospital. I didn't say that. I apologize.

COUNTY CLERK SULLIVAN: Thank you.

VICE CHAIRWOMAN WAITS: Thank you.

8) Discussion and possible action to appoint board members to Seats C and D for the Lander County Hospital District, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Number 8, discussion and possible action to appoint board members to Seat C and D for the Lander

County Hospital District, and other matters properly related thereto.

KEITH WESTENGARD: You -- you guys should have gotten, in an e-mail, the recommendations from the hospital board as well as the letters that were submitted to the hospital board for their review.

I received those -- Monday?

PHIL HANNA: Yes.

KEITH WESTENGARD: It was Monday when I received --

PHIL HANNA: It was Tuesday.

KEITH WESTENGARD: -- or Tuesday -- when I received that, and they were -- it was all forwarded to you for you to look over.

Did everybody receive those?

COMMISSIONER CLARK: You got it?

VICE CHAIRWOMAN WAITS: Were there --

COMMISSIONER MILLS: Yes.

VICE CHAIRWOMAN WAITS: -- were there a total of four?

KEITH WESTENGARD: There was a total of four. There was a fifth one, which was pulled, --

COMMISSIONER BAKKER: Straighten out the names.

KEITH WESTENGARD: -- retracted by the person that -- that put it in.

VICE CHAIRWOMAN WAITS: I know that we have the final decision. But we look to the hospital board to review those and send on to us the recommendation.

KEITH WESTENGARD: Correct.

DISTRICT ATTORNEY HERRERA: They did that.

COMMISSIONER MILLS: Uh-huh.

COMMISSIONER BAKKER: Yeah. We got it.

DISTRICT ATTORNEY HERRERA: But not until Tuesday.

KEITH WESTENGARD: Right.

VICE CHAIRWOMAN WAITS: Right. But my understanding was the -- the last two to come in were after the two that they had already recommended. Is that -- am I wrong on that?

PHIL HANNA: No. That is correct. The seat -- the seats were re-advertised, if you will. And the individuals that had initially expressed interest then we asked them, are you continue to be interested in being on the hospital board? And they were. So that's how we ended up with four.

VICE CHAIRWOMAN WAITS: I want to be sure that the board has had a chance -- not our board, your board. I'm sorry --

PHIL HANNA: Yes.

VICE CHAIRWOMAN WAITS: -- to look at all four and then make your recommendation. Do you want it to go back and review it again? Or is your recommendation --

PHIL HANNA: No. No, the --

VICE CHAIRWOMAN WAITS: -- out of all four?

PHIL HANNA: The board -- the hospital board --

COMMISSIONER CLARK: Are the letter of intents on there too?

COMMISSIONER BAKKER: Uh-huh.

VICE CHAIRWOMAN WAITS: Okay.

PHIL HANNA: -- has made a formal recommendation --

VICE CHAIRWOMAN WAITS: Okay.

PHIL HANNA: -- among the four --

COMMISSIONER CLARK: I don't think I got that.

PHIL HANNA: -- individuals that expressed interest. And would you like me do go into that? Or...

Okay. The -- the recommendation to the Board of County Commissioners from the hospital board is that Reverend John Smith, an RN, be appointed to the board. And that Peggy Lindsey -- she has had a professional career -- and I won't say -- but about 30 years in hospitals and healthcare and has been retired from Battle Mountain Hospital for about a year and a half. That's the second person that the board is recommending of the four.

VICE CHAIRWOMAN WAITS: And just for clarification, your seats that are open, the C and D, they're all general seats?

PHIL HANNA: Yes.

VICE CHAIRWOMAN WAITS: They don't have to be from any specific --

PHIL HANNA: Yeah.

VICE CHAIRWOMAN WAITS: -- area like they do in Austin?

PHIL HANNA: That is correct.

VICE CHAIRWOMAN WAITS: Okay.

PHIL HANNA: Yes. These --

VICE CHAIRWOMAN WAITS: In the --

PHIL HANNA: -- are general --

VICE CHAIRWOMAN WAITS: -- part.

PHIL HANNA: -- seats.
COMMISSIONER CLARK: So I have a question about Jessica Ceja?
PHIL HANNA: Yes.
COMMISSIONER CLARK: She apply?
PHIL HANNA: No, she's my executive --
VICE CHAIRWOMAN WAITS: Yeah.
COMMISSIONER CLARK: Oh.
PHIL HANNA: -- administrative assistant.
VICE CHAIRWOMAN WAITS: She's the one that passed it on.
COMMISSIONER CLARK: Oh, okay. So you had John Smith, Peggy Lindsey, --
COMMISSIONER MILLS: That one threw me for a loop.
COMMISSIONER CLARK: -- Michelle --
PHIL HANNA: Nevarez.
COMMISSIONER CLARK: Nevarez.
COMMISSIONER BAKKER: Who's the other one, Phil?
VICE CHAIRWOMAN WAITS: And Earl.
PHIL HANNA: And Earl Consorta.
COMMISSIONER BAKKER: Oh, that's right.
COMMISSIONER MILLS: Earl. Is it Earl or the -- or -- the --
PHIL HANNA: No, it was Earl.
COMMISSIONER MILLS: Was it Earl.
VICE CHAIRWOMAN WAITS: Uh-huh.
COMMISSIONER CLARK: Yeah, I don't think I got this e-mail. At least, I don't remember getting it.
PHIL HANNA: Okay.
COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record. Could I get that e-mail forwarded to me so I can have it in the packet?
DISTRICT ATTORNEY HERRERA: Uh-huh. They need -- they need the original letters.
KEITH WESTENGARD: Can we -- can we get the originals from you, Phil?
PHIL HANNA: Yes.
KEITH WESTENGARD: Okay.
PHIL HANNA: Absolutely.
COMMISSIONER MILLS: Okay. I just want to say something. Just -- and this isn't directed at Phil so much. This is just a

public statement, because this is what I would want to be said about this process of appointing board members, is that -- it's -- at least for me, as a commissioner, and I hope this applies to all the commissioners, that when these board positions come open, I want to see all the letters. And I want them all to be part of the record.

And it's my understanding -- and this was kind of an unusual case, because I understand Dr. Myers submitted a letter, even though it turned out he wasn't qualified to be a board member.

PHIL HANNA: Well, he --

COMMISSIONER MILLS: But it's my opinion that I would like his letter to be part of the record also with an explanation that he was not eligible. And the reason I want that is because I want a lot of transparency in the way these boards are filled. If there's -- if anybody applies to be on these boards, I want it included in the record.

If they're not eligible or if they can't be, for whatever reason, I still want the letter in there just for transparency.

DISTRICT ATTORNEY HERRERA: And --

COMMISSIONER MILLS: -- with an explanation of why they can't.

And I want the recommendation from the board on who they want to be on the thing. I want everything to be transparent and open and I want to see all the letters. I want all letters presented to this board or this commission.

DISTRICT ATTORNEY HERRERA: That's an ac- -- that's an actual legal requirement.

COMMISSIONER MILLS: Well, that's good.

DISTRICT ATTORNEY HERRERA: All -- in -- I've told Phil and I've told the board, I told Keith, that the originals need to be sent -- when they come from the hospital board, they need to be sent to Keith. And Keith needs to send them to Sadie well before this commission hears them. They need all the original letters, and they need the recommendations, not an e-mail.

So I don't know how this happened or why this happened. But I agree. That's how it is supposed to be.

COMMISSIONER MILLS: So that brings up another question for today and in this instance, do -- do we need to, in a legal matter, postpone this to another meeting to make this decision? And have those before us?

DISTRICT ATTORNEY HERRERA: Considering that -- that Commissioner Clark has now recognized and given notice that he hasn't even seen them, I would advise that that's probably the best approach to take at this time. That's why we need the original letters and the recommendations in the packet --

COMMISSIONER CLARK: Yep.

DISTRICT ATTORNEY HERRERA: -- to make sure that all the commissioners have the opportunity to go through this. This is an important board.

COMMISSIONER MILLS: Right.

DISTRICT ATTORNEY HERRERA: And -- and this needs to be done right.

COMMISSIONER CLARK: You can't -- my -- I have had some problems with my e-mail and had to take them -- my phone to Aaron to get it straightened out. So...

COMMISSIONER BAKKER: That's beside the point. The originals should have been in your packet.

COMMISSIONER CLARK: Exact- -- that was my next statement.

COMMISSIONER BAKKER: I'm going to make a motion that we defer Agenda Item Number 8 and request that all the originals be in our next -- on the next agenda.

COMMISSIONER MILLS: I'll second.

VICE CHAIRWOMAN WAITS: Thank you. Moved and seconded that had we defer this item to the next meeting. Any other public comment?

COUNTY CLERK SULLIVAN: I have one, please. Sadie Sullivan, for the record.

On this one, with it also being an elected board, and it was stated that it was a general overall, it wasn't for any specific district, we would just need to make sure that, too, that it confirms what person is going for which seat so that our records are correct. So when it comes about --

COMMISSIONER MILLS: Yeah.

COUNTY CLERK SULLIVAN: -- for the re-election that we have the proper people in place. So we'll just need to have Seat C and whom the person would be, Seat D, so that way it keeps the elections correct in the office. And that way we will --

DISTRICT ATTORNEY HERRERA: That's correct.

COMMISSIONER MILLS: That's a good point.

DISTRICT ATTORNEY HERRERA: See that -- they're just --

they just replaced the other board members for -- for the rest of the time they have in office.

COMMISSIONER CLARK: Do the replacements have to be in the district that they're going into in a situation like this?

DISTRICT ATTORNEY HERRERA: I think it's a general. This is a general.

COUNTY CLERK SULLIVAN: This one's a general.

VICE CHAIRWOMAN WAITS: Yeah.

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: We just clarified that.

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: It is all general for us. So we're okay. Thank you. Any other --

KEITH WESTENGARD: Yeah.

VICE CHAIRWOMAN WAITS: -- comments?

KEITH WESTENGARD: I just want to point out that Dr. Myers withdraw his letter. So you won't see that. It was withdrawn --

COMMISSIONER CLARK: Well, --

KEITH WESTENGARD: -- by Dr. Myers. So that was the one I was referring to. And you brought it up, Commissioner Mills, so I did want --

COMMISSIONER MILLS: Okay. So with that being withdrawn, that does not need to be part of --

DISTRICT ATTORNEY HERRERA: Did he physically withdraw it?

KEITH WESTENGARD: He physically withdrew it from Phil.

DISTRICT ATTORNEY HERRERA: -- or just -- did he take his letter back?

PHIL HANNA: He -- he indicated to me in a discussion, a meeting --

COMMISSIONER CLARK: Should be part --

PHIL HANNA: -- we had --

COMMISSIONER CLARK: -- of the record too.

PHIL HANNA: -- that -- that he was still -- he was interested in the board. But due to the fact that he is a contract employee at the hospital, that he was not at that time ready to retire or resign from his employment, if you will, at the hospital, to undertake the responsibility of being a board member, and there has been a longstanding requirement in board policy that an act- -- a current employee cannot serve on the

hospital board.

COMMISSIONER MILLS: Right. So he's ineligible to be a board member?

PHIL HANNA: Yes.

COMMISSIONER MILLS: But it's still the question: Does his letter end up in the record or not?

DISTRICT ATTORNEY HERRERA: It --

COMMISSIONER MILLS: Do we need to --

DISTRICT ATTORNEY HERRERA: Yes, it does. If -- if it's --

COMMISSIONER CLARK: Yeah.

DISTRICT ATTORNEY HERRERA: -- still there. Unless he physically came and got the letter and took it back, it needs to be in there with that --

COMMISSIONER MILLS: Okay.

DISTRICT ATTORNEY HERRERA: -- explanation.

COMMISSIONER MILLS: With that explanation?

PHIL HANNA: And -- and Phil, Mr. Hannah, is quite correct. The hospital's bylaws preclude him -- exclude him from -- from applying --

COMMISSIONER MILLS: Right.

DISTRICT ATTORNEY HERRERA: -- for that board.

COMMISSIONER CLARK: Bylaws.

DISTRICT ATTORNEY HERRERA: But all the letters -- all letters need to be there.

COMMISSIONER MILLS: Right.

COMMISSIONER CLARK: Right.

COMMISSIONER BAKKER: Yeah.

COMMISSIONER MILLS: And that's what I want to see.

COMMISSIONER CLARK: Right.

DISTRICT ATTORNEY HERRERA: If it's still physically in somebody's file, it needs to be presented.

COMMISSIONER BAKKER: Okay.

VICE CHAIRWOMAN WAITS: Thank you. Motion's on the floor. All those in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Thank you. That passes to defer the appointment for Seat C and D for the Lander County Hospital Board.

And Mr. Hannah, when you send that forward with your recommendation on our next agenda, if you would mark which ones are for C and which ones you recommend for D, --

PHIL HANNA: Yes, ma'am.

VICE CHAIRWOMAN WAITS: -- that would be appreciated. Thank you.

PHIL HANNA: Thank you. And just if I might add just one point of clarification that -- because we have a relatively small board and having two vacancies that we've been rather challenged as far as quorums. And that was the reason that it got delayed that the board formally didn't have a meeting and a quorum until last Monday night. And we had been hopeful that the meeting would have been about ten days prior to that. And like I said, we didn't have quorum at that time. So that's why everything was delayed a little bit.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER MILLS: Well, that -- that brings up a question I have is that, is there something we need to do to help accommodate getting these filled. Because we want to do the process correctly, --

PHIL HANNA: Uh-huh.

COMMISSIONER MILLS: -- and what we're doing here has nothing to do with you. It's just we want to do the process correctly.

Is there something we can do to help accommodate you in getting these boards filled? Because I understand you're under a budget constraint?

PHIL HANNA: Yes.

COMMISSIONER MILLS: You need to get that completed. You need a board to --

PHIL HANNA: Yes, and --

COMMISSIONER MILLS: -- fulfill your budget. Do you have to -- because if we get this on the next commission meeting on the --

COMMISSIONER BAKKER: Doesn't have time.

COMMISSIONER MILLS: -- agenda for the next commission, does that give you time to complete your budget process you need to do?

PHIL HANNA: I believe we'll be fine.

COMMISSIONER MILLS: So we don't need to do anything

different to help accommodate you with anything?

PHIL HANNA: No, sir.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: Phil, why didn't you guys have a quorum?

PHIL HANNA: Because of the vacant seats.

COMMISSIONER BAKKER: Okay.

PHIL HANNA: And we have one board member that has had beyond significant personal problems in her family. And it has been difficult for her to make it.

And then, actually, we've had two board members, like I said, just one personal problems, the other, his work schedule has made it difficult for him to be able to attend meetings.

DISTRICT ATTORNEY HERRERA: Is that the county commission?

PHIL HANNA: Yes, sir.

KEITH WESTENGARD: Is that --

COMMISSIONER CLARK: Is the county commissioner a voting member of the --

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER CLARK: -- board?

DISTRICT ATTORNEY HERRERA: Yes.

PHIL HANNA: Yes.

KEITH WESTENGARD: With that being said, I did receive an e-mail from Commissioner Stienmetz yesterday. And it will be on the next agenda. He would like to be replaced on the board. So that be on the next agenda for you -- for the commission to --

VICE CHAIRWOMAN WAITS: On the hospital board?

KEITH WESTENGARD: On the hospital board, yes.

DISTRICT ATTORNEY HERRERA: And he is a voting member. The county commission that sits on that board.

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: Yes, I know that. But I --

DISTRICT ATTORNEY HERRERA: No, I'm just --

VICE CHAIRWOMAN WAITS: Apparently, that's one that -- that we don't have an alternate for; is that it?

DISTRICT ATTORNEY HERRERA: That's right.

VICE CHAIRWOMAN WAITS: Because we have an alternate on a lot of the boards.

COMMISSIONER BAKKER: Can we put an alternate on that one too?

VICE CHAIRWOMAN WAITS: No.
COMMISSIONER CLARK: Uh-huh.
VICE CHAIRWOMAN WAITS: He said --
COMMISSIONER MILLS: Well, --
DISTRICT ATTORNEY HERRERA: We need a complete replacement.
COMMISSIONER MILLS: Replacement?
COMMISSIONER BAKKER: Right. No. No.
COMMISSIONER CLARK: Next meeting.
COMMISSIONER BAKKER: Do both.
COMMISSIONER CLARK: Yeah.
DISTRICT ATTORNEY HERRERA: You certainly can. That -- that's --
COMMISSIONER BAKKER: So we never have this problem again.
DISTRICT ATTORNEY HERRERA: Yeah. You certainly can do that.
COMMISSIONER MILLS: Okay. Thanks, Phil.
PHIL HANNA: Okay. Thanks.
VICE CHAIRWOMAN WAITS: Thank you.

SHERIFF'S OFFICE

9) Discussion and possible action regarding increase funding from previously budgeted amount of $50,000 to revised amount of $124,000 for the repair and/or replacement of existing exterior building stucco of the Lander County Public Safety Facility, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We're moving on to the Sheriff's Office. Discussion and possible action regarding increased funding from previously budgeted amount of $50,000 to revised amount of $124,000 for the repair and/or replacement of existing exterior building stucco of the Lander County public safety facility, and other matters properly relating thereto.

Good morning, Sheriff.

SHERIFF RON UNGER: Good morning. Ron Unger, Lander County sheriff, for the record.

As you -- as you're all aware, we did -- at the budget hearings -- we were allotted 124,000 for the repair of the outside of our building.

Several of the county commissioners have seen what we had. We had kind of pulled that out of the air. We did have a contractor come over and look at it. That 124,000 was what he said it would take.

We did go out for a second opinion. This -- during this week, we had CORE over there. And they had broughten in a -- a contractor, evidently one of them that they use. And he give us a little more explanation than what the first one did.

And what we're calling this stucco on the outside of the building, it's actually a texture, a real thin texture. And there's a board behind it. And then behind that is your foam insulation.

And what's happened, up above, around the eve -- and they have a word for it. I can't tell you what it is -- but that's leaked around the whole building. It's caused a lot of damage to the building.

He said by doing the repairs that we were talking about the first time around, that's just a two-year repair, if that.

So what we're going to do at this point, CORE engineers are going to come back at a later date. They're going to actually quote this for us for next year's budget.

And it'll be -- so I guess what I'm saying is we're going to return that money. We're not going to need it this year. We did ask them with the damage that we already had if it was going to accelerate, we were going to have problems, and they said, probably not. So instead of putting a $125,000 Band-Aid on something that's only going to last two years, we're going to have them make a different approach on it. Am I making any sense?

COMMISSIONER MILLS: Uh-huh.

VICE CHAIRWOMAN WAITS: Kind of, --

COMMISSIONER BAKKER: You want us to approve --

VICE CHAIRWOMAN WAITS: -- but would you -- yeah -- would you clarify, you're saying next year?

SHERIFF RON UNGER: It would be 2016-2017 budget.

COMMISSIONER BAKKER: So we'll approach this in budgets next year?

SHERIFF RON UNGER: Yes. They're going to -- they're going to try to have us some quotes available by January of -- or December of this year -- or January next year for next year's --

COMMISSIONER CLARK: Okay.

SHERIFF RON UNGER: -- budget.

COMMISSIONER BAKKER: Right.

SHERIFF RON UNGER: Okay. And --

COMMISSIONER CLARK: So you may need more money?

SHERIFF RON UNGER: Oh, what they're talking about, they said we could go in -- what they've got to do is they've got to unskin that building. They're going to have to take that -- all the outside of that building off and replace it.

VICE CHAIRWOMAN WAITS: And then --

COMMISSIONER CLARK: They can't go over it?

JOE LINDSEY: No.

SHERIFF RON UNGER: Nope. We asked that question. And they may be able to. That's why they want to get the contractors in there to tell us. Because I thought the same thing. It's just -- where this is a texture -- this is like a texture on a wall?

COMMISSIONER CLARK: Yeah, I --

SHERIFF RON UNGER: And the stucco is, you know, three eighths of an inch or a half-inch thick, whatever it is.

COMMISSIONER CLARK: Right. And then they put the polymer finish on top.

SHERIFF RON UNGER: Yeah. So this is what -- these are options we have to look at. But it's -- it's going to be more than $125,000. So -- and that would be a 20-, 30-year repair as opposed to spending a hundred and a quarter, turn around two years later, having to do it again.

COMMISSIONER MILLS: So when you say they're going to reskin the building, they're not going to reskin it with the same process that was --

SHERIFF RON UNGER: That's exactly right.

COMMISSIONER MILLS: They're going to rebuild it with an actual stucco?

SHERIFF RON UNGER: We were looking at a stucco. Yes, sir.

COMMISSIONER MILLS: All right.

VICE CHAIRWOMAN WAITS: And they didn't men- -- mention any problem with mold or anything like that?

SHERIFF RON UNGER: No. They did not mention that while I was there. I was curious about that. But I think maybe with the insulation, that foam that they used, we might not have that problem. And the problem is coming in from up above to where

the -- the walls go up and then they kind of go at an angle. And then there's that little, thin piece of board that the texture is put on. And then they've got a piece of metal that direct- -- or deflects the water away from that.

They didn't like the way they were put up there. And they think that all the way around that building, it has leaked. That's why we've got cracks all the way around the building. In the wintertime, it would freeze. So --

VICE CHAIRWOMAN WAITS: I cer- --

SHERIFF RON UNGER: We don't know about the mold. They did not go up, didn't drill any holes in it. They didn't take any caps off the ceiling or roof area to look down in that.

So right now that's going to take time. We know we're at the end of the budget so we're just -- we're just requesting. We're going to put this on the back burner until we can get the experts in here to give us an exact quote on what it's going to take.

COMMISSIONER MILLS: Was there any indication of this problem being caused because of the original material used? Or is it because of construction next door or --

SHERIFF RON UNGER: No. It had nothing to do with the construction next door.

COMMISSIONER MILLS: Okay.

SHERIFF RON UNGER: We noticed this prior to that.

COMMISSIONER MILLS: Okay. And it was probably the way the building was built 16 years ago. That probably had a lot to do with it.

COMMISSIONER CLARK: Joe?

JOE LINDSEY: Sir?

COMMISSIONER CLARK: Do you have any opinion on this?

JOE LINDSEY: I do. That -- this covering we have on that wall is called an EIFS --

SHERIFF RON UNGER: Yes, that's correct.

JOE LINDSEY: -- covering. And that's exactly what this courthouse has on it. It's not a stucco. It's an EIFS. It's a -- it's a much thinner material.

COMMISSIONER CLARK: Right.

JOE LINDSEY: And if it is not sealed correctly at the top, -- and the same with stucco -- you're going to get moisture behind there.

Northern Nevada is not a good area for stucco. Period. A lot of people think it looks wonderful. I did. I did my house. You did your house. It's not a good area for stucco because of the -- the -- the weather cycles we have, the hot and the cold, the rain, the freezing. A little bit of moisture gets behind that stuff. Pretty soon it's cracking and popping off.

And the EIFS is -- is no different than the stucco, except for it's a thinner material. It's a thinner overlay. And so it takes less moisture and less freezing for -- for that stuff to start popping off.

COMMISSIONER CLARK: Yeah. But the newer --

JOE LINDSEY: Going back on with a stucco would be a much better idea, if that's the way we're going to approach it.

COMMISSIONER BAKKER: Is there any other siding that would be better and cheaper maybe?

JOE LINDSEY: Depending on the type of the construction. The building is all -- all steel frame, I would assume. I wasn't in on that construction. We could look at that. It might be better --

COMMISSIONER BAKKER: It's maybe something we ask CORE or the contractor --

JOE LINDSEY: -- to have a different skin for that thing.

COMMISSIONER BAKKER: -- if he ever shows up.

COMMISSIONER CLARK: Now the new -- the new texture that they put on is a lot different than the old in that it's a polymer; right?

JOE LINDSEY: Yes. Yes.

COMMISSIONER CLARK: And it'll --

JOE LINDSEY: It holds up --

COMMISSIONER CLARK: It's substantially better. Right.

JOE LINDSEY: However, if you get moisture behind it --

COMMISSIONER CLARK: Behind it.

JOE LINDSEY: That's where the problem is.

COMMISSIONER CLARK: And that's what's -- that's what's going on at the sheriff's office. They have some kind of a mat --

JOE LINDSEY: Yeah.

COMMISSIONER CLARK: -- that they put the texture on, instead of putting the chicken wire, stucco, the cement, and then the polymer finish on it.

JOE LINDSEY: Exactly. Yeah. Whole different -- whole different installation.

VICE CHAIRWOMAN WAITS: I don't think we have any problem in waiting at all, Sheriff, as long as there's not any kind of health issue.

SHERIFF RON UNGER: No, there doesn't appear to be any of a health issue. We did discuss that. And exactly what Mr. Lindsey is telling us. I think on the front half, the admin, is all metal.

JOE LINDSEY: Yes.

SHERIFF RON UNGER: And I think around the jail portion of the building would be brick.

JOE LINDSEY: Probably. Yeah, masonry.

VICE CHAIRWOMAN WAITS: Okay.

SHERIFF RON UNGER: Would be the brick all the way around it. But, no, we have no indication whatsoever that we have any health issues there at all. So...

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER BAKKER: Ted, I don't think we need an action item; do we?

SHERIFF RON UNGER: Now, would you roll this money or would you just take it out of the budget? And that's a personal question on my part.

NAN ANCHO: Nan, Finance.

The 50,000 would roll. But you'd have to come back later with the quotes so we would know what to add in addition to?

SHERIFF RON UNGER: Okay.

COMMISSIONER BAKKER: Thank you, Nan.

COMMISSIONER MILLS: One -- one last question on that, since you said this is starting at the top of the wall where the cracks are happening and causing the problem. Have you considered capping the walls with some other material and then stuccoing the --

COMMISSIONER CLARK: Yeah, that --

COMMISSIONER MILLS: -- more vertical part?

COMMISSIONER CLARK: -- sounds like a good idea.

SHERIFF RON UNGER: You know, actually, no. I didn't -- we didn't -- we haven't had time to think about that, --

COMMISSIONER MILLS: Okay.

SHERIFF RON UNGER: -- to be honest with you.

COMMISSIONER MILLS: All right.

SHERIFF RON UNGER: We got this information the day before yesterday. And that was with CORE's people. And they're the ones that told us that up there where it -- where it angled off and where they put that sheet metal up there, that was probably where the leaks had started.

Now, that's a big building all the way around. They didn't go up and look. It's something that we can attempt to --

COMMISSIONER MILLS: Okay.

SHERIFF RON UNGER: -- look at this summer, possibly. And I guess even if we go after July, if we do need to make some repairs, we could probably use that 50- in there for the repair of it, if we have to reseal it; right?

So we have a little cushion there. And I'm not saying the 50,000 will cover it.

COMMISSIONER MILLS: Right.

SHERIFF RON UNGER: But, no, we have not looked at that at this point in time.

COMMISSIONER MILLS: All right.

COMMISSIONER BAKKER: Sounds good. Thanks, Ron.

SHERIFF RON UNGER: Thank you.

COMMISSIONER CLARK: Thanks, Ron.

EXECUTIVE DIRECTOR

10) Discussion and possible action to approve the job description for the building maintenance/groundskeeper department head position, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We are now moving under the heading, executive director.

Agenda Item Number 11. Discussion and possible action -- I'm sorry -- number 10.

Discussion and possible action to approve the job description for the building maintenance/groundskeeper department head position, and other matters properly related thereto.

KEITH WESTENGARD: This was the position approved at the budget workshop.

I did get together with HR. And we did come up with this job description for the position that was approved at the budget workshop.

VICE CHAIRWOMAN WAITS: I thought it included an awful lot of duties.

But one of the questions I had was the cemetery. They actually would be taking over the cemetery?

KEITH WESTENGARD: The cemetery?

COMMISSIONER CLARK: The parks have been taking care of it.

VICE CHAIRWOMAN WAITS: Yeah. I thought it said cemetery on this one.

KEITH WESTENGARD: It shouldn't have been the cemetery. They just took over the --

VICE CHAIRWOMAN WAITS: The proper opening and closing of graves, oversees the maintenance of cemetery grounds.

KEITH WESTENGARD: Just -- just -- yeah, that's just oversees those -- the maintenance there.

VICE CHAIRWOMAN WAITS: In the south, our Road and Bridge does that; --

KEITH WESTENGARD: Right.

VICE CHAIRWOMAN WAITS: -- right? So they would be over our Road and Bridge?

KEITH WESTENGARD: No, this is just here in Battle Mountain.

VICE CHAIRWOMAN WAITS: This is just Battle Mountain.

KEITH WESTENGARD: Yes, that's correct.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER MILLS: Where's this -- is this person going to have an office somewhere? Where is that going to be?

KEITH WESTENGARD: Yeah, the golf -- the office will be at the golf course.

COMMISSIONER MILLS: At the golf course?

KEITH WESTENGARD: Yes.

COMMISSIONER MILLS: Okay.

COMMISSIONER CLARK: I was reminded, by one of the local citizens, that back in the day, we did have a person similar in this position.

KEITH WESTENGARD: Mm-hm.

COMMISSIONER CLARK: And they had five employees. And it didn't work. So we just need to keep our eye on this --

KEITH WESTENGARD: Yes.

COMMISSIONER CLARK: -- so that it does work.

KEITH WESTENGARD: Absolutely.

COMMISSIONER CLARK: Because the way I explained it to this concerned person was that initially it will cost us money, but in the long run, it's going to save us money.

KEITH WESTENGARD: That is correct.

COMMISSIONER CLARK: So --

KEITH WESTENGARD: Yes.

COMMISSIONER CLARK: -- I want to make sure we keep our eye on the cost effectiveness of this move.

KEITH WESTENGARD: Okay.

VICE CHAIRWOMAN WAITS: So he's -- he or she is overseeing a lot of things. It also has quite a lot of physical things that they will be doing.

KEITH WESTENGARD: Correct.

VICE CHAIRWOMAN WAITS: What do you see them -- I mean, do you see them physically mowing the lawn or, again, overseeing it?

KEITH WESTENGARD: Just overseeing it.

COMMISSIONER BAKKER: Unless they --

KEITH WESTENGARD: Just overseeing.

COMMISSIONER BAKKER: -- have to.

KEITH WESTENGARD: Similar to what our -- what's that?

COMMISSIONER MILLS: They certainly should be able to.

COMMISSIONER BAKKER: Yeah.

COMMISSIONER MILLS: That doesn't necessarily mean that's their daily duty.

KEITH WESTENGARD: They're going to oversee that just like the Public Works director does now.

They will oversee the park maintenance.

VICE CHAIRWOMAN WAITS: So they're taking all of this out of Public Works, plus we're adding, hopefully, a lot more with our experience on the golf course, et cetera, to do that.

KEITH WESTENGARD: Correct.

VICE CHAIRWOMAN WAITS: But it's basically a supervisory position?

KEITH WESTENGARD: That is correct.

VICE CHAIRWOMAN WAITS: With most of it coming out of the Public Works department.

KEITH WESTENGARD: Yes, that is correct. The only thing that's doesn't -- that isn't coming out of the Public Works is the position will oversee the building maintenance, which is in the building department now under the building official.

VICE CHAIRWOMAN WAITS: But, again, just all Battle Mountain?

KEITH WESTENGARD: You go down to Austin; right?

VICE CHAIRWOMAN WAITS: Or will some of that actually --

KEITH WESTENGARD: No, some of it would go down to Austin, yes, like building maintenance. Some of those would be part of Austin.

When they call for a light bulb that's out, an electrical issue, they call the building official. That will now fall under this position.

BERT RAMOS: Isn't that under contract with --

COMMISSIONER CLARK: Bert.

BERT RAMOS: -- Desi Skeath? Bert Ramos, for the record.

VICE CHAIRWOMAN WAITS: Yes, but someone has to call him.

COMMISSIONER CLARK: Come on up here, Bert?

KEITH WESTENGARD: It's just more to oversee the budget and the operation of the maintenance.

COMMISSIONER CLARK: And some expertise.

COMMISSIONER BAKKER: That's what you get for speaking up, Bert.

COMMISSIONER CLARK: Your name?

BERT RAMOS: Bert Ramos, for the record. Road and Bridge South.

I think that Desi Skeath has a contract for the building maintenance, the lights, and the general stuff in Austin.

KEITH WESTENGARD: Right, but -- this position will -- that will be his contact. That will be Desi's contact --

BERT RAMOS: I got you.

KEITH WESTENGARD: -- in the future.

BERT RAMOS: I got you.

KEITH WESTENGARD: Right.

BERT RAMOS: So instead of Desi coming to me harassing me for garbage bags, he can call this guy and get his garbage bags from down, like, --

JOE LINDSEY: Oh, no. He's still going to get his garbage bags from --

KEITH WESTENGARD: Yeah.

JOE LINDSEY: -- you.

KEITH WESTENGARD: We're not going to cut you off --

JOE LINDSEY: Joe Lindsey, for the record, Building Department.

Desi Skeath is contracted with us for making building repairs down there when we have issues: plumbing, electrical, minor stuff.

However, we have a work order process that has to be followed. So he will contact us. Or the department head will contact my office. We will coordinate the repairs with Desi.

We do have, I believe, a $500 minimum or maximum for repairs that do not require a con- -- a work order --

KEITH WESTENGARD: Right.

JOE LINDSEY: -- in Desi's contract at this point. So if it's just changing light bulbs or going, fixing a leak on a faucet or something like that, he doesn't have to approach us to get approval. He can just go ahead and do that.

But if, for instance, the ambulance remodel, ambulance bay remodel that's going on up there right now, that's all coordinated through my office.

So the big stuff is coordinated through the -- the maintenance department. The small stuff, he just kind of takes care of on his own.

VICE CHAIRWOMAN WAITS: Okay, that handles the southern part of the county.

Now, in the northern part, when they have to replace something, do you replace that? Do you go over and replace the light bulb?

JOE LINDSEY: Sometimes I do.

VICE CHAIRWOMAN WAITS: So this person will be doing that --

KEITH WESTENGARD: That is correct. Yes.

VICE CHAIRWOMAN WAITS: -- instead?

JOE LINDSEY: There could be occasions where this person would do that.

However, it -- it kind of depends on the schedule and how many people he's got that -- that may have nothing to do that day or something. I don't know how that's going to work.

Keith is working to that end.

And I just want to be able to work with the gentleman, show him what kind of a work order process we've got, take him around, show him all of our buildings, take him down south, show him the buildings down there. And that will all be coming up here in the future.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER BAKKER: Thanks, Joe.

JOE LINDSEY: Thank you. Thank you, Bert.

BERT RAMOS: Make you sit up here.

COMMISSIONER BAKKER: I'll make a motion to approve the job description for the building maintenance and groundskeeper department head position.

COMMISSIONER MILLS: I'll second.

VICE CHAIRWOMAN WAITS: It's moved and seconded that we approve the job description.

Any other public comment?

JUDIE ALLAN: Judie Allan, for the record.

Just curious, Keith, how many employees will this person have?

KEITH WESTENGARD: Currently three. Two at the golf course and one in the parks.

JUDIE ALLAN: Now, are those --

KEITH WESTENGARD: Two seasonal.

JUDIE ALLAN: -- current employees now of the county?

KEITH WESTENGARD: Yes.

JUDIE ALLAN: Will there be --

KEITH WESTENGARD: No.

JUDIE ALLAN: Will he be adding any?

KEITH WESTENGARD: No. Two at the golf course. One that is assigned to the parks.

JUDIE ALLAN: Thank you.

KEITH WESTENGARD: Mm-hm.

VICE CHAIRWOMAN WAITS: Thank you. Any other public comment?

JUDIE ALLAN: No.

VICE CHAIRWOMAN WAITS: Okay. We'll call for the vote. All those in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.
Thank you.

11) Discussion for possible action to advertise for the position of building maintenance/groundskeeper department head position, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Moving on to Number 11 with the advertising.

Discussion for possible action to advertise the position of building maintenance/groundskeeper department head position, and other matters properly related thereto.

KEITH WESTENGARD: With the approval of the job description, I would like to go ahead and start advertising for this position.

At the last meeting, you did give the approval to bring that position on as early as June 1st. But once we get it advertised and go through the interview process and so forth, it will be more like June 8th is the actual earliest that we can do this. So I'd like to get this going as soon as possible.

COMMISSIONER BAKKER: (Indiscernible.)

COMMISSIONER MILLS: How -- are you going to advertise? How far? How --

KEITH WESTENGARD: Just our -- what we'll do is we'll run it through our normal -- Becky?

BECKY JOHNSON: Yes.

KEITH WESTENGARD: Normal advertising goes through which papers?

BECKY JOHNSON: I'll put it in the Winnemucca, the Humboldt. And I'll put it in Battle Mountain.

COMMISSIONER BAKKER: Okay. I'll make a motion to approve the advertising for the position of the building maintenance/groundskeeper department head position.

COMMISSIONER MILLS: Second.

VICE CHAIRWOMAN WAITS: Thank you. It's been moved and seconded we approve this position.

And I guess my question is: Because of the expertise needed in the golf course, can we look at some other outside areas? We might need to go further with this kind of expertise that you're asking for.

KEITH WESTENGARD: Yes. Yeah, we can. We can expand it to Reno, the Reno paper as well.

VICE CHAIRWOMAN WAITS: Do we any other, like, websites we do -- I don't know -- through POOL/PACT or NACO or anybody that --

BECKY JOHNSON: I'm not currently -- not aware of that at this point. I do know that I have a contact at the Reno Gazette and then, of course, our Battle Mountain paper, Humboldt Sun. And I can go to Elko, Elko Daily Free Press.

KEITH WESTENGARD: But we'll look into all -- look into a larger area.

VICE CHAIRWOMAN WAITS: Thank you. I think we should on this with what we're looking for.

COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record. Just so you know, the last bill that came through for the Reno Gazette -- I don't remember exactly what it was, but it was 500. So I think it is important to go out, but then also for the amounts, budget purposes, it's very, very spendy. So it's kind of a Catch-22. I know certain jobs do need to go further out and certain ones I don't -- don't -- you know, myself, personally, feel they do. But just so that you guys know that it's very spendy to, you know, put out towards the Reno Gazette or any of those type of papers.

VICE CHAIRWOMAN WAITS: We appreciate your comments on that, especially, and do need to take that into consideration. So that's why the website and putting them on the proper search mechanisms, I think, is extremely important.

Thank you. Any other public comment?

(No comment.)

VICE CHAIRWOMAN WAITS: Okay, all those in favor of the motion?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Thank you and that passes.

12) Discussion and possible action to approve the job description for the Community Services Officer, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Agenda Item Number 12, discussion and possible action to approve the job description for the community services officers, and other matters properly related thereto.

KEITH WESTENGARD: I'm asking that we defer this. I've had conversations with community service officer, as well as HR, that we're working on a few other things.

It will be on the next agenda. And this won't take effect either way until July 1st, once the funding structure changes. So I'm asking to defer it.

COMMISSIONER BAKKER: I'll make a motion to defer Agenda Item Number 12.

COMMISSIONER MILLS: Second.

VICE CHAIRWOMAN WAITS: Thank you. Moved and seconded that we defer this.

Any other discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: Public comment?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER MILLS AND COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

VICE CHAIRWOMAN WAITS: Thank you.

13) Discussion and possible action regarding the Austin warehouse lease with Sierra Pacific Power (aka NV Energy) to terminate the lease, effective immediately, without penalty, to enable Lander County Road and Bridge Department to use the building, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Moving on to Agenda Item Number 13. Discussion and possible action regarding the Austin warehouse lease with Sierra Pacific Power, aka NV Energy, to terminate the lease, effective immediately, without penalty, to enable Lander County Road and Bridge Department to use the building, and other matters properly related thereto.

And I think we have Road and Bridge already here. So we'll ask, Linda, if you would step forward and --

DISTRICT ATTORNEY HERRERA: Commissioner Waits, I placed this on the agenda. So I'll give it a little background, if I may.

VICE CHAIRWOMAN WAITS: Thank you.

DISTRICT ATTORNEY HERRERA: If you look in your packets, on -- on the letter to myself from Kathy Renfrow, it explains everything. It's -- it's a lease that Lander County has with NV Energy. At the time the lease was made, it was with Sierra Pacific Power Company in 1993. And it terminates in 2018.

There is also included in the packet a schedule of lease payments, which accelerates with time. So -- so over time, it -- each year or every other year, it gets -- it gets progressively higher in -- in rent.

Mr. Ramos -- Bert Ramos, who is here, as you pointed out, contacted or was in touch with NV Energy. And he wanted to use this building in Austin for -- for his department.

NV Energy at some point in time discovered that they had no more use for the warehouse. They cleaned it up, moved it out, followed the terms of the contract, and agreed, and then contacted me and agreed that if we terminated the lease with no penalty, then they would be agreeable to do that.

They're both here. You can ask them any questions you want.

The -- the contract or the paperwork to sign by the chair or vice chair in this case is included. Sadie has that. And what -- what the terms of that are, is that basically the lease is terminated with no penalty and effective at the end of this month.

VICE CHAIRWOMAN WAITS: Thank you. Linda, yeah, identify yourself --

LINDA BISSETT: Absolutely.

VICE CHAIRWOMAN WAITS: -- for the record.

LINDA BISSETT: Good morning, Chairwoman Waits and members of the commission.

Linda Bissett, government relations executive with NV Energy.

And want to express our appreciation to Mr. Herrera for getting this together so quickly and working with us on the lease termination agreement and also thank Mr. Ramos for his patience, creativity, and efforts in trying to get this building utilized for the roads department.

I think Bert and I spoke five or six years ago and tried to

1 come up with some solution. At the time, it just -- it wasn't
2 feasible. And Bert kept trying. And finally, eventually, we --
3 we had some changes in departments and personnel. We have a new
4 regional operations director, Kelly Toulouse, who came in and
5 said, we don't -- we don't need this operationally. It'd be much
6 more beneficial for the county. Let's see if we can, you know,
7 terminate the lease. So we're finally here.
8 And on that note, on our new regional operations director,
9 I'd like to bring him to a future commission meeting to meet
10 you. And you can ask questions, express concerns about service,
11 operations, et cetera, in Lander County. And Mr. Toulouse can
12 tell you about our plans for improvements, projects we've
13 already completed, things that are coming down the road. So
14 I'll coordinate that with the executive director.
15 And we appreciate your consideration of this lease
16 termination.
17 VICE CHAIRWOMAN WAITS: Thank you. We appreciate your
18 comments and your offer.
19 So Bert, are you going to be utilizing both places then, your
20 current Road and Bridge and the new --
21 BERT RAMOS: Well, --
22 VICE CHAIRWOMAN WAITS: -- building?
23 BERT RAMOS: -- that would be -- that would be a decision
24 you guys would make. But at this point, is -- the county could
25 use them both definitely. Right now, we're housing ambulances
26 and stuff at up at the Road and Bridge yard currently to keep
27 them inside and out of the weather and running out of space.
28 Because due to the, you know, the overnight stuff that's
29 being built in the ambulance barn. And there'll be more. You
30 know, we need the storage up there either way. And the yard
31 down there is a big deal for us. It would be really nice to
32 have that yard.
33 VICE CHAIRWOMAN WAITS: I thought you were already
34 utilizing the yard?
35 BERT RAMOS: We utilize the yard. But the building itself
36 is the key.
37 Our -- our current yard we can't pull a semi with a trailer
38 on in to work on it. We have to work on all that outside
39 because our shops aren't big enough. Down there, you could pull
40 one all the way inside, have office space. It's really nice.

It'd be a really nice setup for --

VICE CHAIRWOMAN WAITS: So are you changing your main office space then --

BERT RAMOS: Yes.

VICE CHAIRWOMAN WAITS: -- down there?

BERT RAMOS: Everything would move down there. Yep.

VICE CHAIRWOMAN WAITS: But you're still going to use the other yard? The yard there now?

BERT RAMOS: Well, that would be -- that would be up to you guys what you would want to do with the other yard. Whether we use it and store salt, sand there and ambulances and whatever needs to be stored and kept inside and out of the weather, we could do that. But that would be on another agenda item.

VICE CHAIRWOMAN WAITS: Absolutely. Thank you.

COMMISSIONER MILLS: So when does this all take effect?

DISTRICT ATTORNEY HERRERA: At the end of the month.

COMMISSIONER MILLS: Okay.

DISTRICT ATTORNEY HERRERA: If the contract is signed, then -- then the lease is extinguished, I believe, May 31st.

LINDA BISSETT: Uh-huh.

COMMISSIONER MILLS: Okay. Good enough.

COMMISSIONER BAKKER: I'll -- I'll make a motion to terminate the lease with NV Energy immediately, without penalty, and authorize the chair or vice chair to sign.

COMMISSIONER MILLS: I'll second.

VICE CHAIRWOMAN WAITS: Thank you. Moved and seconded. Any other discussion?

(No comment.)

VICE CHAIRWOMAN WAITS: Any public comment?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Thank you.

BERT RAMOS: Thank you very much.

LINDA BISSETT: Thank you.

BERT RAMOS: Appreciate it.

LINDA BISSETT: And thank you, too, very much.

VICE CHAIRWOMAN WAITS: And with that, we're going to take a ten-minute break.

(Break taken between 10:27 a.m. and 10:40 a.m.)

VICE CHAIRWOMAN WAITS: Okay, we're going to call the meeting back to order.

Austin, are you on okay with us?

MITESHELL LANHAM: Yes.

VICE CHAIRWOMAN WAITS: Thank you.

14) Discussion and possible action regarding approval/disapproval of commission meeting time change back to 9:00 a.m. on the second and fourth Thursday of the month, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Agenda Item Number 14. Discussion and possible action regarding approval or disapproval of the commission meeting time change back to 9:00 a.m. on the second and the fourth Thursday of the month, and other matters properly related thereto.

KEITH WESTENGARD: I was asked to put this on the agenda for your discussion. And I was approached by a commissioner to put this on the agenda to go back to 9:00 o'clock.

VICE CHAIRWOMAN WAITS: And this would be effective June 1st; is that correct?

KEITH WESTENGARD: It would be effective the next meeting which would be --

COMMISSIONER CLARK: 28th.

KEITH WESTENGARD: 1:00 o'clock.

COMMISSIONER CLARK: May 28th?

VICE CHAIRWOMAN WAITS: That doesn't give us a whole lot of time to advertise; does it?

KEITH WESTENGARD: Well, and the last time -- in response to that, the last time we made it -- the only reason it went one meeting is because the next meeting would have been a regular 9:00 o'clock, or we would have made it --

VICE CHAIRWOMAN WAITS: Okay.

KEITH WESTENGARD: -- effective immediately. Or however you want to do it is fine.

DISTRICT ATTORNEY HERRERA: It was a misunderstanding that time between -- between the date and -- and the meeting.

KEITH WESTENGARD: Right.

DISTRICT ATTORNEY HERRERA: We were talking about the second Thursday. And then we started talking about --

COMMISSIONER BAKKER: I know.

KEITH WESTENGARD: The second meeting.

DISTRICT ATTORNEY HERRERA: -- the second meeting. And there was a misunderstanding on exactly --

COMMISSIONER CLARK: Right. When it was.

DISTRICT ATTORNEY HERRERA: -- which second we were talking about.

VICE CHAIRWOMAN WAITS: Okay.

COMMISSIONER MILLS: So...

VICE CHAIRWOMAN WAITS: Well, we've been advertising that our meeting is 9:00 a.m. the first one and 1:00 p.m. the second. I was just thinking, to keep continuity, we might want to think about --

DISTRICT ATTORNEY HERRERA: Have we --

VICE CHAIRWOMAN WAITS: -- June 1st.

DISTRICT ATTORNEY HERRERA: -- been advertising that?

KEITH WESTENGARD: Well, just on --

VICE CHAIRWOMAN WAITS: It's in the paper.

KEITH WESTENGARD: Just on the agenda.

VICE CHAIRWOMAN WAITS: No. It's in the paper.

KEITH WESTENGARD: Oh, on -- when the agenda comes out.7.

DISTRICT ATTORNEY HERRERA: When the agenda --

COMMISSIONER BAKKER: No, two --

VICE CHAIRWOMAN WAITS: No.

COMMISSIONER BAKKER: -- weeks is --

UNIDENTIFIED PARTICIPANT: No, it's in the paper.

COMMISSIONER BAKKER: -- plenty of time.

COUNTY CLERK SULLIVAN: When we first -- Sadie Sullivan, for the record -- when we first changed it, we advertised it, but I haven't been -- it doesn't get advertised every --

VICE CHAIRWOMAN WAITS: It's in the community events, when you look down of what's happening.

COUNTY CLERK SULLIVAN: Oh, so they chose to --

VICE CHAIRWOMAN WAITS: It says commission meetings and --

DISTRICT ATTORNEY HERRERA: For future --

VICE CHAIRWOMAN WAITS: -- it's in there. Yes.
COUNTY CLERK SULLIVAN: Okay.
VICE CHAIRWOMAN WAITS: And I just --
KEITH WESTENGARD: Okay.
DISTRICT ATTORNEY HERRERA: Okay.
VICE CHAIRWOMAN WAITS: -- think that we need to give the public a little bit of heads up. So if you do decide to do this, I would recommend June 1st, because it has been continually in the paper.
COMMISSIONER MILLS: Yeah.
DISTRICT ATTORNEY HERRERA: Good catch.
COMMISSIONER MILLS: Do we have any -- we did this to accommodate Steve. Is there any input from Steve on this?
DISTRICT ATTORNEY HERRERA: I would say there was, considering that he hasn't shown up.
COMMISSIONER CLARK: That's -- that's a big concern to me because --
DISTRICT ATTORNEY HERRERA: I mean, the accommodation didn't work for whatever reason. So that's -- that's input.
COMMISSIONER MILLS: Okay.
COMMISSIONER CLARK: It was hard to argue with what Patsy said that day. Do you remember?
DISTRICT ATTORNEY HERRERA: It's always hard.
COMMISSIONER CLARK: About public service being a commitment. I wanted to honor the voters' choice. But now I have had voters raise concern about Mr. Stienmetz's attendance. So, you know, I would hope that Mr. Stienmetz would do the right thing and do a little soul searching. That being said.
COMMISSIONER BAKKER: Okay.
Anyway, I'm going to make a motion. Ted, do you think we need to do June 1st?
DISTRICT ATTORNEY HERRERA: Yes, I -- I, again, agree with Patsy.
COMMISSIONER BAKKER: And then on our next discussion, we can do a discussion with Steve about his attendance. Because he will be --
COMMISSIONER CLARK: If he shows up.
DISTRICT ATTORNEY HERRERA: If you see him.
COMMISSIONER BAKKER: Yeah, well, it's a 1:00 o'clock meeting. Well, if he shows up.

DISTRICT ATTORNEY HERRERA: If he shows up.

COMMISSIONER BAKKER: We'll have a little discussion.

DISTRICT ATTORNEY HERRERA: Absolutely. You can certainly do that.

COMMISSIONER BAKKER: I'm going to make a motion to move -- to approve the commission meeting time change back to 9:00 a.m. on the second and fourth Thursday of the month starting June 1st.

COMMISSIONER MILLS: Second.

VICE CHAIRWOMAN WAITS: It's been moved and seconded that we do change our commission time to 9:00 a.m. for both meetings of the month.

Any other discussion?

COUNTY CLERK SULLIVAN: I have a question.

VICE CHAIRWOMAN WAITS: Any public comment?

COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record.

Do you want a publication that we are paying for? Or we hope that Heather, with the paper, will be able to get it in the community section?

HEATHER HILL: Yeah, we'll put it.

COUNTY CLERK SULLIVAN: Whatever they want.

COMMISSIONER BAKKER: Okay. Thank you, Heather.

COUNTY CLERK SULLIVAN: Thank you.

VICE CHAIRWOMAN WAITS: Any other public comment?

KEITH WESTENGARD: Yeah. I just wanted -- so the 28th meeting is still going to be scheduled --

COMMISSIONER BAKKER: For 1:00 o'clock.

KEITH WESTENGARD: -- for 1:00 p.m.?

COMMISSIONER BAKKER: Yeah. Yep.

KEITH WESTENGARD: Okay. Just want to put that out there.

VICE CHAIRWOMAN WAITS: Yes. Thank you.

We'll call for the vote. All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Okay. That passes.

15) Discussion and possible action to approve an annual operating plan between Lander County and the BLM, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Number 15, discussion and possible action to approve an annual operating plan between Lander County and the BLM, and other matters properly related thereto.

KEITH WESTENGARD: This is our annual operating plan with BLM.

And there have only been two changes from the past contract. The first one, first change that was made was on the first page where it shows operating plan is made, entered -- made and entered into by and between -- down at the bottom I just put the Lander County executive director, which at this time happens to be me for the agreement.

The other change has to do with billing, that billing goes directly to Finance and not the fire department for finance.

Other than that, everything else stayed the same for contacts as far as fire chief. And Battle Mountain and Austin are still the main contacts in the event of a fire.

VICE CHAIRWOMAN WAITS: I would like to clarify the agenda item then and your comment because we have so many plans with BLM and memorandums of understanding and so forth.

This operating plan is an annual operating plan for cooperative fire protection agreement. And that needs to be on the record.

BROCK UHLIG: And Brock Uhlig, assistant fire management officer, Battle Mountain district, for the record.

And this -- this annual operating plan is just to, exactly like he said, update the cooperative fire agreement that we have with the county to ensure the county has a voice in any, you know, fire that's on mixed jurisdiction.

And the whole -- the whole intent is just to update phone numbers, frequencies that we authorize each other to use, and you know, the billing procedures. It doesn't, in any way, change the cooperative fire agreement that's already in place.

COUNTY CLERK SULLIVAN: May we get a spelling on your last name?

BROCK UHLIG: U-H-L-I-G.

VICE CHAIRWOMAN WAITS: Thank you.

COUNTY CLERK SULLIVAN: Thank you.

VICE CHAIRWOMAN WAITS: And our district attorney has looked this over?

DISTRICT ATTORNEY HERRERA: Yes. This is -- this is what is commonly referred to as interlocal agreements that we see on a weekly basis.

It's just called a cooperative plan rather than an area local agreement, but it's same thing. And everything that both gentlemen have stated previously or is succinctly stated is quite good.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER MILLS: And the -- the change for the billing to go to Finance is simple a streamlining --

KEITH WESTENGARD: Right.

COMMISSIONER MILLS: -- process. That's all that is?

BROCK UHLIG: It's the mailing trees that we'll send it to.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: Okay.

COMMISSIONER MILLS: So one department doesn't have to hand it to the other department?

KEITH WESTENGARD: It will go directly to the 315 Humboldt, attention Finance.

COMMISSIONER MILLS: Okay.

KEITH WESTENGARD: And then contract. Any contract questions that BLM has will come directly to the -- to the executive director, at this point in time, myself.

COMMISSIONER BAKKER: I'm going to make a motion to approve the annual operating fire protection plan between Lander County and the BLM and authorize the chair or vice chair to sign.

COMMISSIONER MILLS: I'll second.

VICE CHAIRWOMAN WAITS: Thank you. It's been moved and seconded. Any public comment?

(No comment?)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Thank you. And that passes.

Thank you --

BROCK UHLIG: Thank you for your time.
VICE CHAIRWOMAN WAITS: -- very much for coming.
COMMISSIONER BAKKER: Thank you.
COMMISSIONER MILLS: Thank you.

COMMISSIONERS

16) Discussion and possible action to approve/disapprove offering of voluntary payroll deduction Roth IRAs to Lander County employees, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We now move to the discussion under Commissioners, Agenda Item Number 16. Discussion and possible action to approve or disapprove offering a voluntary payroll deduction Roth IRAs to Lander County employees, and other matters properly related thereto.

And we do have someone with us today from New York Life.

JIM SUNDQUIST: Yes. Jim Sundquist with New York Life.

VICE CHAIRWOMAN WAITS: Thank you, Mr. Sundquist. In reading through the information, I do see that you already have authorization that we do payroll deduction for some of our employees for your policies; is that --

JIM SUNDQUIST: Yes.

VICE CHAIRWOMAN WAITS: -- correct?

JIM SUNDQUIST: Yes, currently we have about a -- I have 140 or so clients in Lander County, seven of them in Austin, proud to say.

And currently, through payroll deduction with Lander County, we have 61 non-payroll deduction for life insurance.

One of my passions is having people save money. With the national saving averages for retirees being very, very low and fewer and fewer financial services professionals to explain the importance of it, I'm in a great position to help Lander County employees put away more money for retirement.

The attractiveness of the Roth IRA, the difference -- right now, you have available to the employees a 457 plan, as far as I know. And I'm not sure what other plans you have available. I believe it's just the 457. 457's a great plan. It is -- it is an excellent plan.

We are -- the alternative that we offer is a Roth IRA in that the funds can be accessible, the contributions can be accessible to the employees at any time.

One of the -- one of the advantages of the other products I offer is that when employees or when our -- when our policy holders get in a financial jam, they can access the cash values in their policies, and there's no taxes or penalties on it. But the Roth IRA, they can access their contributions with no taxes or penalties on them. And so what it allows them to do is to have some rainy day funds available or funds for opportunities, making purchases of any kind. If they need that money or they want that money, they can get to it.

And so that would be one of the major advantages. The other major advantage, I believe, to allowing this to happen would be the fact that I would be able to counsel with them to explain how the financial work -- markets work, stocks and bonds, how investments work.

The average -- the average mutual fund investor earns three and a half percent. That's a statistic that came out of somewhere. I think we could probably find it if we Google it. I can't footnote it.

But they say the average investor has earned three and a half percent over the last 20 years, where the markets have averaged eight and a half percent. And I believe that discrepancy or that difference is due to lack of coaching and understanding of how they work.

And so, hopefully, I will be able to bring that too, bring that knowledge and experience that I have in those markets to the county employees.

Been a financial adviser for 15 years, working with Lander County over 10. And so -- how can --

VICE CHAIRWOMAN WAITS: Thank you. Do you have any questions, gentlemen?

COMMISSIONER MILLS: I have a question. How many county employees do we have in here? We have a few.

Would -- would you like to have a Roth IRA available to you?

COMMISSIONER BAKKER: Or the option?

COMMISSIONER MILLS: Okay.

NAN ANCHO: Most definitely.

JIM SUNDQUIST: Thank you.

COMMISSIONER BAKKER: Make a motion to ap- --

COMMISSIONER MILLS: You guys just voted for everybody.

UNIDENTIFIED PARTICIPANT: We were doing sign language.

COMMISSIONER BAKKER: I'll make a motion to approve the offering of a voluntary payroll deduction Roth IRA to Lander County employees.

COMMISSIONER MILLS: I'll second.

VICE CHAIRWOMAN WAITS: Thank you.

Any other public comment?

(No comment.)

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

JIM SUNDQUIST: Thank you.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER CLARK: You're welcome.

VICE CHAIRWOMAN WAITS: I did notice in your letter that you said you have several clients here in -- in Battle Mountain and are here very often in Battle Mountain. And you did mention the southern part of the state that you had a few. So I'm assuming you also will be handling the southern part of the state, of our county, right?

JIM SUNDQUIST: Yes. I have Eureka County and White Pine County as my clients as well and several clients in Ely; so I'm always going through Austin.

VICE CHAIRWOMAN WAITS: On 50. Okay. Good.

JIM SUNDQUIST: So the guys -- the guys down there see as much of me as they want. You know, sometimes a little of me goes a long way. But I'm available at any time to see them and they know that.

VICE CHAIRWOMAN WAITS: Thank you. Could you be kind enough to leave your card for us?

JIM SUNDQUIST: You bet.

17) Discussion and possible action to approve funding for Battle Mountain Band Council students' school supplies, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We're going on to Agenda Item Number 17. Discussion and possible action to approve funding for Battle Mountain Band Council students' school supplies, and other matters properly related thereto.

Good morning.

JESSICA MORTENSEN: Good morning. I'm Jessica Mortensen. I'm the educational coordinator for the Battle Mountain Band Council.

VICE CHAIRWOMAN WAITS: Thank you. I guess one of -- one of my questions is: Apparently you have never come to the county for any kind of a grant before or a request?

JESSICA MORTENSEN: Not like this. I have come to the county commissioners, I want to say, like, 2006, for the library that we have down there. I have done that before.

VICE CHAIRWOMAN WAITS: Do you have any access to other grants available that you could be looking at?

JESSICA MORTENSEN: Well, the reason why I came here is because we -- our enrollment as for -- for the tribal-enrolled members are falling. They are really getting down where the kids are not even enrolled anymore.

And so this is to help them to help their parents offset for their school supplies, because we do have a grant for enrolled children. And it's called JOM.

VICE CHAIRWOMAN WAITS: Because some of this is the expansion of -- of the actual payroll; right? Someone for more --

JESSICA MORTENSEN: Right.

VICE CHAIRWOMAN WAITS: -- time --

JESSICA MORTENSEN: Right.

VICE CHAIRWOMAN WAITS: -- and the supplies; --

JESSICA MORTENSEN: Right.

VICE CHAIRWOMAN WAITS: -- right?

JESSICA MORTENSEN: Right. And if I can bring this up --

COMMISSIONER BAKKER: Jessica, did you go to the school board yet? Have you gone to the school board first?

JESSICA MORTENSEN: Uh-uh.

COMMISSIONER BAKKER: Okay. Because I got a call from someone within the schools that says they actually have programs and surplus of supplies set aside. And all you need to do is go to the school board and ask for it.

JESSICA MORTENSEN: Oh, really?
COMMISSIONER BAKKER: Yeah.
JESSICA MORTENSEN: I didn't know.
COMMISSIONER BAKKER: So...
JESSICA MORTENSEN: Because we have grants, but they're just for enrolled.
COMMISSIONER BAKKER: Right.
JESSICA MORTENSEN: Is kind of --
COMMISSIONER BAKKER: Well, they -- apparently --
JESSICA MORTENSEN: -- what we're up against.
COMMISSIONER BAKKER: -- they have a surplus of supplies and other things set aside for students of need. And all they said was all you really need to do is --
JESSICA MORTENSEN: Right, but the grant that is for the enrolled, it's not like students in need. They don't go off the parents' income --
COMMISSIONER BAKKER: Right. No, no, no.
JESSICA MORTENSEN: -- of that.
COMMISSIONER BAKKER: Students that need supplies or anything like that, --
JESSICA MORTENSEN: Uh-huh.
COMMISSIONER BAKKER: -- they specifically told me they have that set aside. All you need to do is go before them and ask.
JESSICA MORTENSEN: Oh, okay.
COMMISSIONER BAKKER: So...
VICE CHAIRWOMAN WAITS: And that was one of our concerns. Do you have availability for some other entities for the grant before you come to the county?
JESSICA MORTENSEN: Okay.
COMMISSIONER BAKKER: So let's try that. And then we'll --
JESSICA MORTENSEN: Okay.
COMMISSIONER BAKKER: -- go from there.
JESSICA MORTENSEN: Because we're just -- we're -- the kids' enrollment is falling.
COMMISSIONER BAKKER: Right.
JESSICA MORTENSEN: I mean there's some parents that are enrolled, but they can't enroll their children. So they don't have access to the extra money for the grants.
VICE CHAIRWOMAN WAITS: Well, I -- I think you did a good

job on your letter. And I think that does explain it. And we understand the need. We would like to be able to talk to you again after you've exhausted some of the resources. So we'll see --

COMMISSIONER BAKKER: Yeah.

VICE CHAIRWOMAN WAITS: -- if --

JESSICA MORTENSEN: I'll do that.

COMMISSIONER BAKKER: Try that and then --

VICE CHAIRWOMAN WAITS: Is there --

JESSICA MORTENSEN: Get ahold of Laurie.

VICE CHAIRWOMAN WAITS: -- some other avenues --

JESSICA MORTENSEN: Is that --

COMMISSIONER BAKKER: So yep.

JESSICA MORTENSEN: I'll --

COMMISSIONER BAKKER: Go talk to Laurie and go from there.

JESSICA MORTENSEN: Okay.

COMMISSIONER BAKKER: All righty? Thanks, --

JESSICA MORTENSEN: Thank you.

COMMISSIONER BAKKER: -- Jessica.

VICE CHAIRWOMAN WAITS: And then stay in touch with our executive director. See if we can identify any other resources for you.

Thank you.

18) Discussion for possible action to approve funding for the Battle Mountain Assembly of God church to put on the Fourth of July events at Elquist Park, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Moving on to Agenda Item Number 18. Discussion for possible action to approve funding for the Battle Mountain Assembly of God church to put on the Fourth of July events at Elquist Park, and other matters properly related thereto.

Third time is a charm.

PASTOR JON LAYDEN: Yeah. Good morning. How are you guys?

COMMISSIONER CLARK: Fine, John. And you?

COMMISSIONER MILLS: Good.

PASTOR JON LAYDEN: I'm doing well. We meet again. So... but do I have to go through the whole thing of what

we were planning on doing even though I've already said it twice?

VICE CHAIRWOMAN WAITS: I --

PASTOR JON LAYDEN: I'm not trying to be mean, --

VICE CHAIRWOMAN WAITS: That's a --

PASTOR JON LAYDEN: -- but I'm trying --

VICE CHAIRWOMAN WAITS: -- good preface.

PASTOR JON LAYDEN: -- to be --

VICE CHAIRWOMAN WAITS: Yeah.

PASTOR JON LAYDEN: -- thorough.

VICE CHAIRWOMAN WAITS: You don't for me. Commissioners, are you --

PASTOR JON LAYDEN: (Indiscernible) my presentation?

VICE CHAIRWOMAN WAITS: I think we understand the whole situation.

I just wanted to verify, again. I -- I know you have said you have the insurance. But my question is: Do we have to be named as an additional insured for this project on your insurance policy? And I believe we do.

DISTRICT ATTORNEY HERRERA: Yes.

PASTOR JON LAYDEN: I -- I -- I will -- you know what, because I haven't actually thought of that. So I can call my insurance --

VICE CHAIRWOMAN WAITS: That's okay.

PASTOR JON LAYDEN: -- and see.

VICE CHAIRWOMAN WAITS: Just look into that --

PASTOR JON LAYDEN: Okay.

VICE CHAIRWOMAN WAITS: -- for us, if you would --

DISTRICT ATTORNEY HERRERA: She -- we have to.

PASTOR JON LAYDEN: Okay. That's fine. I figured that.

DISTRICT ATTORNEY HERRERA: You have to.

(Simultaneous indiscernible cross talk.)

VICE CHAIRWOMAN WAITS: Okay.

PASTOR JON LAYDEN: Yeah, I figured that -- that question --

DISTRICT ATTORNEY HERRERA: It's not a question. You have to tell him we have to be put on.

PASTOR JON LAYDEN: No, I understand. So...

VICE CHAIRWOMAN WAITS: Okay. We need that. We'll make that more positive. Thank you. You've handled for us. Okay.

COUNTY CLERK SULLIVAN: Also -- for the record, Sadie Sullivan, it's Jon --

PASTOR JON LAYDEN: Jon, J-O-N, Layden, L-A-Y-D-E-N.

COUNTY CLERK SULLIVAN: Okay. Thank you.

VICE CHAIRWOMAN WAITS: Okay, commissioners?

COMMISSIONER MILLS: The only -- the only thing I had was that I've -- I've had a couple of people mention that they're concerned about a religious organization running a county gathering, in essence.

PASTOR JON LAYDEN: Uh-huh.

COMMISSIONER MILLS: And they're concerned about any proselytizing or anything like that that would be happening at this event.

PASTOR JON LAYDEN: Are you saying, are we going to dress someone like Jesus and have him walk around and hand out tracts or something like that? No, we're not going to do this.

COMMISSIONER MILLS: Okay.

PASTOR JON LAYDEN: This is something that we want to do for our community.

You know, this is something that we believe our community would love to have. And so we're just offer- -- all we're doing is we're offering to put it on, have volunteers, and just have some fun on Fourth of July. That's all it is.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: Okay. Appreciate that.

PASTOR JON LAYDEN: There's no church --

COMMISSIONER MILLS: Appreciate that.

PASTOR JON LAYDEN: -- connection whatsoever other than we're supplying volunteers and putting it on.

VICE CHAIRWOMAN WAITS: Thank you. And the current amount we were looking at was the $4,000; right?

PASTOR JON LAYDEN: Yes.

COMMISSIONER MILLS: Okay. I'll make motion that we approve $4,000 in funding for the Battle Mountain Assembly of God to put on the Fourth of July events at Elquist Park this year.

COMMISSIONER BAKKER: I'll second that.

VICE CHAIRWOMAN WAITS: Thank you. It's been moved and seconded that we approve the 4,000 for the Fourth of July event.

Any public discussion?

(No comment.)
VICE CHAIRWOMAN WAITS: No comments?
Okay. All in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
PASTOR JON LAYDEN: Awesome.
VICE CHAIRWOMAN WAITS: Aye.
PASTOR JON LAYDEN: Thank you, guys.
VICE CHAIRWOMAN WAITS: Thank you, Pastor.
COMMISSIONER BAKKER: Thank you.
COMMISSIONER MILLS: Got that one done.
VICE CHAIRWOMAN WAITS: Moving on. Number 19.
PASTOR JON LAYDEN: Congratulations. You did it. Thank you.

19) Discussion for possible action to approve/disapprove fairgrounds or rodeo grounds use for livestock events by the Grange, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Discussion for possible action to approve or disapprove the fairgrounds or rodeo grounds use for livestock events by the Grange, and other matters properly related thereto.
DISTRICT ATTORNEY HERRERA: I should probably bring up --
JASON CLARK: Good morning.
Jason Clark, Grange representative for Gold County Grange. And if I have just a minute, what Grange is. We are the ones that started FFA and 4-H. Matter of fact, the 4-H clover was taken as -- lent on behalf of the Iowa Grange.
Grange started co-ops. They've started a lot of your programs in high school for classes. They were the ones that mended trade between the north and the south during Civil War. That's what they were started for.
And we're here. We do show and sales with our cattle. We're going to do a show and sale during the Buster Miller in September. We want to bring animals here instead of going to Winnemucca, Elko. We want kids from FAA, 4-H to show here.
And what we're asking for is the use of the little barns right there by the fairgrounds. We can't figure out who owns

1 those or what. We're just trying to find -- the use of those,
2 approval to use those little barns to put animals. We have our
3 own insurance to cover this. We're not asking for any county
4 money. We want to generate money for the Grange and for the
5 county.
6 But we are going to be putting on ropings, gymkhanas at the
7 fairgrounds. We want to do a lot of kids' events. We want to
8 make that ro- -- arena over there usable and use it again. And we
9 wanted people to be able to come and do whatever they want to do,
10 ride there, and feel safe that they can do that, and -- and use it
11 again.
12 Every time I go by there, I just see it just sitting there.
13 And the Grange is planning on using it and putting on events all
14 the time there if we can.
15 And if you have any questions on what we do, you know, that
16 pretty much said it all. But we're trying to get a big team
17 roping event coming in here. We're working on that right now for
18 approval.
19 Last I checked, Winnemucca during their Actor finals, which
20 Actor's a team roping event, they had 2500 teams there. Times
21 that by two, that's 5,000 people at $30 a man per event. And
22 they do three-day events. And we figured it generated
23 one-and-a-half-million dollars for three days.
24 If we get that kind of draw started here and working with
25 rodeos and stuff, if we even draw 3- or 400 teams, it's money
26 for your economy here, bringing people in.
27 What the Grange is about is bringing people from outside in
28 to generate funds and money, not only for the Grange, but for
29 you. Like if we bring in, like, our gymkhanas might bring
30 people for gas or everything there. That's what we're about is
31 bringing in revenue for both us and for you.
32 VICE CHAIRWOMAN WAITS: So Mr. Clark, you've -- you've
33 worked with our advisory boards and the livestock and rodeo and
34 everything, all of it?
35 JASON CLARK: Yeah, we've been working with the fair board.
36 DISTRICT ATTORNEY HERRERA: Maybe this is the appropriate
37 time for me to give you some legal background on -- on the
38 livestock and event center board.
39 I went to their -- their last meeting. And the ladies on the
40 board are -- are quite concerned about -- about any liability they

may incur by -- by entering into a contract on behalf of Lander County. And they wanted some type of assurances or to -- to make sure that they're protected when they engage in these contracts.

And after listening to them, I went to -- to the law books, the ordinances of our county.

And I -- I noticed that this commission doesn't have the authority to delegate the authority to that board to enter into contracts. Thus they do not have any authority to enter into the contracts that they've been entering into for the last ten or fifteen years. They're an advisory board only. They can -- their purpose is to accumulate data and submit it to this commission for -- for any action.

So I've talked to Keith about this. I've yet to talk to the ladies. And I plan on doing that on this board.

Because by -- by them continuing to do this, that -- that does make them liable. It does make the cou- -- it does make the county liable because they're an advisory board only.

So I suggested to Keith, and at the appropriate time, not necessarily today, but today as far as background, and it's attached to this, because you asked that question, Commissioner Waits, is that we're going to have to -- to have the board -- and what I suggest is the board have people -- applicants fill out their application. And -- and this is an accumulation of data by the board. They would take the application. They'd make sure that -- that the insurance is covered, that everything's covered, and then they would take that to a designated person and whoever this commission wants to designate to be that person. And that person would have the authority to enter and engage in that contract.

COMMISSIONER BAKKER: Weren't we going to appoint Nan?

DISTRICT ATTORNEY HERRERA: I think -- I think she wanted to volunteer, but --

COMMISSIONER BAKKER: I think that's what it was.

DISTRICT ATTORNEY HERRERA: That was my understanding from Keith.

NAN ANCHO: I throw that back at Keith.

VICE CHAIRWOMAN WAITS: Okay, so the clarification is, again, that he -- he would -- Mr. Clark would go to the advisory board and -- and give them all the information. And then it would come back. Because I don't want to bypass the board.

DISTRICT ATTORNEY HERRERA: No, no.
VICE CHAIRWOMAN WAITS: But I understand --
DISTRICT ATTORNEY HERRERA: That --
VICE CHAIRWOMAN WAITS: -- that's not --
DISTRICT ATTORNEY HERRERA: -- they would have --
VICE CHAIRWOMAN WAITS: -- their decision.
DISTRICT ATTORNEY HERRERA: -- to make recommendations instead of -- instead of doing like we've done in the past and letting them engage in -- in something that we don't have the authority to let them do and they don't have the authority to do, that we -- we have to correct this as soon as possible. But they -- they're still vital important --
VICE CHAIRWOMAN WAITS: Yes.
DISTRICT ATTORNEY HERRERA: -- aspect of this. Because they accumulate the data. They -- they have the applicant fill out the application. They -- they make sure that everything is -- all the conditions have been met, fulfilled, and that the -- that -- that it's available at that time and at that date for how many days. And then they would bring all that information to the designated person or persons, who would then have the authority to sign the -- the contract --
VICE CHAIRWOMAN WAITS: Okay.
DISTRICT ATTORNEY HERRERA: -- on behalf of the county.
VICE CHAIRWOMAN WAITS: So we need to put that on the agenda for another time?
DISTRICT ATTORNEY HERRERA: Yes.
VICE CHAIRWOMAN WAITS: For today, for Mr. Clark --
DISTRICT ATTORNEY HERRERA: But -- but you asked a question; so I just wanted --
VICE CHAIRWOMAN WAITS: Thank you.
DISTRICT ATTORNEY HERRERA: -- I wanted the --
VICE CHAIRWOMAN WAITS: I know.
DISTRICT ATTORNEY HERRERA: -- commissioners --
VICE CHAIRWOMAN WAITS: I --
COMMISSIONER BAKKER: You guys have insurance for the --
JASON CLARK: Yes, sir.
COMMISSIONER BAKKER: And then is this one event or --
JASON CLARK: We're going to be putting on multiple events. We're -- we're doing this first one just as a trial run on the 30th. And that's to see what we can go. And then we're going

to put on five more after that. And then we're trying to do the team roping events, like bringing in team roping through Actor. Then they can get their own ins- -- Actor has its own insurance for spectators and for the teams. And nobody under Actor can sue. It's under contract. And Actor is your member. You cannot sue anything but Actor.

COMMISSIONER BAKKER: Okay. And then -- so right now we're just talking about one event, pretty much.

JASON CLARK: Yeah. And for the use of the little barns for the kids to house their animals in.

COMMISSIONER BAKKER: Right.

JASON CLARK: We just don't know who controls that and nobody that seems to know. And it's just bring it up and see what you guys would say about that, use of that grounds. And then our insurance would cover that. So if an animal gets hurt, then it would be on the Grange's agenda there.

COMMISSIONER BAKKER: Right.

JASON CLARK: We'll take care of that.

VICE CHAIRWOMAN WAITS: So you have or you haven't --

COMMISSIONER BAKKER: Ted?

VICE CHAIRWOMAN WAITS: -- gone before the board?

COMMISSIONER MILLS: So --

JASON CLARK: We've already talked --

VICE CHAIRWOMAN WAITS: The advisory board?

COMMISSIONER BAKKER: (Indiscernible.)

JASON CLARK: -- with them.

COMMISSIONER BAKKER: We've talked.

JASON CLARK: Yeah.

VICE CHAIRWOMAN WAITS: You have?

COMMISSIONER BAKKER: Yeah.

VICE CHAIRWOMAN WAITS: Okay.

JASON CLARK: Yeah.

VICE CHAIRWOMAN WAITS: So -- so they're well aware of it. And they're okay --

JASON CLARK: Mm-hm.

VICE CHAIRWOMAN WAITS: -- with this? Because, see, he -- he --

COMMISSIONER BAKKER: Yeah.

VICE CHAIRWOMAN WAITS: -- needs --

COMMISSIONER BAKKER: The date's --

VICE CHAIRWOMAN WAITS: -- something --
COMMISSIONER BAKKER: -- matched up.
VICE CHAIRWOMAN WAITS: -- by the 30th.
COMMISSIONER BAKKER: They checked the dates with the livestock events center?
DISTRICT ATTORNEY HERRERA: I believe you did; didn't you?
JASON CLARK: Yes.
COMMISSIONER BAKKER: Okay. And then we were talking about, like, charging a cover charge?
JASON CLARK: Yes.
DISTRICT ATTORNEY HERRERA: Yeah, but I don't think we -- we can do that at this time. I --
COMMISSIONER BAKKER: Okay.
DISTRICT ATTORNEY HERRERA: -- I think they -- they have their two- or three-page contract. And -- and I think we are stuck with that until we decide the procedure and the process for doing this in the future. But it -- this is good that he's coming in front of the commission.
COMMISSIONER BAKKER: Right.
DISTRICT ATTORNEY HERRERA: This is with lawful authority today. So it's all good.
COMMISSIONER MILLS: So to allow him to use the fairgrounds on the 30th, who can sign the contract to allow him to do that today?
DISTRICT ATTORNEY HERRERA: I would suggest at this point that the vice chair be allowed to sign the contract.
COMMISSIONER MILLS: Okay.
VICE CHAIRWOMAN WAITS: I just wanted to make sure we didn't go around the -- the livestock, you know, advisory board. That's all.
DISTRICT ATTORNEY HERRERA: You don't have to do that.
VICE CHAIRWOMAN WAITS: You sit on --
COMMISSIONER MILLS: Right.
VICE CHAIRWOMAN WAITS: -- that, so if you're okay with that, because of the time frame, --
DISTRICT ATTORNEY HERRERA: And we --
VICE CHAIRWOMAN WAITS: -- we could do this and then put on the agenda that --
COMMISSIONER MILLS: Well, the advisory --
DISTRICT ATTORNEY HERRERA: They approved the dates too.

COMMISSIONER MILLS: The advisory board can't in the contract anyway.

VICE CHAIRWOMAN WAITS: No, no, no. No. I just don't want to bypass them --

COMMISSIONER MILLS: Right.

VICE CHAIRWOMAN WAITS: -- is what I'm saying.

COMMISSIONER MILLS: Well, they're in the --

COMMISSIONER BAKKER: (Indiscernible.)

COMMISSIONER MILLS: I think they're in the loop.

COMMISSIONER BAKKER: No, they went there. Yeah.

VICE CHAIRWOMAN WAITS: That's all. That's all.

COMMISSIONER MILLS: Yeah.

VICE CHAIRWOMAN WAITS: No, we're fine. And I --

COMMISSIONER BAKKER: I'll make a motion to approve the use of the rodeo grounds for the livestock event by the Grange.

COMMISSIONER MILLS: And have --

COMMISSIONER BAKKER: And have -- and authorize the chair or vice chair to sign.

VICE CHAIRWOMAN WAITS: Okay. Do we have any dates on that or --

DISTRICT ATTORNEY HERRERA: You probably should.

VICE CHAIRWOMAN WAITS: Yeah. I think --

COMMISSIONER BAKKER: What are the dates?

COMMISSIONER MILLS: Is it May 30th?

VICE CHAIRWOMAN WAITS: May 30th.

JASON CLARK: May 30th. And then we're working on some, like, in June, July, and August. We'll get some more back to you on the next meeting, if we can. But just really need it for the 30th.

COMMISSIONER BAKKER: Okay, let's --

COMMISSIONER MILLS: Just the 30th.

COMMISSIONER BAKKER: I'll amend that motion to cover only May 30th.

COMMISSIONER MILLS: I will second.

VICE CHAIRWOMAN WAITS: Thank you. It's been moved and seconded that we approve this for the May 30th for the Grange to use the livestock events center.

Any other discussion?

COMMISSIONER CLARK: Yeah.

VICE CHAIRWOMAN WAITS: Public --

COMMISSIONER CLARK: Jason Clark is not related to Art Clark.

VICE CHAIRWOMAN WAITS: Any public comment?

DISTRICT ATTORNEY HERRERA: Got the same facial hair.

JASON CLARK: Can I say one more thing? The Grange does run fairgrounds other places. They have packages and -- and -- and insurances. They cover a lot of major fairgrounds in California. And -- and they have fair managers that run all of this. If in the future, you know, if you need somebody to go to, they do have all of the amenities to run this, the fairgrounds.

So if you have an- -- like for insurances. And everything is included in that.

VICE CHAIRWOMAN WAITS: We have to be named as an additional insured on that --

JASON CLARK: Yeah.

VICE CHAIRWOMAN WAITS: -- policy for your --

JASON CLARK: Yeah.

VICE CHAIRWOMAN WAITS: -- events.

JASON CLARK: Yeah.

VICE CHAIRWOMAN WAITS: Great.

JASON CLARK: Yeah.

VICE CHAIRWOMAN WAITS: Okay. With that, all in favor?

COMMISSIONER MILLS AND COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Thank you.

So noted, you voted.

COMMISSIONER CLARK: That's why I wanted to clarify the last name.

VICE CHAIRWOMAN WAITS: Thank you.

20) Discussion and possible action regarding update on the Battle Mountain Recreation Center project, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: Agenda Item Number 20. Discussion and possible action regarding update on the Battle Mountain Recreation Center project, and other matters properly related thereto.

Here comes our architects.

BRAD VAN WOERT: Yes. Good morning. We have a little PowerPoint. So I'm wondering if we could get the projector turned on, Sadie.

COUNTY CLERK SULLIVAN: Sure.

COMMISSIONER BAKKER: The remote's in your office?

(Projector set up.)

VICE CHAIRWOMAN WAITS: Okay. Back to order.

ANGELA BIGOTTI: I'm Angela Bigotti, Van Woert Bigotti Architects. And my partner Brad Van Woert.

We've been working for quite some time with the building committee and looking at the site for the Battle Mountain rec center as well as the program for it and trying to measure that in terms of what kind of a budget we're looking at, relatively speaking.

So we're going to run through just kind of an update on where we're at. And we'll start with the site, go into some concept plans that have kind of risen to the top, and getting some consensus from the committee at this point. And we'll go from there.

So just to kind of orient everybody. The site is just north of the high school there, along, I guess, it's Weaver Avenue. And that is the site. So we know that for sure.

Move on here. We have looked at the program extensively. It's gone up and down in size. And -- but the consensus at this point is looking at a -- there in the kind of light yellow box is the base building program components that we're working with right now.

There'll be a lobby, a reception counter with work area, and two offices, staff toilets, a women's and men's locker room area with shower and toilets. There will be an interior swimming pool, six lane, 25-yard; an interior kiddy pool; an exterior splash pad. There will also be a pool equipment mechanical room that will be required. And additionally, there will be a gymnasium, bleachers, and space within that footprint for a perimeter indoor fitness track.

The additional program components that are wanted, but at this point it will be pending the cost estimates that come about

through the design process, are additional storage spaces for the gym and the pool, separate. And then meeting -- a meeting room, a game room, and a racquetball room.

This is concept number one, which we refer to as the L-shaped plan. And looking at this, the components -- two major components are in red here. This is the gymnasium. And this is the pool with the splash pad here along Weaver Avenue. And this is Broad Street.

The white area here, at this point, we're conceiving that as a flat-roofed area, whereas these are gable-roofs -- gable-sloped roofs. And this is the base program. We'll talk to you a little bit about that.

But anyhow, you come along Altenburg, along Weaver, enter into the parking lot here. And you'd actually walk into the building at this point. And we'll show you that in the plan.

BRAD VAN WOERT: It's important to note that the concept behind these, technically, is that the two major buildings will be pre -- pre-engineered metal buildings.

ANGELA BIGOTTI: So this is the base program that we talked about without the alternate items that we discussed a few minutes ago.

We're looking at about 22,000 square feet at this point in the conceptual stage of the design. The gymnasium here. Actually, come in -- I'll kind of orient you -- come in here, the doors into the lobby. This would be your reception counter area with an office and an office. And this would be a window corner so that there's supervision from that area into the pool.

Each side -- each of these green spaces are the locker rooms. This would be the pool equipment room and the splash pad exterior here is right adjacent to the kiddy pool. This is your six-lane, 25-yard pool, interior pool. And the gymnasium here, as we mentioned, large enough to put in an interior track area. Surface to be determined as we get into the costs.

This is showing the additional components. This area that's shaded is the area that I just reviewed with you, which is the base program. The additional components, as alternates, are a meeting room; a racquetball room; -- actually, this is the meeting room -- a game room in green here; and the racquetball; with this area and this area being the additional storage spaces as we can afford them along the way here.

And this is an enlarged plan just so you can kind of see it. The lobby, locker room. And then these in kind of this reddish color are those additional components we're going to try to see if we can work into it as we move through the design and get cost estimates more accurate.

And this is the exterior of this version. As you look at it, that's the entry here. You're looking across the parking lot. This is the splash pad that will be on the southeast corner of the pool volume here. And then the gymnasium here.

So trying to keep it very simple, very straightforward. Sloped roofs. Wherever we can make that work, we're going to try to work that into the design for the purposes of making sure that these -- these volumes shed all the snow that they can efficiently.

And as Brad mentioned, we are looking at premanufactured, pre-engineered metal buildings for cost efficiency.

And this is just kind of an aerial view again. Entry here with the parking lot. Here is Weaver Avenue.

Concept number two, same base program. Same alternates. So we're looking at different -- different ways that we can actually solve the same program.

And so this is an entirely sloped roof solution. There are two volumes here that are gable roofs. This is the gymnasium. And this is the pool.

Again, parking lot off of Weaver. We actually -- I didn't say this before. In both schemes, we're looking at a pedestrian connection to the high school to make it easy for the students to use the facility and make the route easily accessible as well.

This is also about 22,000 square feet so very comparable in size.

This is showing the base plan components, again, with the gymnasium here and the pool here.

The main lobby is off to the -- facing southeast. Office on the corner. Office on the coroner. And reception area here and restrooms here for the public.

Locker rooms are here directly adjacent to the pool and also directly adjacent within the corridor here to the gymnasium.

This would be the pool mechanical.

The kiddy pool, the interior kiddy pool is directly adjacent to and off of the main pool area with the splash pad

facing east.

Again, this shows the additive alternates, these rooms, if we can get those afforded. And right now we've got them arranged as such.

This is just highlighting those rooms to make it easier for you to understand what would be in the base program and what we're trying to get included along the way here.

And this is the 3D version at this point. Again, you have the gable roofs here, those higher volumes for the gymnasium and the pool and the main entry lobby here with the support functions along the southeast face. And aerial shows that splash pad there on the corner facing Weaver and the east direction.

BRAD VAN WOERT: That's it.

ANGELA BIGOTTI: That's it.

COMMISSIONER BAKKER: Okay. Thank you, guys.

COMMISSIONER CLARK: Which one do you like?

VICE CHAIRWOMAN WAITS: I know at one time we were talking about a retractable roof, that these are all permanent; right?

BRAD VAN WOERT: At this point, yes. The -- right now, the retractable roof is looking a little cost prohibitive. So -- and we'd have to be able to integrate it into the pre-engineered metal building system so that the two are compatible. And if it becomes of interest, I think we should probably look at it and maybe it becomes an additional alternate.

COMMISSIONER BAKKER: Patsy, we actually looked into -- talked to Elko County about theirs and their retractable roof. And they said they have a lot of problems with it. And that it doesn't work right after years of service.

So the other idea was if a wall on the side of the pool or something opened up so that the kids could have fresh air during the summer or something like that.

VICE CHAIRWOMAN WAITS: Or swim underneath, like some of them do?

COMMISSIONER BAKKER: Yeah. Yeah.

BRAD VAN WOERT: There is -- yeah, some of them do do that --

VICE CHAIRWOMAN WAITS: Yeah.

BRAD VAN WOERT: -- for sure.

COMMISSIONER BAKKER: So --

BRAD VAN WOERT: Yeah.

COMMISSIONER BAKKER: But I mean, those ideas are there. But the roof idea, after we talked to Elko, it was probably not a good idea.

So...

VICE CHAIRWOMAN WAITS: The other question I have is on the gymnasium. With the bleachers, how many does that sit? For spectators?

BRAD VAN WOERT: Yeah.

ANGELA BIGOTTI: Go ahead.

VICE CHAIRWOMAN WAITS: I mean, is it just for play or can they actually have games with spectators there?

BRAD VAN WOERT: Yes.

ANGELA BIGOTTI: Yes, they can have games with spectators. We have, I think, six or seven rows. And I'm thinking we didn't do a count. We actually just did --

BRAD VAN WOERT: Probably a couple hundred --

ANGELA BIGOTTI: No more than a couple --

BRAD VAN WOERT: -- at most.

ANGELA BIGOTTI: -- hundred.

BRAD VAN WOERT: Yeah.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER MILLS: Every time I think about the rec center, my biggest concern is always the humidity generated from the pool and how we're going to control that.

Is -- is this plan versus the L-shape plan any -- any worse in that regard because the two are more closely connected to each other and --I'm just concerned about. I mean, humidity is always --

BRAD VAN WOERT: Yeah.

COMMISSIONER MILLS: -- a problem for a building.

BRAD VAN WOERT: There is -- there is concern.

And to answer that and take it -- we have a pool consultant who's done --

COMMISSIONER MILLS: Uh-huh.

BRAD VAN WOERT: -- hundreds of these pools. He's on board. And he will give us all the specifications for floor, wall, and ceiling surfaces and things to help combat that humidity problem.

And in a nutshell, I think the orientation of the pools to the gym and the other spaces are about the same.

COMMISSIONER MILLS: They're about the same?

BRAD VAN WOERT: Yeah. And the pool is kind of in its own controlled environment --

COMMISSIONER MILLS: Okay.

BRAD VAN WOERT: -- unto itself. So that we can control that humidity with mechanical equipment.

So I think one does not favor the other, I think, in that regard.

COMMISSIONER CLARK: I --

COMMISSIONER MILLS: Have --

COMMISSIONER CLARK: I met with you folks before. The one concern that I had was the size of the pool. I'm good with 25 yards. I didn't want to see an Olympic-sized pool that would be 25 yards by 50 yards. That's just too big.

But again, the only concern I have is the finish of the pool and the type of tile that you use. I would rather spend a little more and use really good tile. Because in the long run, that's the way to go.

And, you know, when I was a kid, I spent a lot of time in pools along the east coast. And it makes a difference. So that's the only concern that I have at this point.

And if you're going do it like Max is doing the -- the county complex, you'll bring in samples, and then we'll go from there?

ANGELA BIGOTTI: Yes.

COMMISSIONER CLARK: That'd be fine.

COMMISSIONER MILLS: And I just recently got onto the rec center board; so I'm kind of behind on a lot of the stuff dealing with the rec center.

ANGELA BIGOTTI: Okay.

COMMISSIONER MILLS: So I'm kind of wondering about, like, in the gymnasium, is it going to have holes in the floor to put in standards for volleyball and all those kinds of things?

ANGELA BIGOTTI: Yes, it will.

COMMISSIONER MILLS: So to get more utils out of the --

ANGELA BIGOTTI: Yeah.

BRAD VAN WOERT: Yeah.

COMMISSIONER MILLS: -- the facility.

BRAD VAN WOERT: Exactly.

COMMISSIONER MILLS: I was just wondering if a lot of those things were thought of or whatever.

COMMISSIONER CLARK: Is it going to be a latex or a hardwood floor?

BRAD VAN WOERT: Right now, we're trying to incorporate a real har -- maple hardwood floor for the gym.

COMMISSIONER CLARK: Okay.

BRAD VAN WOERT: But subject to discussion.

COMMISSIONER CLARK: Right. No, I just --

BRAD VAN WOERT: I think we'll get the utility out of it if it's classic floor material.

COMMISSIONER CLARK: Yeah.

BRAD VAN WOERT: So...

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER MILLS: Sounds good to me.

VICE CHAIRWOMAN WAITS: We do appreciate the update. Do we have any public comment, questions for these folks?

(No comment.)

VICE CHAIRWOMAN WAITS: Anymore from the commissioners?

COMMISSIONER BAKKER: Nope. We're good. Thank you, guys.

ANGELA BIGOTTI: Okay.

VICE CHAIRWOMAN WAITS: Thank you so much.

ANGELA BIGOTTI: Thank you.

COMMISSIONER BAKKER: Are you going to talk, Marty.

MARTY: I hadn't planned on it.

COMMISSIONER BAKKER: Okay. I didn't know why you were standing there. So...

VICE CHAIRWOMAN WAITS: I think he would --

COMMISSIONER BAKKER: Just to answer questions.

UNIDENTIFIED PARTICIPANT: He's standing there looking cute.

COMMISSIONER BAKKER: I figured you were waiting to get in the firing line too.

COURTHOUSE/ADMINISTRATION BUILDING PROJECT

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

VICE CHAIRWOMAN WAITS: We'll be moving on to Agenda Item

Number 21 in just a moment.

COMMISSIONER BAKKER: Okay.

COUNTY CLERK SULLIVAN: Sean?

COMMISSIONER BAKKER: What?

COUNTY CLERK SULLIVAN: Packet's not the same as the agenda?

COMMISSIONER BAKKER: I know. I noticed that.

COMMISSIONER MILLS: What did you just say, Patsy?

VICE CHAIRWOMAN WAITS: I said, we'll be moving on to Agenda Item Number 21. But in your packets, Agenda Item Number 20 is the same thing as 21. We didn't have the correct information on that.

Okay. Number 21, discussion for possible action regarding the status of Lander County courthouse/administration building project, and other matters properly related thereto.

COMMISSIONER CLARK: How are --

VICE CHAIRWOMAN WAITS: Judge Max.

COMMISSIONER CLARK: -- you doing, Max?

JUDGE MAX BUNCH: Great. How is everybody?

VICE CHAIRWOMAN WAITS: Good morning.

JUDGE MAX BUNCH: Max Bunch, for the record.

Let's see. Let's start off with our last safety rating. It was 97.9. I think that we slid a little bit. But they're -- they're starting to ding us for very little things, like almost our Tylenol is ready to expire. So -- so --

KEITH WESTENGARD: Means you're doing really, really good.

JUDGE MAX BUNCH: -- they're really having to look for something to kind of ding us on. And so I was -- I was a little taken back by that, that it's almost ready to expire, but --

So to get on to the other stuff. The outside work is tentative to start June 1st. That's the outside site work for the grading and getting ready to do the sidewalks on the outside.

Ceramic tile is ongoing in the bathrooms at this point in time. The two staff bathrooms are almost complete.

Grid ceiling throughout is approximately 60 to 70 percent completed, excluding the corridors.

Casework installation begins next week for the counters and different things like that. We're starting to work towards that.

The front entry is nearing completion. So you've seen, for a long time, that the front entry's had a lot of work being done in there. And it's -- as the superintendent called it, it's a delicate surgery that has to be put together piece by piece. And everything has to go in the same direction.

So with regard -- so we're nearing completion with regarding to framing.

And stucco will be required in that area after we get all the framing done.

The front entry store front curtains and the curtain walls will be installed next week.

So we're looking to achieve full enclosure, except for the door we use for loading and unloading, which gets us to the second floor and the first floor on the -- it's really the south side of the building, the Austin side of the building there.

So -- so that is going to be one of the last things that's done to make sure we can get everything on the upstairs and downstairs without having to go up and down the stairs.

Paint is approximately 60 percent complete.

Stucco is approximately 80 percent complete, just needing to finish the front area, I believe, on the stucco portion of it.

Elevators began installation last week and should be completed in two to three weeks.

The mechanical, electrical, and plumbing finishes in the bathroom are going to be starting in a week.

The roofing is 98 percent complete. We have to wait for the skylights to be installed to make it fully complete.

The security doors and frames have been installed for the jail cells, the corridors, and kind of, like, the holding area upstairs.

The inmate transfer fencing gate is -- is completed. We just need to install the hardware on the gate.

The inmate transfer walkway from the jail to the -- to the courthouse is complete with hydronics. SimplexGrinnell is coming out to verify the rough in on the door at the jail that we're working on changing out; is that correct?

We're changing out that door back there? So that it's a -- because that door's like 20 years old. And we probably need to fix it and make sure it's done right so that -- because we're

1 going to be using it a lot back and forth.
2 Two weeks ago, we had all the -- all the furniture people
3 meet with all the county offices. They went around to each
4 county office and talked to the elected officials, department
5 heads, whomever was there.
6 And then, again, yesterday, I had another meeting with the
7 furniture people. We spent about five hours going over
8 furniture for the building and on the desks and different things
9 that we're going to be choosing throughout the building.
10 So -- so we're -- we're getting there.
11 I may have offended some people by not letting them be on
12 the furniture committee. But that's one of the things that
13 happen, I guess.
14 So the building committee was -- the building committee was
15 making the decisions --
16 DISTRICT ATTORNEY HERRERA: He's looking at me.
17 JUDGE MAX BUNCH: -- and not the furniture committee.
18 DISTRICT ATTORNEY HERRERA: I'm on it.
19 VICE CHAIRWOMAN WAITS: So noted.
20 JUDGE MAX BUNCH: So noted. Thanks.
21 So basically that's everything I have for an update on --
22 on the building.
23 COMMISSIONER BAKKER: Does the lime green vault door look
24 good?
25 JUDGE MAX BUNCH: The lime green vault door.
26 COMMISSIONER BAKKER: Yeah.
27 JUDGE MAX BUNCH: There is no -- there is a vault door.
28 DISTRICT ATTORNEY HERRERA: It's beautiful though.
29 JUDGE MAX BUNCH: It is not lime green.
30 COMMISSIONER BAKKER: Well, then we've got to go back to
31 the drawing board.
32 DISTRICT ATTORNEY HERRERA: It's beautiful.
33 COMMISSIONER BAKKER: No. You're doing a good job, Max.
34 COMMISSIONER MILLS: We're still -- we're still on
35 schedule? It sounds like it's just going great.
36 JUDGE MAX BUNCH: It is. I think everybody's worked hard
37 to work together. And we've worked through a few issues. And I
38 think it's moving along pretty well. So we're still on track
39 for October. And so -- we're -- I'm sure we'll have carpet and
40 all of the other things to report on here in a little while.

COMMISSIONER MILLS: Good.
JUDGE MAX BUNCH: Okay.
VICE CHAIRWOMAN WAITS: We always appreciate your updates.
JUDGE MAX BUNCH: Thank you.
COMMISSIONER BAKKER: Thanks, Max.
VICE CHAIRWOMAN WAITS: Thank you.

22) Discussion for possible action regarding the current courthouse, administration buildings once moved into the new building, and other matters properly related thereto.

VICE CHAIRWOMAN WAITS: We are moving on to Number 22. Discussion for possible action regarding the current courthouse -- oops, I just finished 22; didn't I?
COMMISSIONER BAKKER: No, there's a --
COUNTY CLERK SULLIVAN: You did --
COMMISSIONER BAKKER: -- there's two of them.
VICE CHAIRWOMAN WAITS: Oh, good. Thank you. Discussion for possible action regarding the current courthouse, administration buildings once moved into the new building, and other matters properly related thereto.
I thought I was reading it wrong. Thank you.
KEITH WESTENGARD: I put this on the agenda to get -- spark some discussion on what we're going to do or what the commission would like to do with this building once we moved out, as well as the administrative annex across the tracks.
I've had -- just like I'm sure most of you had a lot of -- had people approach you, asking you what we're going to do with these buildings.
So I think we need to start thinking about it, maybe looking at a public meeting, see where we're going to go with these buildings.
COMMISSIONER CLARK: I've heard two stories on the courthouse.
KEITH WESTENGARD: This one?
COMMISSIONER CLARK: One -- yeah, this courthouse. One, that it's beyond repair. And the other is that it has historical value and grants can be found -- I know -- to regenerate it back to life. So maybe we need to have people --
COMMISSIONER BAKKER: Have them check up.

COMMISSIONER CLARK: -- come in and establish which is correct.

KEITH WESTENGARD: And that's why I put it on here. I mean, October's going to do be here before we know it.

And we'll have some empty buildings to discuss.

VICE CHAIRWOMAN WAITS: How about if we think about an ad hoc committee with a couple of commissioners and some of our staff and -- and anyone that might want to step up and let them do the research of what is and what isn't.

And at some point, I'm sure we'll probably have to do a public hearing. I think we should have the input from the public after we've established that.

Yes, ma'am?

ELIZABETH HEIMBIGNOR: Hi. Liz Heimbigner. This building was condemned about 15, 17 years ago, when Bonnie Duke was county manager. What happened to that status?

KEITH WESTENGARD: I've heard that it's been condemned as well. But there's no paperwork substantiating that it actually has been condemned.

ELIZABETH HEIMBIGNER: Really?

KEITH WESTENGARD: If you have anything that -- that shows -- shows that, that would be great. Or you can point me in a direction. But we have nothing in our archives, nothing in -- in past records -- unless I need to go back further -- that would actually show that it was condemned.

ELIZABETH HEIMBIGNER: Yeah, that was done probably done in '97, '98.

KEITH WESTENGARD: '97. Okay.

VICE CHAIRWOMAN WAITS: Would you know who condemned it, Liz?

ELIZABETH HEIMBIGNER: Who what?

VICE CHAIRWOMAN WAITS: Who condemned it?

ELIZABETH HEIMBIGNER: Well, supposedly the state. It was when Bonnie Duke was county manager.

JUDGE MAX BUNCH: What -- Max Bunch, for the record.

Just what you're probably talking about was a seismic study --

ELIZABETH HEIMBIGNER: Yes.

JUDGE MAX BUNCH: -- that was done back then.

ELIZABETH HEIMBIGNER: Right.

JUDGE MAX BUNCH: And so there's a report on the seismic study.

ELIZABETH HEIMBIGNER: Okay.

JUDGE MAX BUNCH: The condemning is not part of the seismic study that was there. The condemning happened when this -- when the school left this building and built the Eliza Pierce, I believe that's when it was condemned.

And so Mr. Herrera, can you help me with the approximate date in the '60 --

DISTRICT ATTORNEY HERRERA: Let me think.

VICE CHAIRWOMAN WAITS: I think if we do the ad hoc committee and let them do that research so we have that information --

DISTRICT ATTORNEY HERRERA: '63.

VICE CHAIRWOMAN WAITS: -- so when we call for the public --

JUDGE MAX BUNCH: '63.

VICE CHAIRWOMAN WAITS: -- meeting --

COMMISSIONER BAKKER: Is that when you started first grade, Ted?

DISTRICT ATTORNEY HERRERA: Close. I know I was here. And then I was at the Eliza Pierce. That's what I know.

And I think it's approximate 1963.

COMMISSIONER CLARK: Well, I make a motion that we form an ad hoc committee to research the viability of maintaining the courthouse.

COMMISSIONER BAKKER: Who wants to be on it?

VICE CHAIRWOMAN WAITS: And future --

DISTRICT ATTORNEY HERRERA: And what we're doing with the other buildings.

COMMISSIONER CLARK: And --

COMMISSIONER MILLS: And the other buildings should be --

COMMISSIONER CLARK: -- decide --

COMMISSIONER MILLS: -- included.

COMMISSIONER CLARK: -- what we're going to do with the buildings that are vacated.

COMMISSIONER BAKKER: I just have one thing, though. We need to wait maybe here before getting one of the -- one building. Because if our rent goes up at the hospital, we may want to look at different options. Just throwing that out

there.

COMMISSIONER CLARK: That's a good thought.

COMMISSIONER BAKKER: I know they said it wasn't, but you never know.

KEITH WESTENGARD: We're also -- I was also approached -- Grace had approached me about what we're going to do with the furniture that's left over too. So we need to look at furniture. I guess the school's expressed interest in some of our furniture. So...

COMMISSIONER BAKKER: I think we --

SHERIFF RON UNGER: The sheriff's department is going to take a lot of that stuff.

COMMISSIONER BAKKER: Well, my rec center is getting the cherry picking first. So...

KEITH WESTENGARD: We need to establish who's getting what or if we're going to establish a pecking order, so to speak --

COMMISSIONER BAKKER: I think we need to look at Austin and see what they need first, in our county buildings down there or any buildings down there, and then go from there.

COMMISSIONER CLARK: Well, let's get the ad hoc committee.

VICE CHAIRWOMAN WAITS: Thank you. Do I have a second on this?

COMMISSIONER BAKKER: Second.

VICE CHAIRWOMAN WAITS: Sean, you can't second.

COMMISSIONER BAKKER: Why?

VICE CHAIRWOMAN WAITS: You made the motion.

COUNTY CLERK SULLIVAN: Art made the --

COMMISSIONER BAKKER: I made the motion.

COUNTY CLERK SULLIVAN: -- motion.

COMMISSIONER MILLS: Art made the motion.

COMMISSIONER BAKKER: Art made the motion.

VICE CHAIRWOMAN WAITS: Oh. Thanks.

COMMISSIONER CLARK: Come on, Patsy. Come on. I know --

VICE CHAIRWOMAN WAITS: Stay with me. It's getting --

COMMISSIONER CLARK: -- it's been a couple hours.

VICE CHAIRWOMAN WAITS: Oh, thank you. I just remember the last minutes, it said you did both.

COMMISSIONER BAKKER: Right. Well, yeah.

VICE CHAIRWOMAN WAITS: You can't do both.

Okay. It's been moved and seconded. All right. So the ad

hoc committee will actually go through all that information and bring that back. So when we're ready to do the public hearing, we have all the --

COMMISSIONER BAKKER: We need to establish --

VICE CHAIRWOMAN WAITS: -- the correct information --

COMMISSIONER BAKKER: -- the two commissioners on the ad hoc now, though.

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER BAKKER: So which --

VICE CHAIRWOMAN WAITS: We can --

COMMISSIONER BAKKER: -- two want.

VICE CHAIRWOMAN WAITS: -- do that. Well, first, let's pass the motion.

COMMISSIONER CLARK: Let's pass this --

VICE CHAIRWOMAN WAITS: Any public comment?

COMMISSIONER CLARK: -- and then we'll have volunteers.

JASON CLARK: Jason Clark with the Grange. You're talking about the buildings over here by the fairgrounds should be (indiscernible)?

COMMISSIONER CLARK: Well --

JASON CLARK: The Grange is looking for buildings to take over and starting Grange halls. And that would be a great place, if it's interested, in the county to -- we have ways of buying things through Grange to buy buildings.

COMMISSIONER MILLS: Hm.

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER BAKKER: Okay.

VICE CHAIRWOMAN WAITS: We need the keep all those things in mind.

COMMISSIONER MILLS: Yeah.

VICE CHAIRWOMAN WAITS: Okay. I'll call for the vote. All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

Okay. Under this agenda, we can still appoint; right?

DISTRICT ATTORNEY HERRERA: Yes.

VICE CHAIRWOMAN WAITS: Okay. So what's your pleasure on how many people on the committee?

COMMISSIONER BAKKER: Someone got a quarter?
VICE CHAIRWOMAN WAITS: Two commissioners and --
DISTRICT ATTORNEY HERRERA: I suggest you keep it --
VICE CHAIRWOMAN WAITS: Small.
DISTRICT ATTORNEY HERRERA: -- small.
COMMISSIONER MILLS: Fairly small.
VICE CHAIRWOMAN WAITS: Small. Yes.
COMMISSIONER CLARK: An odd number.
COMMISSIONER MILLS: Do, like, five.
COMMISSIONER CLARK: Yeah, five --
COMMISSIONER MILLS: Would five be sufficient?
COMMISSIONER BAKKER: Three.
DISTRICT ATTORNEY HERRERA: Yes.
VICE CHAIRWOMAN WAITS: No.
COMMISSIONER MILLS: Two commissioners and one other person?
VICE CHAIRWOMAN WAITS: Let's go with one.
DISTRICT ATTORNEY HERRERA: I like that.
VICE CHAIRWOMAN WAITS: Okay. We're --
COMMISSIONER BAKKER: I'm just joking.
VICE CHAIRWOMAN WAITS: What commissioners are volunteering to be on this?
COMMISSIONER BAKKER: I knew that was coming. I will do it though.
VICE CHAIRWOMAN WAITS: Okay.
COMMISSIONER CLARK: I'll -- I'll volunteer.
COMMISSIONER MILLS: You're going to do that?
COMMISSIONER CLARK: Yeah, I'll volunteer.
VICE CHAIRWOMAN WAITS: Commissioner Bakker, Commissioner Clark.
COMMISSIONER MILLS: Okay.
VICE CHAIRWOMAN WAITS: Okay.
COMMISSIONER BAKKER: Ted Herrera, who was in school in --
COMMISSIONER CLARK: Keith Westengard.
COMMISSIONER BAKKER: -- this building.
VICE CHAIRWOMAN WAITS: Okay.
DISTRICT ATTORNEY HERRERA: For six months. All right. Six months.
COMMISSIONER BAKKER: You still -- you've known it longer than the rest of us.

VICE CHAIRWOMAN WAITS: Okay. And our executive director?
COMMISSIONER CLARK: Yes.
VICE CHAIRWOMAN WAITS: We need your input. And?
COMMISSIONER CLARK: So that's --
COMMISSIONER BAKKER: Hey, Max, you want to volunteer?
COMMISSIONER CLARK: Do you want to be on this one, Max?
DONALD NEGRO: He was in school here too.
JUDGE MAX BUNCH: No, I wasn't.
COMMISSIONER CLARK: Liz? Liz?
ELIZABETH HEIMBIGNER: Me?
DISTRICT ATTORNEY HERRERA: You were.
DONALD NEGRO: I was.
DISTRICT ATTORNEY HERRERA: Yes, you were.
COMMISSIONER CLARK: You're Liz.
DONALD NEGRO: Didn't you go to Mary S. Black?
DISTRICT ATTORNEY HERRERA: No, we went to the --
ELIZABETH HEIMBIGNER: You want somebody from the public?
DONALD NEGRO: Not like the Eliza Pierce.
COMMISSIONER CLARK: Sure.
COMMISSIONER MILLS: It won't hurt.
COMMISSIONER BAKKER: Yeah, it won't hurt.
UNIDENTIFIED PARTICIPANT: Yeah, absolutely.
ELIZABETH HEIMBIGNER: Okay.
VICE CHAIRWOMAN WAITS: Great. There's our five.

(Discussion regarding identification and clarification of spelling of Liz Heimbigner.)

VICE CHAIRWOMAN WAITS: Thank you. We have our five. And thank you all for stepping up on that. It's certainly one we need to tackle as soon as we can. We know it's going to be here soon.

COMMISSIONERS

23) Correspondence/reports/potential upcoming agenda items.

VICE CHAIRWOMAN WAITS: Okay, we're moving on to --
COMMISSIONER BAKKER: You're on there.

VICE CHAIRWOMAN WAITS: -- Agenda Item Number 23.

COMMISSIONER CLARK: Three.

VICE CHAIRWOMAN WAITS: Correspondence, reports, potential upcoming agenda items.

(The following correspondence was received:

1. Letter from United States Department of the Interior, Bureau of Land Management, Tonopah Field Office to Interested Public, dated April 16, 2015, regarding Decision of Record and Finding of No Significant Impact for the Environmental Assessment of the Mineral Ridge Mine, Mary LC Satellite Deposit Project Amendment, located southwest of Tonopah in Esmeralda County, Nevada.

2. Letter from Nevada Division of Environmental Protection, dated April 16, 2015, received April 20, 2015, to Superintendent Jim Squibb, regarding no further action, determination of release related to a leaking heating oil tank at Eliza Pierce Elementary School.

3. Letter from United States Department of the Interior, Bureau of Land Management, Mount Lewis Field Office, to Interested Public, dated April 23, 2015, received April 27, 2015, regarding Decision of Record and Finding of No Significant Impact for the Environmental Assessment and Amendment to the Plan of Operations for the Mount Hope Project located northwest of Eureka in Eureka County.

4. Tri-county Meeting Agenda Notice for Friday, May 1, 2015, involving White Pine, Lincoln, and Nye Counties; BLM; U.S. Forest Service; U.S. Fish & Wildlife Service; Great Basin National Park; U.S. Department of Agriculture; Rural Development; Nevada State Parks; Nevada Department of Wildlife; and Nevada State Lands Division.

5. Letter from United States Department of the Interior, Bureau of Land Management, Mount Lewis Field Office, to Interested Public, dated April 24, 2015, received April 27, 2015, regarding Dan and Steve Venturacci and collaboration with the BLM to implement and possibly revise grazing management to reduce grazing impacts during drought conditions in the Diamond Springs Allotment.

6. Letter from United States Department of the Interior, Bureau of Land Management, Mount Lewis Field Office, to

Interested Public, dated May 4, 2015, received May 14, 2015, regarding Final Decision Effective on Issuance Drought Management Decision for the Diamond Springs Allotment.

7. Letter from the State of Nevada, Department of Conservation and Natural Resources, Division of Water Resources, to Elko County Board of Commissioners and Lander County Board of Commissioners, dated April 29, 2015, received May 4, 2015, regarding establishment and designation of the Rock Creek Valley and Willow Creek Valley Hydrographic Basins.

8. Letter from the State of Nevada, Department of Conservation and Natural Resources, Division of Water Resources, to Lander County Board of Commissioners and Nye County Board of Commissioners, dated April 29, 2015, and received May 4, 2015, regarding establishment of Carico Lake Valley, Upper Reese River Valley, Antelope Valley, and Middle Reese River Valley Hydrographic Basins.)

KEITH WESTENGARD: I just -- as a note, I did get an e-mail during our meeting that our hazard mitigation plan has been accepted by FEMA. And it is now an official five-year mitigation plan that we can start using to get mitigation grants.

COMMISSIONER BAKKER: On our next agenda items, I'd like to see the interviews for the hospital board appointees. I think we need to bring the board --

COMMISSIONER CLARK: Interview.

COMMISSIONER BAKKER: Yeah. We need to interview the board people.

VICE CHAIRWOMAN WAITS: Are you talking about personal interviews?

DISTRICT ATTORNEY HERRERA: Yeah, he's talking -- yeah -- about personal --

COMMISSIONER BAKKER: Yeah.

DISTRICT ATTORNEY HERRERA: -- interviews.

COMMISSIONER BAKKER: At least they need to show up. I mean, none of them showed up today that want to be on the board.

COMMISSIONER CLARK: Let's go through the interview process.

COMMISSIONER MILLS: Well, the -- the hospital board --

VICE CHAIRWOMAN WAITS: Just as history --

COMMISSIONER MILLS: -- keep the recommendation --

VICE CHAIRWOMAN WAITS: -- that's what the hospital board is responsible for. And then we get to look at all the applications. It's very unusual to have -- have them appear -- appear in person.

DISTRICT ATTORNEY HERRERA: Legally, all the hospital board can do is make recommendations.

VICE CHAIRWOMAN WAITS: Right.

DISTRICT ATTORNEY HERRERA: It's 100 percent up to this commission.

VICE CHAIRWOMAN WAITS: I understand that. But it's very unusual for us to require putting in for boards to attend us personally, is what I'm saying.

DISTRICT ATTORNEY HERRERA: Right. It's unusual --

VICE CHAIRWOMAN WAITS: I don't know if that's possible.

DISTRICT ATTORNEY HERRERA: -- to replace two board members too.

VICE CHAIRWOMAN WAITS: Right.

DISTRICT ATTORNEY HERRERA: So --

COMMISSIONER BAKKER: We're doing a lot of unusual things --

VICE CHAIRWOMAN WAITS: Right.

COMMISSIONER BAKKER: -- in the last five months that are actually --

DISTRICT ATTORNEY HERRERA: We're replacing --

COMMISSIONER BAKKER: -- the right thing.

DISTRICT ATTORNEY HERRERA: -- twice as many as we would usually do.

VICE CHAIRWOMAN WAITS: So we want to ask --

COMMISSIONER MILLS: It's unusual.

VICE CHAIRWOMAN WAITS: -- that all four applicants --

COMMISSIONER BAKKER: I would -- if they want to be on the --

VICE CHAIRWOMAN WAITS: -- attend that meeting?

COMMISSIONER BAKKER: -- board they should at least show up.

COMMISSIONER CLARK: Yeah.

DISTRICT ATTORNEY HERRERA: Yeah.

COMMISSIONER CLARK: Yep.

DISTRICT ATTORNEY HERRERA: That wouldn't be --

COMMISSIONER BAKKER: I mean.

DISTRICT ATTORNEY HERRERA: -- a bad idea. It's very important --

COMMISSIONER BAKKER: If they care that much to be on there.

VICE CHAIRWOMAN WAITS: Who is to contact them? Would that be HR?

KEITH WESTENGARD: I would instruct Phil Hanna to --

COMMISSIONER BAKKER: Yeah.

KEITH WESTENGARD: -- make those notifications --

COMMISSIONER BAKKER: Phil can do it.

KEITH WESTENGARD: -- and copy me on the notifications as well.

VICE CHAIRWOMAN WAITS: Okay. So along with the agenda, you would like them to be here personally?

COMMISSIONER BAKKER: Yeah. So if we have questions for them, I mean, why they want to be on there, background.

VICE CHAIRWOMAN WAITS: You're getting into a -- remember the --

DISTRICT ATTORNEY HERRERA: No, you -- you can get in the background in the sense of what they -- what have they done, what -- but the hospital board's done that.

COMMISSIONER MILLS: Uh-huh.

DISTRICT ATTORNEY HERRERA: So we can certainly do that.

You can't -- you can't make and do out a letter of application. You can't do a background check on them. But you can certainly ask, you know, what qualifications they have or they think have for the board.

COMMISSIONER BAKKER: Or why they want to do it. I mean, --

DISTRICT ATTORNEY HERRERA: Yeah. And why they want to do it.

COUNTY CLERK SULLIVAN: I have a question. Sadie Sullivan, for the record.

So if we start this with the hospital board --

COMMISSIONER BAKKER: Uh-huh.

COUNTY CLERK SULLIVAN: -- then people are going to consider or feel -- are we going to follow through on all other boards? Because this is an elected board -- of course, they're filling in. They put in their interest to hospital.

The hospital's going to come to us and tell us, you know, we recommend, just like any other boards. We had a vacancy on the school board. And that's where they informed the clerk's office, this is who they've appointed.

I don't believe that comes through us. They just let me knows. So I just have the question, if we start this with the hospital board and override their -- or don't override -- just go --

COMMISSIONER BAKKER: I'm not saying override their decision though.

COUNTY CLERK SULLIVAN: Right, but no --

DISTRICT ATTORNEY HERRERA: No, no, no, no. There's a mis--

COMMISSIONER CLARK: This is different.

DISTRICT ATTORNEY HERRERA: They have no influence on this commission.

COUNTY CLERK SULLIVAN: Right.

DISTRICT ATTORNEY HERRERA: None.

COMMISSIONER CLARK: And the school board replace --

DISTRICT ATTORNEY HERRERA: It's not overriding or anything else. They have no -- all they can do is to make a recommendation. And that recommendation is just as valid as anybody's recommendation in this county.

COMMISSIONER CLARK: And the school board replaces their own members. They don't come to the board of commissioners.

COUNTY CLERK SULLIVAN: No. No, they don't. So back to my question is, is when I've done the publication for our other boards as well. And so they will have all of those people that have applied, hopefully, a lot. I doubt it.

And at that time, are we going to have where they all come as well? That's my question.

DISTRICT ATTORNEY HERRERA: Why would they? They're not elected. They're not elected to those other boards.

COUNTY CLERK SULLIVAN: Okay, so then also if you go further, we have the Kingston Town Board that's elected. We don't have them all appear. We have the Water and Sewer Number 2 down in Austin that they don't all appear.

I'm just asking, are we starting this to where there are other elected boards?

DISTRICT ATTORNEY HERRERA: It's my understanding --

COMMISSIONER BAKKER: I think they should. If they're applying for a board and they really want to be on it, they should show up.

COUNTY CLERK SULLIVAN: Okay. I just -- that's -- I just want to --

COMMISSIONER BAKKER: Just how I feel. I mean.

COUNTY CLERK SULLIVAN: -- because there's so --

COMMISSIONER CLARK: I want to know who they are.

COUNTY CLERK SULLIVAN: -- many new people.

COMMISSIONER BAKKER: Yeah, and I don't know --

COUNTY CLERK SULLIVAN: There's so many --

COMMISSIONER BAKKER: -- these people on this list.

COUNTY CLERK SULLIVAN: -- new people, employees, board members. I just wanted a clarification so that we know what we're going forward with, legally.

DISTRICT ATTORNEY HERRERA: We cannot make a policy based on this agenda setting. We can only deal with this one board. And that's what we're talking about.

COUNTY CLERK SULLIVAN: Okay.

DISTRICT ATTORNEY HERRERA: And if -- if -- Sadie, if you would like to put on the agenda to a change of policy and that's what you're referring to, you're certainly most welcome to do that.

COUNTY CLERK SULLIVAN: I'm just making it clear for the record. Because if this being changed from what's being done in the past.

DISTRICT ATTORNEY HERRERA: No. Policy is not being changed.

COUNTY CLERK SULLIVAN: From what had been in prior meetings, absolutely, yes. Just so you know.

COMMISSIONER BAKKER: Well, a lot of things have been changed in there that haven't been done --

COUNTY CLERK SULLIVAN: Well, I don't have a problem with that.

COMMISSIONER BAKKER: -- right or the right way in the past.

COUNTY CLERK SULLIVAN: Right. And that's what I'm saying. I don't have a problem with it. I know stuff needs to change. I know that things need to be updated. I'm just saying and asking for everybody to know, is this the direction we're going?

Because we have those other applications coming.

DISTRICT ATTORNEY HERRERA: This does not start a legal precedent.

COMMISSIONER CLARK: Thank you.

VICE CHAIRWOMAN WAITS: Okay.

COUNTY CLERK SULLIVAN: I was just asking.

VICE CHAIRWOMAN WAITS: We'll put that on the agenda.

COMMISSIONER CLARK: Okay. I -- the letter of support for the ranchers will be ready on the 28th to get that published.

KEITH WESTENGARD: Waiting on some wording from the DA.

COMMISSIONER CLARK: We were waiting for the results from the national riparian team. Okay.

DISTRICT ATTORNEY HERRERA: You're not waiting for my stuff. You're waiting from stuff from other people from --

COMMISSIONER CLARK: There was --

KEITH WESTENGARD: But you were going to -- you were going to rearrange the wording on it. The American Indian and --

DISTRICT ATTORNEY HERRERA: I haven't got them.

KEITH WESTENGARD: Oh, okay. So I don't -- I can't say that. We haven't got our information from -- on the --

COMMISSIONER BAKKER: Eddyann.

KEITH WESTENGARD: -- American Indian and the wild horses.

COMMISSIONER CLARK: Okay.

DISTRICT ATTORNEY HERRERA: We haven't gotten them from either source.

COMMISSIONER BAKKER: Maybe contact her.

COMMISSIONER CLARK: Yeah. Contact Eddyann. And I'm sure she can get you Richard's number.

And then there was a question last night at the planning commission to bring something forward to the commissioners about people that don't show up to the planning commission when they're applying for a special-use permit. They were wanting to know what our thoughts were as far as whether they should act on it or not act on it. Remember?

DISTRICT ATTORNEY HERRERA: I don't recall that.

KEITH WESTENGARD: Yeah. They talked about -- they were talking about having the -- if somebody wanted a special-use permit, they wanted them to show up?

DISTRICT ATTORNEY HERRERA: Oh, yes.

KEITH WESTENGARD: Remember?

COMMISSIONER CLARK: Okay. They wanted us to review that for some reason.

DISTRICT ATTORNEY HERRERA: Well, they -- they were -- they started discussing making policy. And I -- I informed them that they weren't a policy-making board, that the only policy-making board in this county, with the exception of two other boards -- they weren't a policy-making board. And this commission is the policy-making board. And -- and they were -- but I don't recall them deci- -- asking us -- I suggested that they need to request a policy request a policy change --

COMMISSIONER CLARK: Right.

DISTRICT ATTORNEY HERRERA: -- if they want to do that. But they --

COMMISSIONER CLARK: It's not something we need to --

DISTRICT ATTORNEY HERRERA: Not unless they request it. They can't --

COMMISSIONER CLARK: Okay.

DISTRICT ATTORNEY HERRERA: -- make policy. You guys make policy for them.

COMMISSIONER CLARK: Okay.

DISTRICT ATTORNEY HERRERA: And if -- but they weren't really interested in doing the one step further. I don't recall them --

COMMISSIONER CLARK: I'd like to have a discussion-only item on cats.

VICE CHAIRWOMAN WAITS: Feral cats?

COMMISSIONER CLARK: Yes.

VICE CHAIRWOMAN WAITS: Domestic cats? All --

DISTRICT ATTORNEY HERRERA: All cats.

VICE CHAIRWOMAN WAITS: -- cats?

COMMISSIONER CLARK: All cats.

DISTRICT ATTORNEY HERRERA: Cats are excluded from our ordinances. And I believe that's what Commissioner Clark is referring to.

COMMISSIONER CLARK: Mr. Herrera will give you some background when we --

VICE CHAIRWOMAN WAITS: That's okay.

COMMISSIONER CLARK: -- discuss that.

VICE CHAIRWOMAN WAITS: But I just wanted to be certain it was encompassing all cats.

DISTRICT ATTORNEY HERRERA: The only animals that are included, besides farm animals in other -- other areas, the only -- the only animals included, as far as -- as the sheriff taking care of the animals, is dogs.

And -- and the county commission needs to discuss if they want to include other animals or all animals in that umbrella.

VICE CHAIRWOMAN WAITS: Okay. So he wants a special agenda item on all cats: domestic, feral --

DISTRICT ATTORNEY HERRERA: I believe on all animals.

COMMISSIONER CLARK: Start some discussion.

COMMISSIONER BAKKER: All animals.

VICE CHAIRWOMAN WAITS: Discussion. Discussion only?

COMMISSIONER BAKKER: All animals. Goats.

COMMISSIONER MILLS: Lion and tigers.

VICE CHAIRWOMAN WAITS: Discussion only.

COMMISSIONER CLARK: Now this --

DONALD NEGRO: Lions and tigers and bears, oh my.

COMMISSIONER CLARK: We have a specific --

VICE CHAIRWOMAN WAITS: Sean, you need --

DISTRICT ATTORNEY HERRERA: The cats are important.

VICE CHAIRWOMAN WAITS: -- you had mentioned earlier, when we were setting the time back to 9:00 a.m. for our meetings, that you wanted something on the agenda to discuss --

COMMISSIONER BAKKER: Steve's involvement and role in our county?

VICE CHAIRWOMAN WAITS: You can't -- you can't put it on specifically.

COMMISSIONER BAKKER: No, but we can have a discussion about his schedule and time and --

VICE CHAIRWOMAN WAITS: How -- how do we do that? You'd have to do it with the commissioners, not just a commissioner. You'd have to do it regarding all commissioners; right? A discussion on --

DISTRICT ATTORNEY HERRERA: This --

KEITH WESTENGARD: I believe what --

VICE CHAIRWOMAN WAITS: -- on our attendance or what --

KEITH WESTENGARD: -- this is, is a commitment to what -- how he's going to be involved in the commission.

DISTRICT ATTORNEY HERRERA: That -- that -- that gets into a rather gray area, legally.

The -- the only thing -- the only way to deprive a commissioner of their seat --

COMMISSIONER BAKKER: I wasn't saying that, though.

DISTRICT ATTORNEY HERRERA: Well, it's -- to discuss how a commissioner is -- is acting on their seat may be an area we don't want to get into.

I think -- I think how a elected official acts and how responsible they are to the position they've been elected to by -- by the members of this county is an individual assessment that needs to be made.

And -- and the only consequences, besides a recall, is an ethical vi- -- an ethical -- to go to the ethics committee. So aside from that, too, I don't believe that --

COMMISSIONER BAKKER: I didn't -- I don't want to do anything with that.

DISTRICT ATTORNEY HERRERA: That we should in -- in, yeah, we shouldn't get into -- into a pers- -- an individual elected --

VICE CHAIRWOMAN WAITS: No.

DISTRICT ATTORNEY HERRERA: -- official's personal performance.

VICE CHAIRWOMAN WAITS: No.

COMMISSIONER BAKKER: Right.

VICE CHAIRWOMAN WAITS: But did we need anything on with the commissioners as a whole, commitment or anything like that, is what he's asking so we can discuss it? Yes? No? Are you okay with not?

COMMISSIONER BAKKER: Yeah, but --

VICE CHAIRWOMAN WAITS: Okay.

COMMISSIONER BAKKER: No.

DISTRICT ATTORNEY HERRERA: I need to give that some thought.

VICE CHAIRWOMAN WAITS: Okay.

COMMISSIONER BAKKER: Okay.

DISTRICT ATTORNEY HERRERA: But I'd be happy --

COMMISSIONER BAKKER: Think about it.

DISTRICT ATTORNEY HERRERA: -- to do some research and look into that.

VICE CHAIRWOMAN WAITS: Okay. I would like to see the bid request go -- go on for the Austin Airport fuel systems.

KEITH WESTENGARD: Oh.

VICE CHAIRWOMAN WAITS: So we could start advertising that as soon as possible.

COMMISSIONER BAKKER: That has to go through the bid committee.

COMMISSIONER CLARK: Didn't we approve a hundred and --

VICE CHAIRWOMAN WAITS: It's all approved, --

COMMISSIONER CLARK: Yeah.

VICE CHAIRWOMAN WAITS: -- but it has to go --

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: -- on --

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: -- for us to go out to bid.

COMMISSIONER BAKKER: Yep.

COMMISSIONER CLARK: Okay.

VICE CHAIRWOMAN WAITS: So we need to have that on the agenda. I don't want to wait till the first of July and then try fumbling through, --

COMMISSIONER CLARK: No.

VICE CHAIRWOMAN WAITS: -- and we'll have the money. So I'd like to see us start that. It's all in the process.

COMMISSIONER MILLS: Just speeding up the process --

COMMISSIONER BAKKER: Yeah.

COMMISSIONER MILLS: -- so we'll --

DISTRICT ATTORNEY HERRERA: And I mentioned earlier in the meeting that -- what we're doing with the rodeo grounds. And we'll have to agendize that item. So --

VICE CHAIRWOMAN WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- the commission can --

VICE CHAIRWOMAN WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- authorize some designee or some person to be able to enter into contracts.

COMMISSIONER MILLS: Should we also be --

COMMISSIONER BAKKER: I --

COMMISSIONER MILLS: -- addressing the rules --

COMMISSIONER BAKKER: -- designated --

COMMISSIONER MILLS: -- of use for the --

COMMISSIONER BAKKER: -- someone.

COMMISSIONER MILLS: -- fairgrounds.

DISTRICT ATTORNEY HERRERA: Pardon me?

COMMISSIONER MILLS: Should we also address the rules of use for the fairgrounds?

DISTRICT ATTORNEY HERRERA: Well, --

COMMISSIONER BAKKER: I think we address that at their meeting first.

DISTRICT ATTORNEY HERRERA: You don't really --

COMMISSIONER MILLS: Okay.

DISTRICT ATTORNEY HERRERA: You don't really need to do that because now that we -- we recognize that the only authority to establish rules or to enter into contracts is this commission. I think -- I don't think you need to -- because before we were discussing what rules somebody else should follow in doing something they weren't authorized to do. So since they're not authorized to do it anyway, it -- it doesn't matter what rules they follow. They accumulate data and present it to the commission.

COMMISSIONER MILLS: Right.

VICE CHAIRWOMAN WAITS: Okay, along that line then, --

COMMISSIONER BAKKER: Yeah, we need to --

VICE CHAIRWOMAN WAITS: -- we should have on the agenda who we would designate --

DISTRICT ATTORNEY HERRERA: Oh, absolutely.

VICE CHAIRWOMAN WAITS: -- with that authority to sign it.

DISTRICT ATTORNEY HERRERA: Absolutely.

VICE CHAIRWOMAN WAITS: So that needs to be on.

KEITH WESTENGARD: I've got it.

VICE CHAIRWOMAN WAITS: Okay. And the other thing is under correspondence, gentlemen, you all received a copy of the letter to us, to the Lander County commissioners from Southwest Gas Corporation, Southwest Gas. And they said they had a workshop and we did not show up. And I'm going, okay.

Whatever their -- their conference was in Elko, they said they'd like to meet with us or a representative.

KEITH WESTENGARD: Joe Lindsey and Anna Penola did go to that workshop. I know for a fact they went to that workshop.

VICE CHAIRWOMAN WAITS: And yet, the letter comes in May 1st saying nobody was there.

KEITH WESTENGARD: They -- they attended.

VICE CHAIRWOMAN WAITS: Would you be a kind enough to make a call to that person?

KEITH WESTENGARD: Yes.

VICE CHAIRWOMAN WAITS: That Bob Posterino, the district manager --

KEITH WESTENGARD: I certainly will.

VICE CHAIRWOMAN WAITS: -- and advise him that we were there.

KEITH WESTENGARD: We were there. And actually, I believe, they come to the fire station, too -- don't they? -- once a year -- or the fire department -- I'm sorry.

DONALD NEGRO: Donald Negro, Road and Bridge North.

And they usually come and put on one at the fire department. And we all go to the one at the fire department. And I contacted and told them that, you know, we go to the one at the fire department instead of going to Elko.

And I got the date on the letter and everything and who I talked to. So we did, you know, acknowledge that we wouldn't be there, but we would go. And we've done it for the last 20 years, you know, they -- it used to be a lot better. They take propane and freeze a banana and it was pretty cool.

VICE CHAIRWOMAN WAITS: Thank you.

DONALD NEGRO: Now, they just show up and talk and away they go.

KEITH WESTENGARD: And I went last year in Elko. And this year, I know Joe and Anna went so yeah.

VICE CHAIRWOMAN WAITS: Thank you. Appreciate that follow-up.

Okay. Anything else?

Judie?

JUDIE ALLAN: Judie Allan. Question on the rec center. Have -- where are we sitting as far as the land? Has anything been done?

COMMISSIONER BAKKER: It is in the process. And it's -- it's -- it's going to be --

JUDIE ALLAN: Okay.

KEITH WESTENGARD: Boundaries have been established through a land surveyor. It's just a matter of -- or I should say? -- the county land boundaries have been established as well as the school boundaries have been established. We just now are waiting to finalize what -- what portions we're going to be doing the trade with.

JUDIE ALLAN: Okay. I didn't know if --

KEITH WESTENGARD: Yeah.

JUDIE ALLAN: -- there was anything else we needed to -- to bring before the commissioners. I know they approved the swap --

KEITH WESTENGARD: Right.

JUDIE ALLAN: -- but as far as kind of what's been happening since then.

KEITH WESTENGARD: Yeah. And that was as of two weeks ago, I believe, --

COMMISSIONER BAKKER: Yeah.

KEITH WESTENGARD: -- we talked with the surveyor. And we're waiting on the final boundaries to see how we're going to do the trade.

JUDIE ALLAN: Do I have --

VICE CHAIRWOMAN WAITS: Thank you.

COMMISSIONER BAKKER: No, it's in the --

PUBLIC COMMENT

VICE CHAIRWOMAN WAITS: We're moving on to --

COMMISSIONER BAKKER: -- process.

VICE CHAIRWOMAN WAITS: -- public comment. Any other public comment?

COUNTY CLERK SULLIVAN: I have one question.

VICE CHAIRWOMAN WAITS: Oh.

COUNTY CLERK SULLIVAN: Sorry. Sadie Sullivan, for the record.

On the Austin bid for the airport, who will be bringing that before -- forward -- or forth?

KEITH WESTENGARD: J-U-B. And I've spoken with --

COUNTY CLERK SULLIVAN: So I just need to --

KEITH WESTENGARD: -- J-U-B.

COUNTY CLERK SULLIVAN: -- get in touch with them.

KEITH WESTENGARD: And he will be -- he will contact you anytime we have any bids going out through his office -- or with his office. And so he knows to contact.

COUNTY CLERK SULLIVAN: J-U-B.

KEITH WESTENGARD: Yes, that's --

COUNTY CLERK SULLIVAN: Thank you.

KEITH WESTENGARD: -- J.D. Heithoff at J-U-B.

COUNTY CLERK SULLIVAN: Okay. Thank you.

VICE CHAIRWOMAN WAITS: Austin, anyone there for public comment?

MITESHELL LANHAM: No.

VICE CHAIRWOMAN WAITS: Thank you so much.

Okay, hearing no public comment...

ADJOURNMENT

COMMISSIONER CLARK: I make a motion to adjourn.

COMMISSIONER BAKKER: Second.

VICE CHAIRWOMAN WAITS: All those in favor?

COMMISSIONER CLARK: Aye.

COMMISSIONER MILLS AND COMMISSIONER BAKKER: Aye.

COMMISSIONER WAITS: Aye.

Thank you, everyone.

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

ATTEST: Sadie Sullivan

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.