

**LANDER COUNTY COMMISSIONERS MEETING
TOWN BOARD OF BATTLE MOUNTAIN & AUSTIN
BOARD OF COUNTY HIGHWAY COMMISSIONERS**

February 8, 2018

LANDER COUNTY COURTHOUSE
COMMISSIONERS' CHAMBER
50 STATE ROUTE 305
BATTLE MOUNTAIN, NEVADA

Also Via Teleconference At

AUSTIN COURTHOUSE
COMMISSION OFFICE
122 MAIN STREET
AUSTIN, NEVADA

9:00 A.M

Call to Order

Pledge of Allegiance

A Moment of Silence

Lander County Commissioners may break for lunch from 12:00pm to 1:15pm

Any agenda item may be taken out of order, may be combined for consideration by the public body, and items may be pulled or removed from the agenda at any time.

Commissioners Reports on meetings, conferences and seminars attended

Staff Reports on meetings, conferences and seminars attended

Public Comment - For non-agendized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any non- agenda item at the Board meeting if any, and discussion of those comments at the discretion of the Board. All public comment may be limited to three (3) minutes per person, again at the discretion of the Board. Reasonable restrictions may be placed on public comments based upon time, place and manner, but public comment based upon viewpoint may not be restricted.*

CONSENT AGENDA

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.

- *(1) Approval of February 8, 2018 Agenda Notice
- *(2) Approval of January 11, 2018 Meeting Minutes
- *(3) Approval of January 25, 2018 Meeting Minutes
- *(4) Approval of the Payment of Bills
- *(5) Approval of Payroll Change Requests

COMMISSIONERS

- *(1) Update from Lander County EMS presented by the new Battle Mountain General Hospital CEO, Jason Bleak, and all other matters properly related thereto.

Public Comment

- *(2) Update from MedX AirOne regarding medical air transport services in Lander County, and all other matters properly related thereto.

Public Comment

- *(3) Update from the Old Courthouse Committee, and all other matters properly related thereto.

Public Comment

- *(4) Discussion for possible action to approve/disapprove the creation of a dog park and the signage to be displayed, and all other matters properly related thereto.

Public Comment

SAFETY COMMITTEE

- *(5) Discussion for possible action to approve/disapprove access to the Administration Building for the Lander County Sheriff's Office, including key access, installation of weapons lock boxes located in the inmate transportation hallway, and video surveillance access, and all other matters properly related thereto.

Public Comment

BOARD APPOINTMENTS

- *(6) Update from the Battle Mountain Livestock Advisory Board, and all other matters properly related thereto.

Public Comment

PUBLIC WORKS

- *(7) Discussion for possible action regarding the Battle Mountain Water Transmission Main 2018 Project located on 26th Street and Allen Road and to award the project to one of the following:
- a) Canyon Construction- base bid \$2,054,291.81, alternate bid \$1,162,269.48;
 - b) Hunewill Construction- base bid \$1,507,123.00, alternate bid \$563,119.00;
 - c) Q&D Construction- base bid \$1,900,000.00, alternate bid \$645,000.00;
- and all other matters properly related thereto.

Public Comment

- *(8) Discussion for possible action to approve/disapprove a modified contract between Lander County and Land Venture Partners, LLC., for the Battle Mountain Airport Waterline Project, and all other matters properly related thereto.

Public Comment

- *(9) Update from Public Works regarding the status of projects, and all other matters properly related thereto.

Public Comment

COMMISSIONERS

- *(10) Update from the Lander County Treasurer, and all other matters properly related thereto.

Public Comment

- *(11) Discussion for possible action to approve/disapprove a policy within Lander County that requires a Professional Review on all projects, and all other matters properly related thereto.

Public Comment

- *(12) Discussion for possible action to approve/disapprove the Easement Agreement between Pershing County Water Conservation District and Lander County, and all other matters properly related thereto.

Public Comment

- *(13) Discussion for possible action to approve the 2017 Lander County Policy Plan for Federally Administered Lands (The Lander County Public Lands Plan), and all other matters properly related thereto.

Public Comment

- *(14) Discussion for possible action regarding a letter from Lander County in support of the release of Wilderness Study Areas (WSA's) in Lander County, and all other matters properly related thereto.

Public Comment

- *(15) Discussion for possible action regarding the proposal of an ordinance amending Chapters 5.04, 5.06 and 5.24 of the Lander County Code to obtain business licenses from the Building and Planning Department instead of the Lander County Assessor's office, and all other matters properly related thereto.

Public Comment

FINANCE

- *(16) Update on budget review, contracts, financial update, and all other matters properly related thereto.

Public Comment

***CORRESPONDENCE**

- *(17) Correspondence/reports/potential upcoming agenda items.

Public Comment

Public Comment - For non-agendized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any non- agenda item at the Board meeting if any, and discussion of those comments at the discretion of the Board. All public comment may be limited to three (3) minutes per person, again at the discretion of the Board. Reasonable restrictions may be placed on public comments based upon time, place and manner, but public comment based upon viewpoint may not be restricted.*

ADJOURN

*Denotes "for possible action". Each such item may be discussed and action taken thereon with information provided at the meeting. Action may be taken according to the "Nevada Open Meeting Law Manual" via a telephone conference call in which a quorum of the Board members is simultaneously linked to one another telephonically.

NOTE: TIMES ARE APPROXIMATE

This is the tentative schedule for the meeting. The Board reserves the right to take items out of order to accomplish business in the most efficient manner. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the County Executive Director in writing at the Courthouse, 50 State Route 305, Battle Mountain, Nevada 89820, or call (775) 635-2885 at least one day in advance of the meeting.

NOTICE: Any member of the public that would like to request any supporting material from the meeting, please contact the clerk's office, 50 State Route 305, Battle Mountain, Nevada 89820 (775) 635-5738.

AFFIDAVIT OF POSTING

State of Nevada)
) ss
County of Lander)

Keith Westengard, Lander County Executive Director of said Lander County, Nevada, being duly sworn, says, that on the 2nd day of February, 2018, he posted a notice, of which the attached is a copy, at the following places: 1) Battle Mountain Civic Center, 2) Battle Mountain Post Office, 3) Lander County Courthouse, 4) Swackhamer's Plaza Bulletin Board, 5) Kingston Community Hall Bulletin Board, and 6) Austin Courthouse in said Lander County, where proceedings are pending.

Keith Westengard, Lander County Executive
Director



Subscribed and sworn to before me this 2nd day of February, 2018.

Witness



Name of Agenda: Battle Mountain Board of Commissioners

Date of Meeting: February 8, 2018

Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105681

Executive Director

Keith Westengard 1-29-18

COUNTY OF LANDER

MARIANNA MCWILLIAMS

DATE	INVOICE	AMOUNT	REMARKS
01/25/18	1/19/18 STANDBY	100.00	AUSTIN EMS
01/25/18	1/20/18 STANDBY	100.00	AUSTIN EMS

CHECK NO 105681 \$200.00 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105681

94-7074
3212

PAY TO THE ORDER OF

MARIANNA MCWILLIAMS

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/25/18 **VOID**	105681 **VOID**	\$200.00 **VOID**

VOID**200DOLLARS AND00CENTS***

MARIANNA MCWILLIAMS
394 RAMAH PLAZA

SPRING CREEK

NV 89815

VOID
NON-NEGOTIABLE

Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105683

 1-29-18

Executive Director

**COUNTY OF LANDER
& BEHAVIORAL HEALTH**

NEVADA DIVISION OF PUBLIC

DATE	INVOICE	AMOUNT	REMARKS
01/25/18	LAN18-7	3,399.25	1/16/18 JAN 18
01/25/18	3206898	20.00	1/4/18 OPPENHEIN, M

CHECK NO 105683 \$3,419.25 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105683

94-7074
3212

PAY TO THE ORDER OF

NEVADA DIVISION OF PUBLIC

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/25/18 **VOID**	105683 **VOID**	\$3,419.25 **VOID**

VOID**3,419DOLLARS AND25CENTS***

NEVADA DIVISION OF PUBLIC & BEHAVIORAL HEALTH
727 FAIRVIEW DR SUITE A

CARSON CITY NV 89701-5493

NON-NEGOTIABLE

Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105690

Executive Director

 1-29-2018

COUNTY OF LANDER

THOMAS PETROLEUM, LLC

DATE	INVOICE	AMOUNT	REMARKS
01/25/18	1978577-IN	19,567.57	12/20/17 DIESEL FUEL

CHECK NO 105690 \$19,567.57 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105690

94-7074
3212

PAY TO THE ORDER OF

THOMAS PETROLEUM, LLC

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/25/18 **VOID**	105690 **VOID**	\$19,567.57 **VOID**

VOID**19,567DOLLARS AND57CENTS***

THOMAS PETROLEUM, LLC
P.O. BOX 677289

DALLAS

TX 75267-7289

NON-NEGOTIABLE

Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105691

Executive Director

 1-29-2018

COUNTY OF LANDER

HEIDI THOMSEN

DATE	INVOICE	AMOUNT	REMARKS
01/25/18	REIMBURSEMENT	60.00	1/23/18 OFFICE MAX

CHECK NO 105691 \$60.00 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105691

94-7074
3212

PAY TO THE ORDER OF

HEIDI THOMSEN

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/25/18 **VOID**	105691 **VOID**	\$60.00 **VOID**

VOID**60DOLLARS AND00CENTS***

HEIDI THOMSEN
140 CARSON ROAD

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

Keith Westengard
Lander County Executive Director

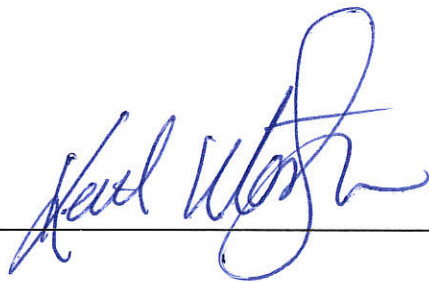
LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105703

Executive Director



2-2-18

COUNTY OF LANDER

EAGLE COMMUNICATIONS, LLC

DATE	INVOICE	AMOUNT	REMARKS
02/01/18	3060 50% DOWN	4,129.90	1/30/18 KINGSTON FIRE TRK

CHECK NO 105703 \$4,129.90 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105703

94-7074
3212

PAY TO THE ORDER OF

EAGLE COMMUNICATIONS, LLC

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
02/01/18 **VOID**	105703 **VOID**	\$4,129.90 **VOID**

VOID**4,129DOLLARS AND90CENTS***

EAGLE COMMUNICATIONS, LLC
180 RIVER STREET STE A

ELKO NV 89801

VOID
NON-NEGOTIABLE

Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105698

Executive Director

 2-2-18

COUNTY OF LANDER

CHIP COLPITTS

DATE	INVOICE	AMOUNT	REMARKS
02/01/18	1801290011	50.00	1/29/18 AUSTIN EMS RUN

CHECK NO 105698 \$50.00 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105698

94-7074
3212

PAY TO THE ORDER OF

CHIP COLPITTS

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
02/01/18 **VOID**	105698 **VOID**	\$50.00 **VOID**

VOID**50DOLLARS AND00CENTS***

CHIP COLPITTS
HC 65 BOX 111

AUSTIN

NV 89310

VOID
NON-NEGOTIABLE

Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105727

Executive Director

Keith Westengard 2-2-18

COUNTY OF LANDER

TETON SIGNS

DATE	INVOICE	AMOUNT	REMARKS
02/01/18	4976	3,625.00	1/28/18 KINGSTON FIRE TRK

CHECK NO 105727 \$3,625.00 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105727

94-7074
3212

PAY TO THE ORDER OF

TETON SIGNS

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
02/01/18 **VOID**	105727 **VOID**	\$3,625.00 **VOID**

VOID**3,625DOLLARS AND00CENTS***

TETON SIGNS
537 SOUTH 5TH STREET

ELKO

NV 89801

VOID
NON-NEGOTIABLE


Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105731

A handwritten signature in blue ink, appearing to read "Keith Westengard", followed by the date "2-8-18".

Executive Director

COUNTY OF LANDER

PATRICIA YOUNG

DATE	INVOICE	AMOUNT	REMARKS
02/01/18	REIMBURSEMENT FUEL	115.54	1/31/18 PHYS BATTLE MTN
02/01/18	1/31/18 AUSTIN EMS	100.00	EDUCATION/CERTIFICATION
02/01/18	1801290011	100.00	1/29/18 AUSTIN EMS RUN

CHECK NO 105731 \$315.54 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105731

94-7074
3212

PAY TO THE ORDER OF

PATRICIA YOUNG

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
02/01/18 **VOID**	105731 **VOID**	\$315.54 **VOID**

VOID**315DOLLARS AND54CENTS***

PATRICIA YOUNG
HC 65 BOX A

AUSTIN

NV 89310

NON-NEGOTIABLE

Keith Westengard
Lander County Executive Director

LANDER COUNTY COMMISSION MEETING

February 8, 2018

APPROVE

Check #105696

Executive Director

 2-2-18

DEBORAH CARDOZA

COUNTY OF LANDER

DATE	INVOICE	AMOUNT	REMARKS
02/01/18	REIMBURSEMENT FUEL	130.80	1/23/18 BMGH TRAINING

CHECK NO 105696 \$130.80 **

COUNTY OF LANDER

50 State Route 305
Battle Mountain, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 105696

94-7074
3212

PAY TO THE ORDER OF

DEBORAH CARDOZA

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
02/01/18 **VOID**	105696 **VOID**	\$130.80 **VOID**

VOID**130DOLLARS AND80CENTS***

DEBORAH CARDOZA
HC65 BOX 139

AUSTIN

NV 89310

VOID
NON-NEGOTIABLE

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __1__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Update from Lander County EMS presented by the new Battle Mountain General Hospital CEO, Jason Bleak, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action: **This is a non-action item.**

BATTLE MOUNTAIN GENERAL HOSPITAL

LANDER COUNTY EMS REVENUE & EXPENSE REPORT

REVENUE (BILLED CHARGES)	Oct-17	# OF RUNS BY F/C	FINANCIAL CLASS (F/C)	% OF REVENUE
	36,751	4	COMMERCIAL	8,231 22%
		7	MEDICARE	15,304 42%
		3	MEDICAID	2,583 7%
		0	MEDICAID HMO	0 0%
		4	SELF PAY	6,369 17%
		1	INDIAN HEALTH	1,135 3%
		1	MOTOR VEHICLE	1,321 4%
		0	TRICARE/CHAMPUS	0 0%
		1	WORK COMP	1,807 5%
		0	VETERANS ADMIN	0 0%
EMS BILLABLE RUNS		21		36,751 100%
YTD EMS BILLABLE RUNS		100		
TOTAL EMS RUNS BILLABLE/NON-BILLABLE		60		
YTD TOTAL EMS RUNS		269		

ADJ TO REVENUE	Oct-17	FINANCIAL CLASS (F/C)
Contractual adjustments	13,148	COMMERCIAL 433
		MEDICARE 5,391
		MEDICARE HMO 0
		SECONDARY 0
		MEDICAID 2,794
		MEDICAID HMO 0
		MEDICAID STALEDATE 0
		SELF PAY 0
		20% DISCOUNT 0
		COMMUNITY CARE 3,772
		INDIAN HEALTH 0
		WORK COMP 758
		MOTOR VEHICLE 0
Bad Debt	Oct-17	FINANCIAL CLASS (F/C)
Accounts Sent to Collection Service	10,459	COMMERCIAL 1,594
		MEDICARE 140
		MEDICAID 0
		SELF PAY 0
		INDIAN HEALTH 1,001
		WORK COMP 0
		MOTOR VEHICLE 4,112
		VA 3,612

PAYMENTS RECEIVED	Oct-17	FINANCIAL CLASS (F/C)
	18,644	COMMERCIAL 6,717
		MEDICARE 5,527
		MEDICARE HMO 0
		SECONDARY 712
		MEDICAID 1,474
		MEDICAID HMO 0
		SELF PAY 1,075
		INDIAN HEALTH 0
		WORK COMP 2,170
		MOTOR VEHICLE 0
		BAD DEBT RECOVERY 969

EXPENSES	Oct-17
SALARIES & BENEFITS	43,871
REPAIR, MAINTENANCE & PURCH MAINT	0
FUEL	-124
PURCHASED SERVICES	566
SUPPLIES/OTHER	4,553
TOTAL EXPENSES	48,865

Salaries are made up of (1) Medical Director and (8) employees
(4) Full Time, (4) PerDiem, (0) Part Time.

BATTLE MOUNTAIN GENERAL HOSPITAL

LANDER COUNTY EMS REVENUE & EXPENSE REPORT

REVENUE (BILLED CHARGES)	Nov-17	# OF RUNS BY F/C	FINANCIAL CLASS (F/C)		% OF REVENUE
	26,264	4	COMMERCIAL	5,509	21%
		7	MEDICARE	8,931	34%
		4	MEDICAID	4,961	19%
		0	MEDICAID HMO	0	0%
		4	SELF PAY	5,747	22%
		1	INDIAN HEALTH	1,116	4%
		0	MOTOR VEHICLE	0	0%
		0	TRICARE/CHAMPUS	0	0%
		0	WORK COMP	0	0%
		0	VETERANS ADMIN	0	0%
EMS BILLABLE RUNS		20		26,264	100%
YTD EMS BILLABLE RUNS		120			

TOTAL EMS RUNS BILLABLE/NON-BILLABLE	44
YTD TOTAL EMS RUNS	318

ADJ TO REVENUE	Nov-17	FINANCIAL CLASS (F/C)	
Contractual adjustments	5,336	COMMERCIAL	248
		MEDICARE	3,708
		MEDICARE HMO	0
		SECONDARY	0
		MEDICAID	0
		MEDICAID HMO	0
		MEDICAID STALEDATE	0
		SELF PAY	0
		20% DISCOUNT	43
		COMMUNITY CARE	1,139
		INDIAN HEALTH	198
		WORK COMP	0
		MOTOR VEHICLE	0

Bad Debt	Nov-17	FINANCIAL CLASS (F/C)	
Accounts Sent to Collection Service	16,455	COMMERCIAL	2,839
		MEDICARE	572
		MEDICAID	223
		SELF PAY	12,821
		INDIAN HEALTH	0
		WORK COMP	0
		MOTOR VEHICLE	0
		VA	0

PAYMENTS RECEIVED	Nov-17	FINANCIAL CLASS (F/C)	
	8,162	COMMERCIAL	3,079
		MEDICARE	3,316
		MEDICARE HMO	0
		SECONDARY	0
		MEDICAID	0
		MEDICAID HMO	0
		SELF PAY	1,717
		INDIAN HEALTH	0
		WORK COMP	0
		MOTOR VEHICLE	0
		BAD DEBT RECOVERY	50

EXPENSES	Nov-17
SALARIES & BENEFITS	39,656
REPAIR, MAINTENANCE & PURCH MAINT	0
FUEL	0
PURCHASED SERVICES	566
SUPPLIES/OTHER	1,219
TOTAL EXPENSES	41,441

Salaries are made up of (1) Medical Director and (8) employees
(6) Full Time, (5) PerDiem, (0) Part Time.

BATTLE MOUNTAIN GENERAL HOSPITAL

LANDER COUNTY EMS REVENUE & EXPENSE REPORT

REVENUE (BILLED CHARGES)	Dec-17	# OF RUNS BY F/C	FINANCIAL CLASS (F/C)		% OF REVENUE
	50,078	2	COMMERCIAL	2,428	5%
		14	MEDICARE	20,789	42%
		4	MEDICAID	6,775	14%
		0	MEDICAID HMO	0	0%
		5	SELF PAY	10,530	21%
		0	INDIAN HEALTH	0	0%
		6	MOTOR VEHICLE	9,557	19%
		0	TRICARE/CHAMPUS	0	0%
		0	WORK COMP	0	0%
		0	VETERANS ADMIN	0	0%
EMS BILLABLE RUNS		31		50,078	100%
YTD EMS BILLABLE RUNS		120			

TOTAL EMS RUNS BILLABLE/NON-BILLABLE	90
YTD TOTAL EMS RUNS	408

ADJ TO REVENUE	Dec-17	FINANCIAL CLASS (F/C)	
Contractual adjustments	21,032	COMMERCIAL	291
		MEDICARE	5,343
		MEDICARE HMO	0
		SECONDARY	0
		MEDICAID	13,106
		MEDICAID HMO	0
		MEDICAID STALEDATE	0
		SELF PAY	0
		20% DISCOUNT	0
		COMMUNITY CARE	0
		INDIAN HEALTH	0
		WORK COMP	1,163
		MOTOR VEHICLE	1,129

Bad Debt	Dec-17	FINANCIAL CLASS (F/C)	
Accounts Sent to Collection Service	1,525	COMMERCIAL	1,015
		MEDICARE	510
		MEDICAID	0
		SELF PAY	0
		INDIAN HEALTH	0
		WORK COMP	0
		MOTOR VEHICLE	0
		VA	0

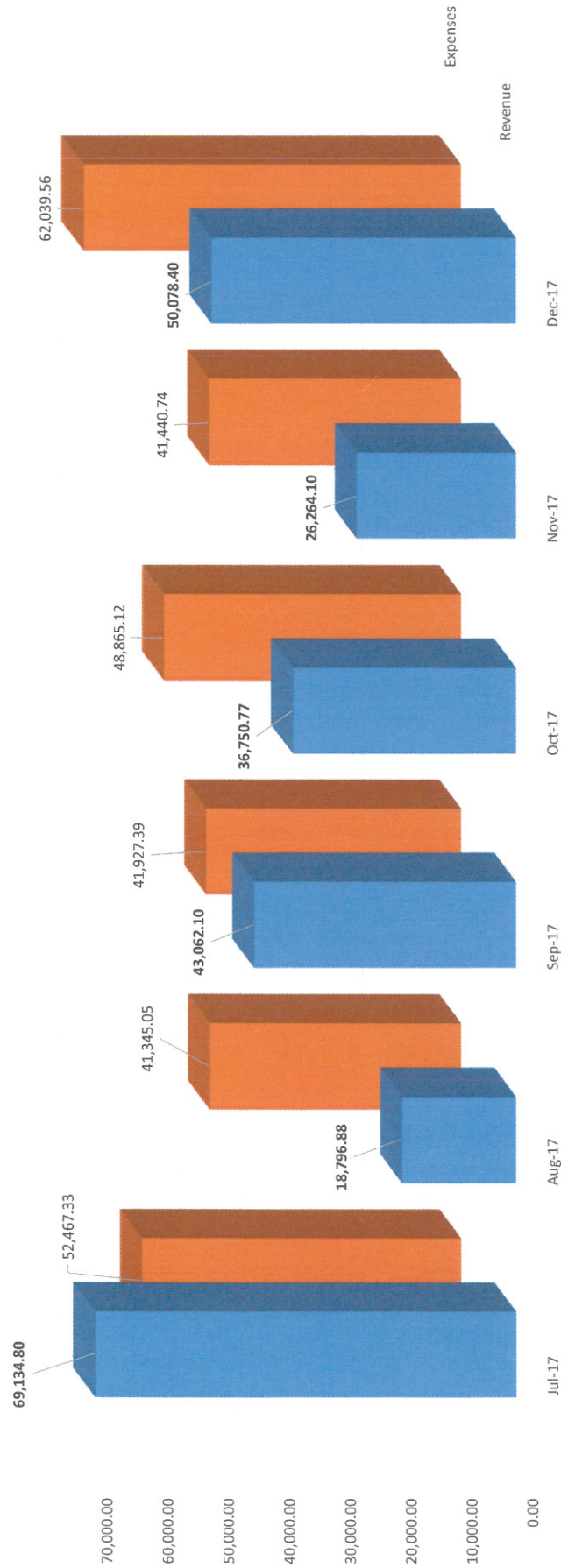
PAYMENTS RECEIVED	Dec-17	FINANCIAL CLASS (F/C)	
	23,355	COMMERCIAL	5,281
		MEDICARE	7,618
		MEDICARE HMO	0
		SECONDARY	2,718
		MEDICAID	1,402
		MEDICAID HMO	0
		SELF PAY	3,493
		INDIAN HEALTH	0
		WORK COMP	2,635
		MOTOR VEHICLE	0
		BAD DEBT RECOVERY	208

EXPENSES	Dec-17
SALARIES & BENEFITS	59,217
REPAIR, MAINTENANCE & PURCH MAINT	0
FUEL	-124
PURCHASED SERVICES	566
SUPPLIES/OTHER	2,381
TOTAL EXPENSES	62,040

Salaries are made up of (1) Medical Director and (12) employees
(7) Full Time, (5) PerDiem, (0) Part Time.

Revenue
Expenses

EMS REVENUE & EXPENSES BY MONTH FYE 2018



LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __2__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Update from MedX AirOne regarding medical air transport services in Lander County, and all other matters properly related thereto.

Public Comment:

Background: **Attached**

Recommended Action: **This is a non-action item**

AGENDA REQUEST FORM



COMMISSIONER MEETING DATE: Dec. 14, 2017

NAME Joel Hochholter REPRESENTING: MedX Airone

ADDRESS: 2705 Cyrano St. Henderson, NV 89044

PHONE (H): 702-815-5059 (W): _____ (FAX): _____

WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS: 702-815-5059

WHO WILL BE ATTENDING THE MEETING Joel Hochholter

JOB TITLE President & managing member of MedX Airone

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: Update regarding medical air transport services in Lander County.

BACKGROUND INFORMATION MedX Airone provides air medical services to Lander County per 2016 agreement. Commission Meeting

WHAT ACTION WOULD YOU LIKE THE BOARD TO TAKE TO RESOLVE THIS ISSUE? Non-action

ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST:

YES _____ NO ☒

AMOUNT: _____

HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING?

YES ☒ NO _____

WHEN? _____

HAS THIS ISSUE BEEN REVIEWED AND APPROVED BY AFFECTED DEPT HEADS

YES ☒ NO _____

ALL BACKUP MATERIAL MUST BE PROVIDED WITH AGENDA REQUEST – NOT AT THE MEETING,

IS ALL THE BACKUP MATERIAL ATTACHED TO THIS AGENDA REQUEST?

YES ☒ NO ☒ powerpoint

IF THE ITEM IS A CONTRACT AND/OR AGREEMENT, OR REQUIRES LEGAL REVIEW, IT MUST BE REVIEWED BY THE DISTRICT ATTORNEY'S OFFICE PRIOR TO AGENDA SETTING OR IT WILL NOT GO ON THE AGENDA.

HAS THE DISTRICT ATTORNEY'S OFFICE PROVIDED THE REQUIRED REVIEW?

YES _____ NO ☒

THE COMMISSIONERS RESERVE THE RIGHT TO REJECT OR RECOMMEND TABLING ALL AGENDA REQUESTS FOR INSUFFICIENT INFORMATION.

ALL INFORMATION STATED IS CORRECT AND TRUE TO MY KNOWLEDGE.

Jessie Bahr, Assistant

DATE 12/11/17

BOARD MEETS THE 2ND AND 4TH THURSDAY OF EACH MONTH
COMMISSION FAX (775) 635-5332

ATTENTION NORTHERN NEVADA CITIZENS...YOUR MEMBERSHIP IS ALWAYS ACTIVE...YOU ARE ALWAYS COVERED BY HGH AIRONE MEMBERSHIP PROGRAM...

HGH AIRONE is based at Humboldt General Hospital providing life-saving air medical transport to critically ill or injured patients. If you are a permanent resident of Humboldt, Pershing, Lander, Eureka, or Elko County you **NEVER** have to worry about purchasing a membership...**IT'S ALREADY DONE...YOU ARE COVERED**. Residents of these Northern Nevada Counties need not pay unnecessary membership fees **HGH AIRONE** has you covered and your membership will cover any transport costs.

If your transport is emergent,
JUST SAY TRANSPORT ME BY HGH AIRONE, there is no cost to you



118 E. Haskell Street, Winnemucca, Nevada 89445

Email: info@medxairone.com | Web: www.medxairone.com





About AirOne



- » Current NV Counties – Elko, Humboldt, Lander, Eureka, Pershing
- » Model is non-profit focused
- » Created with a focus on patient and community
- » Shaped with attention to high quality staff
- » Believes everyone deserves access to the highest quality care
- » People FIRST
- » Every hour of the day represents an opportunity to make a difference in our community
- » Providing this service is a privilege



» We Do Scene Calls!

- > There are rumors that we do not respond to scene calls away from the hospital, this is not true! With our three helicopters and NEW airplane in the fleet, we fly to scenes and provide "pad to pad" service saving hours of transport time, and you money for ground transport

» No Insurance? You will never receive a Bill from US.

- > Other medical transport companies in WILL bill you if you have no insurance (could cost up to \$70,000 or more!) or after the insurance has paid a portion. WE WILL NEVER. With other memberships, if your insurance company deems your transport was not medically necessary...guess what...even though you bought a membership you will still get a bill





AirOne is Different▶

- » Involved in the community, we give back locally
- » Do not provide a membership program that drives millions of dollars of profit to a venture capital firm
- » Our membership is patient centered, non-profit centered
- » You will never receive a bill from us for a flight, Ever
- » Donations stay in Northern Nevada and our focus is Nevada, not every state around the Country





Our Team



» Medical

- > Medical Staff experience in air medical minimum 5 years
- > All Certified Flight Paramedic or Flight Nurse
- > All Balloon Pump Certified, no other service in Elko is capable of flying a balloon pump patient from NNRH without taking an NNRH nurse with them
- > MedX invested \$75K for new balloon pump for these transports
- > Provide community education

» Aviation

- > Pilots minimum experience in Air Medical Operations is 6 years
- > Pilots minimum flight hours are 4000
- > Pilots are part of the team, not just pilots
- > MedX AirOne is the only air medical service using White Phosphorus Night Vision Goggles...all other operators are still using older versions of goggles
- > All MedX Aircraft meet/exceed FAA requirements for air medical



» Who makes up the Elko Team

- > MedX AirOne and Humboldt General Hospital flight nurses
- > MedX AirOne and Humboldt General Hospital flight paramedics
- > Pilots both helicopter and airplane
- > Maintenance support
- > Communications/One Call center
- > Administration

» Certifications

- > Pilots all have IFR certifications
- > Night Vision certifications all staff
- > Certified Flight Paramedics
- > Certified Flight Nurses
- > Medical staff balloon pump certified





Our Fleet

» Aircraft Available

- > Elko AirOne
- > HGH AirOne
- > Dedicated spare helicopter for Northern Nevada
- > Fixed Wing in Elko

» Maintenance Standards

- > We follow all FAA requirements for maintenance on all our aircraft
- > Regularly scheduled maintenance to ensure safety

» Availability of HGH aircraft

- > Should Elko AirOne be on a flight HGH AirOne is 35 minutes away and can service both scene and Inter-hospital transfers from Elko





Safety



- » Air Medical Crew Resource Management required annually for all staff
- » Aircraft safety training required annually
- » Policy of 3 to go 1 to say no...which means if any crew member is not comfortable with completing the flight for any reason the flight is canceled or the crew member expressed issues are dealt with ASAP. No pressure flying. Pilots never receive patient information so go no-go decisions are not based on emotional information
- » Safety Record
 - > MedX AirOne has had no incidents/accidents
 - > We share information with others if a flight is turned down (i.e. other services)
 - > Accreditation and stickers don't make you safe...a company culture does!

*Our model of placing the patient first
Do the right thing - today and everyday
Safety is first and foremost in all we do*





Who Is Covered



» All Permanent Residents Of:

- > Lander County

» If AirOne Wasn't Around

- > Air Medical costs have gotten out of control this is why we have developed our model
- > Pushing commercial insurances to pay \$70-\$100K for a transport is astronomical and a sad day for our industry
- > Membership programs are now the largest profit center for air programs, second only to transports
- > Remember: READ THE SMALL PRINT on your membership program





FAQ's



» Who is in the Air Transport market

- > REACH/AMF all owned by one company Air Medical Group Holdings (AMGH) which is owned by KKR Investments a large global investment firm.
- > AMGH and KKR also own AMR the largest ground EMS provider in the US

» Why is There Confusion

- > This is the difference between AirOne and others
 - + Our membership does not generate over \$125M in annual revenue
 - + Memberships are used for competition reasons and are not patient centered

» What If I need to be picked up from an accident?

- > There are rumors we do not pick up from the scene of accidents, this is not true. Again, Just say “Transport me by Elko AirOne” and we will come get you. There is NO extra charge for this!

» What if I am not in Lander County and was picked up from a different company?

- > You are at the mercy of that air service and costs associated which can be 70k+/-



» If a helicopter is down, and they call in another provider who I do not have a membership with, then what?

- > Each company must meet standards set forth by the Federal Government. We can't speak for other services. This is why it is so important you support a model like MedX AirOne is presenting so you don't have to worry about another service

» What is the coverage area for AirOne?

- > AirOne is a system. We have a helicopter based in Winnemucca and now an airplane based at the Elko Airport and additional backups. We can fly you to SLC/RENO/BOISE/TWIN FALLS/ and with the airplane we can go anywhere in the USA

» Doesn't AirOne just Hospital to Hospital so we need another provider to come get us first?

- > NO! We are the full package. If you have an accident, we will fly right from the hospital to the scene and bring you to the most appropriate place to take care of you.
- > Our helicopter goes pad to pad. Other services choose to use an airplane 100% of the time because it cost less...so then you go airport to airport which means additional ground transport, more time from a hospital to the airport then transported by ground to the hospital



» Helicopters make me nervous, can I take something else?

> Yes, you can always go on the airplane...but helicopters are very safe

» Can your business donate to help this cause?

> Our membership is funded by donations to our non-profit EMS Consortium, so yes, any business or person can donate to help keep this program going

» If a flight is not medically necessary, will I get a bill from AirOne?

> No, you will never pay additional like other companies charge

» If my insurance does not pay, will you charge me?

> Other providers charge the balance of what was not paid to them and in turn, charge you, WE WILL NEVER bill you for the balance

» Is this really Free to me?

> Yes! Thanks to the generous donations of the community it is free BUT we need YOU to spread the word and use the service so it continues to remain free



	AirOne	Other Transport Services
Respond To Scene Calls	✓	✓
Provide Pad-to-Pad Flight service	✓	NO
\$1 for Lander County Residents	✓	NO
Preferred Flight Service for HGH	✓	NO
In-Network With Local Insurance Carriers Light BCBS and Cigna	✓	NO
Never Bill you if you do not have insurance	✓	NO
Never Bill you for the balance of the bill after the insurance has paid	✓	NO



LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __3__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Update from the Old Courthouse Committee, and all other matters properly related thereto.

Public Comment:

Background: **Attached**

Recommended Action: **This is a non-action item.**



Nilla Fuller <dfuller@landercountynv.org>

Historic Preservation - Grammar School/Courthouse Update1 message

Amy Nelson <anelson@hcsdnv.com>

Fri, Feb 2, 2018 at 8:07 AM

To: dfuller@landercountynv.org, Richard Colt Nelson <cnelson@klondexmines.com>

Good Morning Nilla,

Briefly, Colt will be updating the commissioners and community on the following activities of the Lander County Citizens for Historical Preservation :

1. We have submitted the 501c3 and the status is still pending.
2. We have established a partnership with the Nevada Preservation Foundation (NPF) out of Las Vegas. We have in-person meetings scheduled this spring as they are planning a trip north for significant preservation work in Elko and smaller projects in several other communities.
 - a. We have been and will continue to submit applications to a variety of grants through the NPF. The award notifications are this spring.
 - b. The NPF is assisting with our application and nomination paperwork to be on the State and National Register of Historical Places.
3. We have developed relationships with regional personnel involved in preservation activities (Heidi Swank, Jim Bertolini, Catherine Wines, Rebecca Palmer...).
4. Attached is the Lander County Historic and Condition Assessment Report. Pending approval of grants in which we guarantee matching funds, we will follow the recommendations of Mel Green, grant approved activities and our regional support team in the restoration process.
5. We are requesting 2 sets of keys to the building as we are within 2-3 months of beginning the first stages of the project.

Thank you and have a great weekend,

--

Amy Nelson
Director of Innovation
Humboldt County School District
310 East Fourth Street
Winnemucca, NV 89445

Office: 775-623-8100

Cell: 775-625-0597

Fax: 775-623-8102

"The #1 determiner of what gets learned in the classroom is what gets taught."

**Lander Co Report 1-17-17.pdf**

5892K



Historic and Condition Assessment Report

of the

Old Battle Mountain Grammar School and Courthouse Building

Prepared for

Historic Grammar School/Courthouse Committee, Lander County, Nevada

January 2016

Project Team

Melvyn Green & Associates, Inc
Structural Engineers - Historic
Preservation
3868 Carson Street, Suite 300
Torrance, CA 90503
310/792-9252

TSK Architects
224 South Arlington Ave, Suite B
Reno, NV 89501
775/857-2949

MSA Engineering Consultants
4599 Longley Lane
Reno, NV 89502
775/828-4889



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Executive Summary

The Battle Mountain Grammar School/Courthouse building, constructed in 1916, reflects the community's energy and goals. It is an important building for the community and has the potential to serve a variety of community purposes.

Its general condition of the building is very good. Few cracks or settlement were noted.

When it was converted from a school to the Courthouse, a number of partitions were added to divide the classroom spaces into smaller offices. Removing these wood partitions will easily bring the building back to the larger rooms that the school had. The room could then be used for a variety of uses including:

- Classes for art and similar group activities
- Great Basin College classes
- Museum and display
- Meeting rooms for non-profit organizations.

Structurally the building will require a seismic upgrade which will include new anchoring of the walls to the roof, improving and bracing the brick parapet, some possible infill of windows and new shearwalls at the stairways. The extent and details of the upgrade will depend on a detailed seismic analysis and function requirements.

The beam in the meeting room sagged at some time in history and columns were added to reduce the span. It is recommended that these remain and there be no attempt to rebuild the beam.

The mechanical systems will need replacement as they are beyond their expected life and are not as energy efficient as today's equipment. Some improvements may be required to the toilet rooms but they generally comply with the accessibility requirements. A backflow protector is required for the water system. The extent of required electrical work will depend on the programs selected for the building.

The recommended general approach is to open up the classrooms and meeting room to provide the large areas for use and display.

Three options were studied for potential rehabilitation and reuse. These are:

Restore the exterior of the building. The concept would be to let the community know of the building to encourage completing the project.

The second option is to rehabilitate the interior to permit use by the community which should encourage completing the exterior restoration.

A third option is a combination of the main advantages of the other two approaches, designed to give the best of both, while keeping the costs to a minimum. Our **suggested approach** is to restore the building's entry by removing the aluminum storefront door and replacing it with an entry that reflects the historic design. As part of this the interior rehabilitation work would also be done. This option provides for improving the visual interest in the building and permitting it to function and serve the community.

I. PROJECT SCOPE AND INTENT

The intent of this study is to review the Battle Mountain Grammar School/Courthouse Building's potential for adaptive reuse. Further to determine the need for seismic rehabilitation for seismic events that may occur in the region. The goal is to determine whether seismic retrofit or other work is needed for reuse.

The Battle Mountain Grammar School was constructed during a period of mining discovery and expansion in the area and illustrates the pride and energy of the region. The building, constructed in 1916, is a one story plus basement structure of unreinforced concrete bearing wall construction. The building is 84 feet 9 inches from east to west and 58 feet 3 inches from north to south. The building height above grade is 27 feet 3 inches. The finish floor of the basement is concrete 2 feet 6 inches below grade. The first floor and roof are wood framed with wood sheathing. A more detailed description is provided later in this report.

There are other buildings on the parcel along with this structure. Attached to this building via a walkway is a day care center operated by another County Department.



Photo I - Front Elevation of the Battle Mountain Grammar School (Courthouse)

II. EVALUATION CRITERIA AND METHODOLOGY

The general approach to the work includes the following:

Site and Building Inspection – All accessible areas of the building were inspected including the attic and basement. No destructive removals of materials were undertaken.

Architectural/Historic Review – All rooms were observed and the features, finishes and trim evaluated for their historic nature or alterations.

Structural Analysis – The building was evaluated for its seismic resistance and the floor load capacity. Structural calculations required by the evaluation method were conducted.

Mechanical, Electrical, and Plumbing (MEP) Inspection. See Appendix for details.

All accessible areas of the building as well as the roof mounted equipment were inspected to determine their condition, maintenance, age, and energy efficiency ratings.

Electrical systems were inspected for their capacity and condition.

Seismic evaluation is based on the methods developed by the Applied Technology Council, funded by FEMA. It has been developed into a national consensus standard by the American Society of Civil Engineers. The methodology, ASCE 31-03, was recently updated as ASCE 41-13. ASCE 41 is adopted by reference in the International Existing Building Code.

Using this standard the building was evaluated using the Tier 1 method and based on the Life Safety criteria. There is a Tier 2 evaluation level to take a more in-depth analysis of selected possible deficiencies. However in this type of construction none of the identified deficiencies would be eliminated by additional structural analysis and calculations.



Photo 2. West elevation. Shed structure covers the second exit from the large basement meeting room.

III. BRIEF HISTORY OF ARCHITECT AND BUILDING

Architect

Frederic Joseph DeLongchamps, the architect for the Lander County Courthouse, was a native Nevadan. He graduated from the University of Nevada in 1904, was employed for several years in California, and returned to Nevada in 1907. His architectural firm, founded in 1909, designed both private and public buildings. His designs for the Nevada buildings for the Panama Pacific International Exposition were awarded a silver medal.

During a career and practice that spanned nearly 60 years, his work include neoclassical, art deco, international, and also gothic, Tudor, Mediterranean, and English revival styles.

Building History

Designed by DeLongchamps and constructed in 1916, the Battle Mountain Grammar School building is classified as a Classical Revival architectural style. Photo 1 is the front elevation showing its classical lines.

In 1979, Battle Mountain, by popular vote of the County, secured the seat of the County government, transferring from Austin, Nevada to Battle Mountain. The former grammar school was selected as the location for these offices as the building had appropriate size, access, and presence of a government building with its classical design. The building was renovated in to serve as the County Courthouse and occupied in 1979. Functions include Courts, administrative functions, law library and County Commissioner Chambers and meeting room.



Photo 3. North elevation. This also shows the walkway to the adjacent structure. Most of the electrical and some HVAC equipment may be seen on west elevation of the building.

IV. BUILDING DESCRIPTION

Architectural Description

The Battle Mountain Grammar School was designed in 1916. The building is two stories in height, with the lower floor partly below grade. The building is 84 feet 9 inches from east to west and 58 feet 3 inches from north to south. The building height is 27 feet 3 inches above grade and the finish floor of the basement is 2 feet 6 inches below grade.

Elevations were designed with symmetry around a centerline. Most details were also duplicated on parallel elevations, with the exception of the main entry at the center of the front (south) elevation.

Described as Classical Revival, the building originally shared elements of that tradition with Renaissance design elements.

The upper, first floor was originally treated as a Renaissance piano nobile. In keeping with that design treatment, the surface of the lower floor elevation was rusticated, with a cement plaster treatment imitating large cut stone blocks. Also typical of the Renaissance aesthetic was the use of smaller masonry units, brick in this case, above a water course that visually separated the main floor from its base. Original exterior finishes have been covered with an exterior insulation finish system (EIFS) that obliterates the original design. The present surface is smooth, with the designed masonry unit appearance completely hidden.

As was common with many buildings of this type, classical ornamentation was largely confined to the front elevation. The building's most prominent ornamental feature is the front entry, which provides access to the main floor via a grand stairway that ascends about half the vertical distance to the building's main floor. (An interior stairway completes the ascent.)

A Tuscan classical portico at the entry has four columns and a simple entablature and pediment. Classical grillework covers a fixed light above double, single light glazed wood doors. Matching grillework covers sidelights that flank the doors. All these details remain, with the exception of the doors, which have been replaced with aluminum storefront doors and fixed lights. Photo 4.

Each elevation is marked by strict symmetry around its centerline, and by symmetry of window centerlines between the upper floor and the lower. An interesting feature is that



Photo 4. Aluminum storefront door. Not original. The recommendation is to remove this assembly and replace it with an entry that matches the original design.

parallel elevations, in the original design, were as identical as possible. The main exception to this, of course, is the classical entry, which is not repeated on the rear elevation. Instead, the central windows on the north elevation are in a symmetrical group that provides lighting for the stair to the lower floor. Much of this symmetry has been lost over the years through additions and alterations to the side and rear elevations of the lower floor. Photos 2 and 3 show the several elevations.

Windows of the north and south elevations are spaced in regular bays, five to either side of the grand entrance. Lower floor windows, though narrower and shorter than those of the upper floor, share their spacing and centerlines. The window sash at both levels was originally 1/1 wood double hung. Those windows have almost all been replaced with modern metal windows.

East and west (side) elevations originally each had six windows on the lower floor, two on the upper. Most of the lower floor windows have been covered or converted to doors as part of subsequent alterations.

Structural Description

Foundation – The building foundations are concrete. The footings are 2 feet 6 inches below grade at the north side and 3 feet 1 inch below the original grade and 48 inches below the finish grade on the south side. The foundations are 1 foot 10 ½ inches wide at the bottom and 12 inches thick. The stem wall above the footing is 16 inches thick.

Basement – The floor of the basement in most areas is a 4 inch thick slab on grade. In the occupied rooms there is a maple finish floor placed on 1 3/8 by 2 ¾ inch wood sleepers on the concrete slab. In rooms 5, 6, and the fuel room the slab is 4 inches thick with a 1 inch topping.

The toilet rooms are 2 feet 6 inches above the elevation of the basement floor. They are at the elevation of the north entry lobby hall at Stairway 2. In the toilet rooms the slab is 6 inches thick with tile over.

First Floor Framing –

The first floor framing consists of 2 inch by 14 inch joists spaced at 16 inches on center between Gridlines A to B and C to D. The floor joists from Gridline B to C are 2 inch by 10 inch spaced at 16 inches on center. Floor sheathing consists of 1 inch by 8 inch diagonal boards with a finish floor of maple boards. The floor joists at Stairway 1 landing (Gridline C.3 to C.6) are 2 inch by 10 inch spaced at 16 inches on center.

The floor joists in the Assembly Room, 01, are supported by a 6 inch by 16 inch wood beams along Gridlines B and C. They span from Gridline 4 to approximately Gridline 3. These beams are supported at each end by a reinforced concrete column constructed into the concrete walls. These beams are also supported at the one-quarter points of the span by steel rods suspended from trusses in the attic (described later). The steel rods extend from the bottom chord of the truss to the beam below. See the later description of the truss and changes.

The floor joists are anchored to the concrete walls with steel straps. The spacing of these straps could not be determined from the construction drawings.

Roof Framing –

The roof framing consists of 2 inch by 12 inch rafters spaced at 16 inches on center. The roof sheathing is 1 inch by 8 inch straight board sheathing.

The ceiling joists are 2 inch by 4 inch boards spaced 16 inches on center. These are supported by cripple studs from the walls on Gridlines B and C. They are supported by the exterior

walls on Gridline A and D. The joists are also hung from the roof rafters at their quarter points, and mid-points of their span between walls.

As noted earlier there are two trusses in the attic space that span along Gridlines B and C between Gridline 3.3 and 4. These trusses are about 8 feet 6 inches out to out in depth. They consist of four bays. Members consist of an 8 inch by 10 inch top chord and bottom chord of two 3 inch by 8 inch boards. (This was not visible as part of the truss is buried in the wall.) Diagonals are 4 inch by 10 inch members in the first two bays and 4 inch by 6 inch in the bays near the center. Vertical (tension) members are steel rods, 1 5/8 inch diameter at the center and 1 3/4 inch diameter at the outer two bays.

About one-half of the truss depth is in the first floor walls along Gridlines B and C. As a result the entire truss cannot be seen without removals.

There appears to have been a design change, possibly during construction. An architect's revised drawing 6 changed these trusses by reducing the size of the diagonal truss members and the details of the steel hangers between floors. It changed the steel rod hanger that was originally planned to hang from the top chord through the lower chord and support the beam at the first floor. The original steel rod size was 2 1/2 inches in diameter. The revised rod is 1 3/4 inch diameter at the quarter points of the truss and 1 5/8 inch diameter at the center of the truss. (It appears that the revised truss would be less expensive and easier to fabricate.)

Offset from the truss tension rods are steel rod hangers that support the 6 inch by 16 inch first floor beam over the Assembly Room, 01. This beam may have failed or had excessive deflection as wood posts were added at the middle of the span to provide support.

Exterior Walls

Basement Level

The basement walls are 16 inch thick concrete up to the window head which is approximately at the height of the underside of the first floor framing. The window head is a reinforced concrete beam with 3/8 inch twisted reinforcing steel. The numbers of bars vary by the span of the window.

First Floor Walls

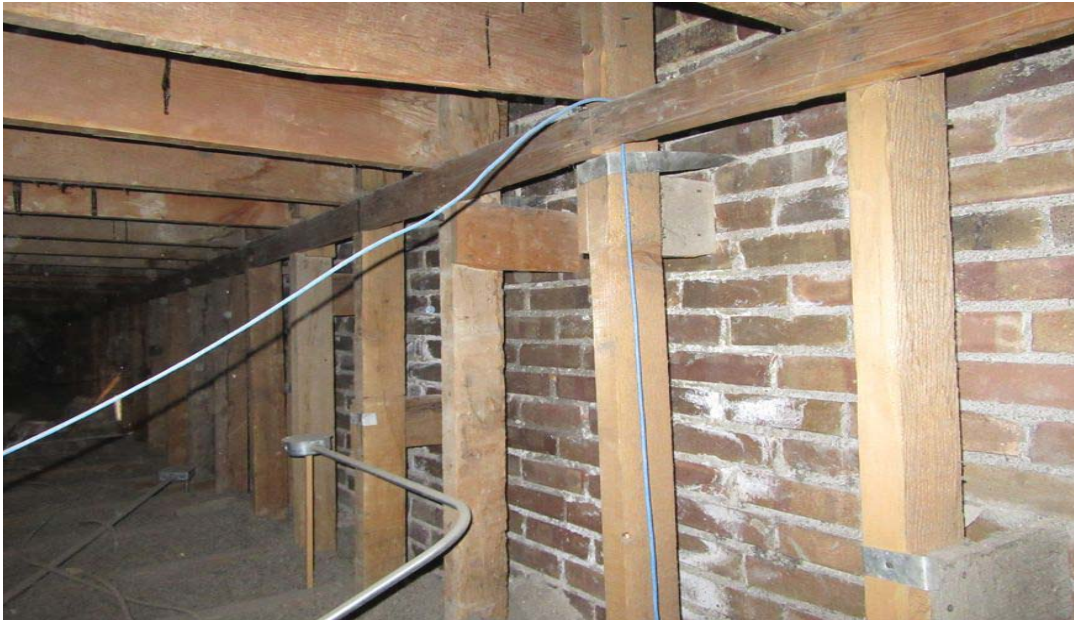
From the first floor up the walls are 8 inch thick concrete probably extending to the head of the first floor windows. A 2 inch by 6 inch wood plate is on top of the concrete. It is attached to the concrete with 1/2 inch diameter bolts spaced 3 feet on center. On the exterior side of the concrete wall there is a 4 inch brick veneer. Between the concrete and the brick there is a 3 inch air space. Over the windows the brick veneer is supported by a L3 1/2 x 3 1/2 x 3/16 shelf angle. This is supported on the brick veneer.

Above the window head are 2 inch by 4 inch cripple studs that extend to the roof. These are placed on top of the concrete. There is a three inch gap between the studs and the brick

veneer. The cripple studs bear on a 2 inch by 6 inch plate on the concrete wall. The plate has ½ inch diameter anchor bolts into the concrete at 3 feet on center.

Other concrete walls frame the entry stairs at Gridlines 2.7 and 3.3. These serve as retaining walls for the elevation difference between the basement floor elevation and the north door lobby floor. Similar walls are around the floor of the toilet rooms.

Most interior walls are of conventional stud construction with 2 inch by 4 inch studs at 16 inches on center and wood lath and plaster finish. The walls of the first floor along Gridlines B and C where the steel hanger rods occur are 2 inch by 6 inch studs at 16 inches on center.



Parapets

Typically parapets are the construction above the roof line. However in this case the parapet begins at the top of the concrete wall at the top of the windows. Photo 5 shows the brick veneer and studs. The parapets consist of the 4 inch brick veneer, the 3 inch air space and the 2 inch by 4 inch cripple studs for a width of 11 inches. There is a wood brace back to the parapet between the ceiling and the roof line. The parapets are braced at the roof line.

At the front wall is a taller gable. There are wood framed crickets above the roof to direct drainage.

MEP Findings - The Appendix contains the detailed MEP report

The study determined that most of the mechanical equipment is at or nearing its life expectancy.

Further there are several inadequacies such as no fresh air in the system for the basement and

The attic ductwork is leaking and not insulated.

Roof drainage needs to be improved.

Bathroom fans need replacement.

The electrical lighting system should be upgraded to more efficient units.

V. COMMUNITY SENTIMENT AND IDEAS

The community has identified a number of potential uses for the structure. Many of these were reiterated and discussed at the community input meeting held during the site visit.

Community Uses

- Art Exhibits and Arts Education
- Crafter/Art consignment shop with space for classes
- Performance & Fine Arts Center (similar to Oats Park in Fallon)
- Great Basin College extension classrooms and/or Adult Education classrooms
- Office space for nonprofit organizations (several organizations are needing office space)
- Library and Research/Archive center with focus on local history
- Gathering Rooms for meetings, weddings, anniversary, reunions, with ability to heat/serve meals
- Possible use of one room to set-up a historic classroom
- Nonprofit group meeting space such as scouts

There are other buildings on the same block as the Grammar School/Courthouse that could be integrated into any reuse design. .

The building attached via walkway that is to be a day care center. There is a modular building on the corner, next to the day care center, that was used by the Juvenile Department. That building is going to be removed. The brick building, diagonal from the courthouse, was used for a day care, but recently a nonprofit organization is using the building.

VI. SUMMARY OF FINDINGS

General

The building is in generally good condition with no evidence of settlement or other distress. It has been altered over time to meet needs as a courthouse including accessible toilet rooms and a lift for accessibility. Energy improvements have been made to the heating and electrical systems.

The EFIS covering (sometime called synthetic stucco – but it is not really stucco) covers the entire exterior of the building.

The seismic potential of Northern Nevada is considered high and seismic retrofit is required.

Energy conservation, generally to reduce operating costs requires review and updated equipment as the existing systems wear.

Architectural

Functional and operational changes have occurred to convert the building to a Courthouse. These changes are generally reversible as they consist of wood studs with wall board or paneling. It is fairly easy to return the building to historic configuration.

Many of the original interior doors, wood trim, wall and ceiling finishes remain. Where elements are missing, it is possible to restore them, using remaining elements as examples. Some intrusive elements have been added. Examples would be interior plywood paneling and the aluminum storefront entry and sidelights on the front elevation. The Appendix con-



Photo 6. Lobby on first floor. Historic fabric shown includes the doors and frames, baseboard, wainscot, and picture rail. The paneling appears to be later.

tains a detailed, room by room, description with finish materials described. Photos 6 and 7 show examples of the existing historic fabric and alterations with paneling.

Even significant changes, like the window changes from the original double hung windows, are not significantly invasive.



Photo 7. Interior walls, and wall finishes, constructed for the Courthouse use are removable and the plaster and flooring patched.

Seismic Evaluation

The seismic evaluation of the building found that the walls are somewhat unusual in their construction. At the top of the windows, the concrete wall ends and there is brick veneer, braced by wood studs, extending to the roof line. This will require some work in the attic.

The attached Check Lists show the findings of features that comply with the evaluation standard and those that do not. The findings are as follows:

Parapet Bracing – Parapets beyond a certain height to thickness ratio may topple in an earthquake. Typically these fall outward, often on the public way. In this building the parapets are brick veneer and occur at the top of the windows. These will require bracing in the attic plus other construction to transfer shear forces into the concrete walls.

Wall Anchorage – Concrete and masonry walls are typically inadequately connected to the floor and roof diaphragms. (The diaphragm is a stiff element that can brace the wall.) Early masons provided anchors from the wall to the joists and rafters with nails into the joist at about 4 feet on center. The attachment is significantly less than the anticipated forces and requires strengthening. This is accomplished by placing a bolt in the wall which is adhered with epoxy. The bolt is connected to a steel angle that is anchored to the roof.

Wall Stability – Wall stability is measured by the wall's height to thickness (h/t ratio). This is measured between the floors or floor to roof. (This assumes that the wall anchors are in place,) The findings were that the first floor walls have sufficient stability but the second floor walls will require additional bracing to the roof diaphragm.

In-plane Shear – Forces in the plane of the wall will cause the wall to crack and be damaged if they do not have sufficient strength. Thus solid walls are stronger than walls with windows and doors. The walls need to be analyzed to determine whether it complies or not. Each ex-

terior wall will have different results. In some cases windows may be filled in to add strength. In this building, with many windows covered, this might be considered.



Photo 8. Interior of first floor lobby. Radiators are an important element of the historic fabric, even though they are not functional. The aluminum door to the left should be replaced with a wood door matching the others in the building.

Mechanical, Electrical, and Plumbing (MEP) Findings

Mechanical equipment wears out and much of the equipment appears to be at about its life expectancy. In addition to the age of the equipment other deficiencies were noted.

The duct work in the attic is loose and not insulated resulting in energy loss.

There is no fresh air in the HVAC system for the basement level. An additional HVAC unit will be required.

Electrical equipment lasts longer since it does not have the moving parts. But electrical demands often impact on the system. In this building the basic electrical equipment has adequate capacity for most of the anticipated uses. Lighting should be upgraded to more efficient units. When uses are selected the electrical system should be evaluated for adequacy.

Plumbing fixtures typically may be changed for accessibility improvements as well as water efficiency. The existing fixtures are in good condition. There is no backflow protection. It is not known whether the building is on a sewer or septic system. The existing exhaust fans in the basement should be replaced.

A detailed discussion of each element of the MEP systems is presented in the complete report in the Appendix.

VII. RECOMMENDATIONS

Preservation Approach

The Battle Mountain Grammar School was constructed during a period of mining discovery and expansion in the area and illustrates the pride and energy of the region. Designed by a prominent architect, the building was one of the first and most prominent public buildings in Lander County and an important addition to its public architecture.

The building is large, and its simple classical façade makes a statement of permanence and significance. Though simple, its exterior and interior detailing were of high quality, durable materials.

In a town and state that were still expanding and developing, this artistic statement represents a commitment to the future and a conviction of stability and permanence.

For this reason, the building's simple solidity and spare integrity can be regarded as an important contributor to its historic significance. Thus, while ornamental details are considered primary historic fabric because of their visual importance, original simple fabric has secondary significance. We do not regard any original materials in this building as insignificant.

For best representation of the building, ad hoc or makeshift additions such as plywood paneling partitions and aluminum storefront should be designated as intrusive and slated for removal as soon as that is practical.

Restoration Options

Options for rehabilitation were discussed at the community meeting. Discussions resolved around whether the initial work should restore the exterior or restore the interior.

Restoring the exterior would dramatically add to the community and would act as an encouragement to continue with the interior restoration.

Interior restoration would provide a usable building for the community. It would permit bringing visitors and others to use and visit the building and encourage completion of the exterior restoration work.

A third option that we are suggesting would be to restore the main entrance to its historic appearance. This would include replicating the doors and entry and removal of the aluminum storefront. Then interior restoration might proceed in phases or as a single project.

The general approach is to restore the building to the larger historic spaces, classrooms and the meeting room, that will permit the uses noted earlier in the report.

Structural Options

Based on the analysis and findings the building should be retrofitted. The work includes:

Parapet and Wall Bracing – Brace the top of the concrete wall to the roof. This work would be in the attic. In addition positively attach the roof to the stud and veneer in the attic space.

Wall Anchors – All walls need to be anchored for out-of-plane and shear loads at the first floor level.

In-plane Shear - In-plane shear improvements are may be required. The extent of the shear-wall work will be determined in design.

Diaphragm or Bond Beam – The wall bracing will have to be improved with the addition of a bond beam or by making the roof into a diaphragm. This will involve adding a layer of ply-

wood over the existing roof and making changes to the walls between the main floor ceiling and the roof.

Shearwalls – New shearwalls need to be added in the transverse (short) direction of the building. These will occur on each side of the stairway. This may be accomplished by adding plywood on one side of the wall and improving the anchorage at the foundation level.

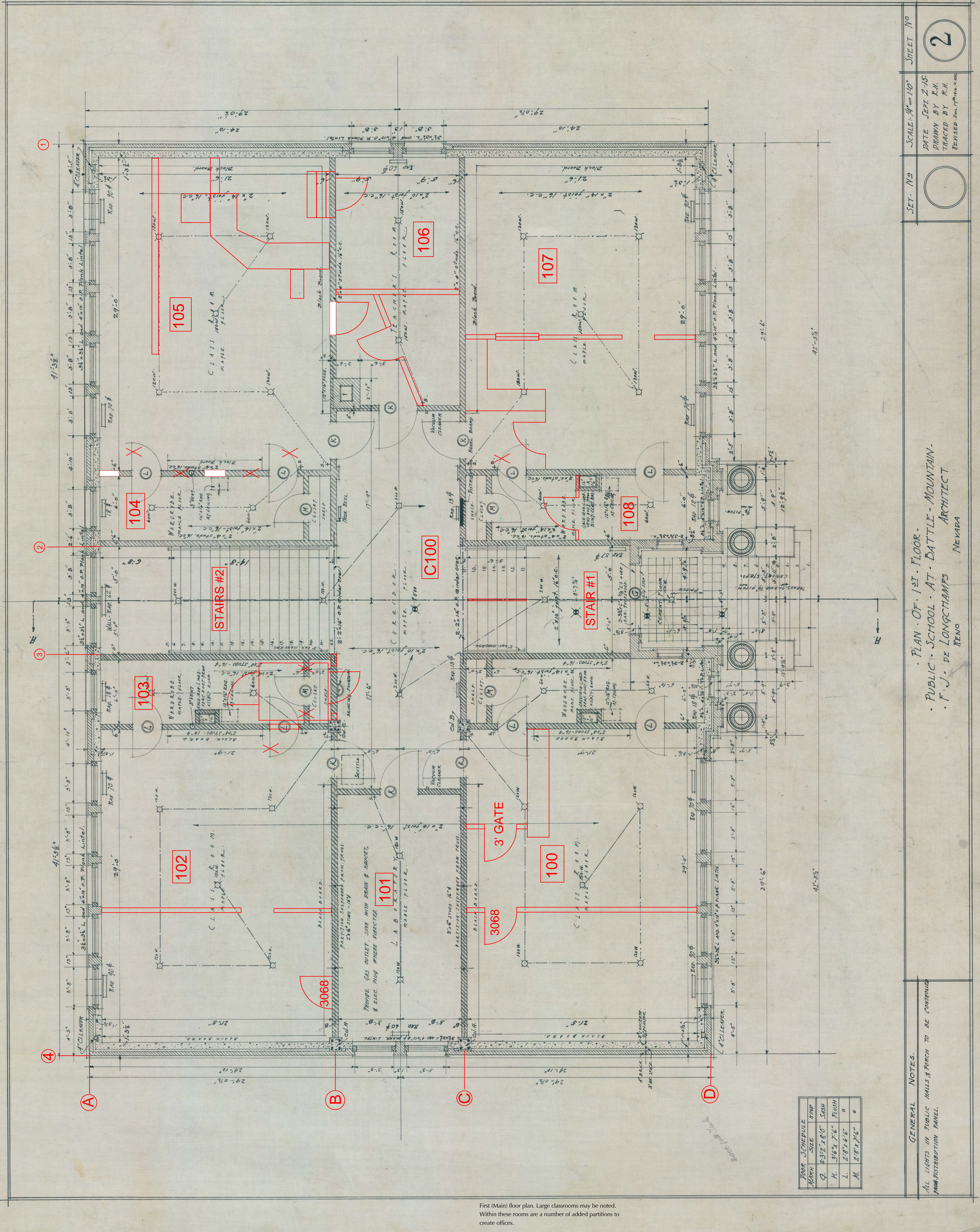
Mechanical, Electrical and Plumbing (MEP)

When alterations are made, new mechanical systems should be introduced. They will be more energy efficient as well as better operationally. The deficiencies notes should be corrected as part of any work on the systems.

Electrical systems and accessibility improvements should be made at the time when uses have been determined.

Phasing of Work

Sometimes projects and seismic retrofit can be phased. The seismic work may be in two or more phases: work in the attic and work in the basement. The first phase work could be undertaken from the roof, often while a building is occupied. However the wall anchors, shear improvement, and similar work will require removal and reinstallation of interior finishes and ceilings. Also a single stage project is typically less expensive than a phased project. Interior renovation will be mainly removing the added panel and partitions to permit opening up the spaces.



DOOR	SCHEDULE	MARK	SIZE	TYPE
Q	2'-0" x 8'-0"	SASH		
H	3'-6" x 7'-6"	FLUSH		
L	2'-8" x 6'-6"	"		
M	2'-8" x 7'-6"	"		

GENERAL NOTES.

ALL LIGHTS IN PUBLIC HALLS & PORCH TO BE CONTINUED FROM DISTRIBUTION PANEL.

PLAN OF 1ST FLOOR.
PUBLIC SCHOOL AT BATTLE MOUNTAIN.
F. J. de LONGCHAMPS ARCHITECT
NEVADA

SET. NO.

SCALE: 1/4" = 1'-0"

DATE: SEPT. 2, 1915.

DRAWN BY R.H.

TRACED BY R.H.

REVISED BY J.H. X.002.

SHEET NO.

2

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __4__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to approve/disapprove the creation of a dog park and the signage to be displayed, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __5__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to approve/disapprove access to the Administration Building for the Lander County Sheriff's Office, including key access, installation of weapons lock boxes located in the inmate transportation hallway, and video surveillance access, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:

LANDER COUNTY COMMISSIONERS MEETING

Agenda Item Number __6__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Update from the Battle Mountain Livestock Advisory Board, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action: **This is a non-action item.**

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __7__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding the Battle Mountain Water Transmission Main 2018 Project located on 26th Street and Allen Road and to award the project to one of the following:

- a) Canyon Construction- base bid \$2,054,291.81, alternate bid \$1,162,269.48;
 - b) Hunewill Construction-base bid \$1,507,123.00, alternate bid \$563,119;
 - c) Q&D Construction- base bid \$1,900,000.00, alternate bid \$645,000.00;
- and all other matters properly related thereto.

Public Comment:

Background: Bid Summary and Recommendations attached

Recommended Action: Approval of the bid to Hunewill Construction in an amount not to exceed \$2,070,242.00



BOX 651 • EUREKA, NEVADA 89316 • (775) 237-5395
5 EAST PARK STREET • FALLON, NEVADA 89406 • (775) 423-9090

January 23, 2018

Bert Ramos – Public Works Director
LANDER COUNTY PUBLIC WORKS
50 State Route 305
Battle Mountain, Nevada 89820

**RE: BID SUMMARY AND RECOMMENDATION FOR AWARD
BATTLE MOUNTAIN, LANDER COUNTY, NEVADA
WATER TRANSMISSION MAIN 2018 PROJECT
PWP NO. LA-2018-038**

Mr. Ramos;

Attached herewith is a copy of the bid summary and bid submittal checklist for the referenced project. Three bids were received at the Lander County Clerk's Office on Tuesday, January 23, 2018 prior to the bid time of 3:00 pm. Canyon Construction from Elko, Q&D Construction from Sparks and Hunewill Construction from Winnemucca were the eligible bidders. The bids were then opened and read aloud.

The submitted bid documents from all three bidders were reviewed for completeness, alterations, math errors and irregularities. All documentation submitted with the bids were complete and without any math errors. Hunewill Construction was the apparent low bidder with a base bid amount of \$1,507,123.00 and an alternate bid amount \$563,119.00 for a total bid amount of \$2,070,242.00. The bid from Hunewill Construction is less than the Engineer's Estimate of \$3.5 Million and is less than the amount budgeted for this project.

Day Engineering and Lander County Public Works are familiar with previous projects of similar design and complexity completed by Hunewill Construction. Based on the results of the bidding and previous work experience, the bid appears reasonable; therefore, Day Engineering recommends the Commission accept Hunewill Construction's bid, including alternative bid items, in the amount of \$2,070,242.00.

If the Commission accepts Hunewill Construction's bid, Day Engineering also recommends Public Works execute the attached Notice of Award. The executed notice will then be issued to Hunewill Construction for signature. The date of their execution of the Notice of Award will initiate the 10-day time period in which they are to provide a Contract and the necessary bonds to Public Works prior to commencing work.

Mr. Bert Ramos
Bid Recommendation Letter
January 23, 2018
Page 2

If you have any questions or require additional information, please do not hesitate to call the undersigned at (775) 423-9090.

Sincerely,
DAY ENGINEERING



Martin Ugalde

Enclosures

cc: Keith Westengard – Lander County Executive Director
Tammy Dimitroff – Lander County Public Works
Stephanie Colorado – Day Engineering
Dean Day, P.E. – Day Engineering Principal

C:\\$DayEngineering\Lander\Battle Mtn\West Transmission Main Loop\docs\L1 23 18 Bid Award Letter.doc

BID SUBMITTAL CHECKLIST

WATER TRANSMISSION MAIN 2018 PROJECT
BATTLE MOUNTAIN, LANDER COUNTY, NEVADA

PWP NO. LA-2018-038

JANUARY 23, 2018 – 3:00 PM

BIDDER	PROP.	REVISED BID	BID BOND	GEN. CONT	LIST OF SUBS	AFFID. OF NON- COLLUS.	AFFID. OF AB 144	CONT. WAIVER NRS 338	ADDEND. 1
A&K	NO BID								
CANYON	✓	2,034,191.48 1,163,709.21	✓	✓	✓	✓	✓	✓	✓
GREAT BASIN	NO BID								
HUNEWILL	✓	1,507,123 563,119	✓	✓	✓	✓	✓	✓	✓
MKD	NO BID								
Q&D	✓	1,900,000 645,000	✓	✓	✓	✓	✓	✓	✓
SNE	NO BID								
V&C	NO BID								

WATER TRANSMISSION MAIN 2018 PROJECT

BID SUMMARY

JANUARY 23, 2018 - 3:00 PM

BASE BID				ENG. EST.		HUNEWILL		Q&D		CANYON	
BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	1 Mob Demob	1	LS	\$75,000	\$75,000	\$167,750	\$167,750	\$128,210	\$128,210	\$49,941.96	\$49,941.96
2	2 Install New 16" PVC Water Main	11,400	LF	\$85	\$969,000	\$55,14	\$628,596	\$72.50	\$826,500	\$92.81	\$1,058,034.00
3	3 Install New 16" Butterfly Valves	8	EA	\$6,500	\$52,000	\$1,976	\$15,808	\$5,150	\$41,200	\$5,542.84	\$44,342.72
4	4 Install New 2" Air Valve Assemblies	2	EA	\$6,000	\$12,000	\$5,759	\$11,518	\$6,300	\$12,600	\$5,617.31	\$11,234.62
5	5 Install New Fire Hydrant Assemblies	23	EA	\$7,500	\$172,500	\$7,400	\$170,200	\$8,700	\$200,100	\$9,419.97	\$216,659.31
6	6 Install New 2" PE Water Services*	31	EA	\$5,500	\$170,500	\$1,615	\$50,065	\$2,800	\$86,800	\$2,991.70	\$92,742.70
7	7 Install New 1" Water Services*	77	EA	\$4,500	\$346,500	\$395	\$30,415	\$450	\$34,650	\$828.58	\$63,646.66
8	8 Install New Single Water Meter Pits	77	EA	\$2,500	\$192,500	\$1,267	\$97,559	\$1,220	\$93,940	\$1,622.25	\$124,913.25
9	9 Install 16" Cross (Allen Road)	1	LS	\$20,000	\$20,000	\$12,687	\$12,687	\$12,700	\$12,700	\$12,134.63	\$12,134.63
10	10 Install 16" Tee (Faded Sage - 26th)**	3	EA	\$25,000	\$75,000	\$16,032	\$48,096	\$24,800	\$74,400	\$19,766.82	\$59,300.46
11	11 Install 16" Cross (Faded Sage - Yellow Brick)	7	EA	\$35,000	\$245,000	\$20,950	\$146,650	\$32,100	\$224,700	\$25,021.73	\$175,152.11
12	12 Install Tie In at Kayci Ave and 22nd Street	1	LS	\$17,000	\$17,000	\$6,161	\$6,161	\$16,300	\$16,300	\$9,467.65	\$9,467.65
13	13 Exist Water Main Repair	3	EA	\$5,000	\$15,000	\$1,500	\$1,500	\$5,000	\$15,000	\$950.81	\$2,851.83
14	14 Exist Gas Main Repair	3	EA	\$1,000	\$3,000	\$150	\$450	\$800	\$2,400	\$1,520.97	\$4,562.91
15	15 Exist Dry Utility Repair	10	EA	\$500	\$5,000	\$500	\$5,000	\$500	\$5,000	\$500.00	\$5,000.00
16	16 AC Pavement Patch	1500	SF	\$8.50	\$12,750	\$8	\$12,000	\$9	\$13,500	\$7.60	\$11,400.00
17	17 Additional Potholing	100	HRS	\$400	\$40,000	\$15	\$1,500	\$370	\$37,000	\$379.07	\$37,907.00
18	18 Force Account	1	LS	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000.00	\$75,000.00
Base Bid Total					\$2,497,750		\$1,507,123		\$1,900,000		\$2,054,297.81

ALTERNATE BID				ENG. EST.		HUNEWILL		Q&D		CANYON	
BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
A-1	1 Grading and Earthwork (Faded Sage)*	4800	LS	\$20	\$96,000	\$26	\$124,800	\$39	\$187,200	\$69.76	\$334,848.00
A-2	2 Grading and Earthwork (Yellow Brick and 26th)	2,800	LF	\$10	\$28,000	\$15	\$42,000	\$27.50	\$77,000	\$52.09	\$145,852.00
A-3	3 AC Pavement	185,000	SF	\$4.25	\$786,250	\$2	\$351,500	\$1.70	\$314,500	\$3.40	\$629,000.00
A-4	4 Install 12" CMP Culverts	3	EA	\$15,000	\$45,000	\$7,247	\$21,741	\$11,200	\$33,600	\$11,469.69	\$34,409.07
A-5	5 Install Road Signage	1	LS	\$5,000	\$5,000	\$6,928	\$6,928	\$10,000	\$10,000	\$6,724.94	\$6,724.94
A-6	6 Replace Exist Tee and Valve at Sta 113+01	1	LS	\$75,000	\$75,000	\$16,150	\$16,150	\$22,700	\$22,700	\$11,435.47	\$11,435.47
Alternate Bid Total					\$1,035,250		\$563,119		\$645,000		\$1,162,269.48
TOTAL BID					\$3,533,000		\$2,070,242		\$2,545,000		\$3,216,567.29

NOTICE OF AWARD

TO: HUNEWILL CONSTRUCTION CO. INC.
1410 West Railroad
Winnemucca, Nevada 89445

DATE: February 8, 2018
PROJECT: WATER TRANSMISS.
MAIN 2018

PROJECT DESCRIPTION: **BATTLE MOUNTAIN WATER TRANSMISSION MAIN 2018 PROJECT.** The Owner has considered the bid submitted by you for the above described work in response to its Notice to Bidders dated January 8, 2018 and Instruction to Bidders.

You are hereby notified that your bid has been accepted for those items in the amount of Two Million, Seventy Thousand, Two Hundred Forty Two and 00/100 Dollars (\$2,070,242.00).

You are required by the Instruction to Bidders to execute the Contract and furnish the required Contractor's Performance Bond, Labor and Materials Bond and certificates of insurance within ten (10) calendar days from the date of receipt of this Notice.

If you fail to execute said Agreement and to furnish said bonds within ten (10) days from the date of receipt of this Notice, said Owner will be entitled to consider all your rights arising out of the Owner's acceptance of your bid as abandoned and as a forfeiture of your Bid Bond. The Owner will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the Owner.

Dated this _____ day of February, 2018.

LANDER COUNTY PUBLIC WORKS DEPT.
Owner

By: _____

Title: _____

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by Hunewill Construction Co. Inc.

this the _____ day of February 2018

By: _____

Title: _____

BASE BID					ENG. EST.	HUNEWILL		Q&D		CANYON	
BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mob Demob	1	LS	\$75,000	\$75,000	\$167,750	\$167,750	\$128,210	\$128,210	\$49,941.96	\$49,941.96
2	Install New 15" PVC Water Main	11,400	LF	\$85	\$969,000	\$55.14	\$628,596	\$72.50	\$826,500	\$92.81	\$1,058,034.00
3	Install New 15" Butterfly Valves	8	EA	\$6,500	\$52,000	\$5,247	\$41,976	\$5,150	\$41,200	\$5,542.84	\$44,342.72
4	Install New 2" Air Valve Assemblies	2	EA	\$6,000	\$12,000	\$5,759	\$11,518	\$6,300	\$12,600	\$5,617.31	\$11,234.62
5	Install New Fire Hydrant Assemblies	23	EA	\$7,500	\$172,500	\$7,400	\$170,200	\$8,700	\$200,100	\$8,419.97	\$216,859.31
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8	Install New Single Water Meter Pits	77	EA	\$2,500	\$192,500	\$1,267	\$97,559	\$1,220	\$93,940	\$1,022.25	\$124,913.25
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13	Exist Water Main Repair	3	EA	\$5,000	\$15,000	\$500	\$1,500	\$5,000	\$15,000	\$950.61	\$2,851.83
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15	Exist Dry Utility Repair	10	EA	\$500	\$5,000	\$500	\$5,000	\$500	\$5,000	\$500.00	\$5,000.00
16	AC Pavement Patch	1500	SF	\$8.50	\$12,750	\$8	\$12,000	\$9	\$13,500	\$7.60	\$11,400.00
17	Additional Potholing	100	HRS	\$400	\$40,000	\$15	\$1,500	\$370	\$37,000	\$379.07	\$37,907.00
18	Force Account	1	LS	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000.00	\$75,000.00
	Base Bid Total				\$2,497,750		\$1,507,123		\$1,900,000		\$2,054,291.81
ALTERNATE BID					ENG. EST.	HUNEWILL		Q&D		CANYON	
BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
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A-3	AC Pavement	185,000	SF	\$4.25	\$786,250	\$2	\$351,500	\$1.70	\$314,500	\$3.40	\$629,000.00
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A-6	Replace Exist Tee and Valve at Sta 113+01	1	LS	\$75,000	\$75,000	\$16,150	\$16,150	\$22,700	\$22,700	\$11,435.47	\$11,435.47
	Alternate Bid Total				\$1,035,250		\$563,119		\$645,000		\$1,162,269.48
	TOTAL BID				\$3,533,000		\$2,070,242		\$2,545,000		\$3,216,561.29

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __8__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to approve/disapprove a modified contract between Lander County and Land Venture Partners, LLC., for the Battle Mountain Airport Waterline Project, and all other matters properly related thereto.

Public Comment:

Background: Both modified and original contracts are attached.

Recommended Action: Approval of the Modified Contract

Project Collateral Listing

_____ Land Owner	011-080-09, 011-220-01, 011-160-01, 011-160-02, 011-220-03, 011-240-07, 011-190-04, 011-080-07, , 011-220-01, 011-150-03 (Vesting Documents 280983, 256846) _____ Assessor Parcel Numbers (2017)
---------------------	---

Tax ID/EIN Number

Telephone Number

Please Provide the Following:

_____ Proof of Ownership

_____ W-9

_____ Lander County Business License

Principal Officers:

NAME	TITLE	SIGNATURE
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<hr/>	<hr/>	<hr/>
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Owners Not Listed Above:

NAME	TITLE	SIGNATURE
------	-------	-----------

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

I, _____, certify that the above lists include all officers, owners and financial partners of the above mentioned firm-corporate structure to the best of my knowledge.

(Owner 1 Signature)

(Date)

(Owner 2 Signature)

(Date)

This Contract made and entered into on the _____ day of _____ 20_____, by and between Battle Mountain Land Company, LLC, hereinafter designated as the Owner, and Lander County, hereinafter designated as the County.

Lander County and the Owner agree and bind and obligate themselves as follows:

Lander County to provide a domestic water transmission mainline (hereinafter "the work"), in accordance with the plans and specifications to be provided, to the locations outlined in the attached Key Term and Clarification document. Lander County also agrees and obligates itself to obtain all necessary and/or required approvals and/or acknowledgements from any agencies whose jurisdiction is relevant to the work. Lander County and the Owner, further agrees and obligates themselves to Key Terms listed herein.

Owner agrees, binds, and obligates Land Venture Partners, LLC to pay Lander County a fixed fee amount of \$ 500,000.00. Payments will be taken per the below listed Payments Schedule.

Commencement of Work:

Construction will commence on or about February 1, 2018 (weather permitting). Substantial completion of the work will be 240 days after commencement of construction. However, this time period may, at Lander County's option, be extended if construction is delayed due to weather, fire, strikes, material shortages, or Acts of God, Owner delays, or other normal variations in the construction process including, but not limited to, the selection, ordering, manufacture, and/or installation of Owner selections. Failure of Lander County to timely complete shall not be considered default. The date of Substantial completion shall be that date when the work is completed sufficiently enough to enable the Owner to apply for and obtain domestic tie-in approvals. Separate application, not included herein, will be required all proposed tie-in locations. All connection fees will be due at the time of each individual proposed connection per the Lander County fee schedule.

Owner Obligations:

Owner further agrees to cooperate with and make every reasonable effort to refrain from hindering Lander County and/or the work. Owner shall allow Lander County and/or employees, contractors and/or subcontractors of Lander County to have continuous access to the premises upon which the work is to be performed during the construction period, all hours of the day. Such access shall include, but is not limited to leaving the premises unlocked regardless of the presence of Owner. However, in the event that the Owner temporarily halts the work, Owner assumes any and all liability and responsibility for any and all costs associated with, related to, and/or arising from the work delay including, but not limited to, wages, loss of income, start-up costs, sub-contractor charges, additional trip charges, delayed material delivery charges, and material loss charges. Owner further understands and agrees that upon execution of this contract, all changes to this agreement can only be performed by mutual consent of Owner and the Lander County Board of Commissioners.

Payments Schedule:

The Owner shall provide Lander County \$500,000.00 in accordance with the following payment schedule:

- | | |
|--|--------------|
| 1. \$166,650.00 (33.33%) due at the time of initial contract submittal | Initial_____ |
| 2. \$166,650.00 (33.33%) due at the End of the construction project | Initial_____ |
| 3. \$166,700.00 (33.34%) due any time the new waterline is utilized or due by Monday, July 1st, 2019 | Initial_____ |

Key Terms

1. Owner is to provide Lander County \$500,000.00 in fixed fee funding, to assist with the Airport Waterline Project.
2. Alignment:
 - a. Per Sheet C2 (attached), Lander County will execute the initial waterline construction, with tie-in beginning near the County headquarters (Sta: 1+00) and perpetuate to the Lander County Airport (sta: 395+20); ONLY.
3. Easements:
 - a. Owner agrees to dedicate a 60-foot Public Utility and full Access Easement (Right of Way) to the County, prior to beginning of the project within:
 - i. Station 117+16 to 177+40, per Sheet C2.
 - ii. Roadway that occupies the access easement is to be constructed by the County.
 - Construction will occur after the final payment is applied by Owner to Lander County for the Airport Waterline Project.
 - The County will construct the roadway within the next construction season following such payment.
 - iii. Easements shall be recorded (by Owner) prior to construction, designated locations by the County
 - b. Lander County will trade APN: 011-100-15 (Vesting Document 236901) to Land Venture Partners, LLC as a trade for the easements outlined herein.
 - i. This agreement allows Lander County a Public Utility and Access Easement across what is currently APN: 011-220-01 & 011-080-09 in the amount of roughly 5,300 Linear Feet.
 - ii. No Roadway improvements will be completed by Lander County.
 - iii. Currently the easement is expected to be placed in the bottom third of APN: 011-220-01, running East to West.
 - iv. The final location of the easements shall be determined in the mutual reasonable discretion of Owner and Lander County.
 - v. Title too APN 011-100-15 shall be transferred to Owner prior to construction.
 - c. Easements shall be recorded (by Owner) prior to construction, designated locations by the County.
4. Each individual parcel with a segregated APN will be provided with one or more mainline stubs for future tie-in. All mainline and stubs will be located within the county Right of Way.
 - a. Maximum of 20 mainline stubs
 - b. Connection Fees still apply

5. Consensual Lien (Non-Purchase)
 - a. At the execution of this contract a Non-Purchase in the amount of \$500,000 lien will be placed on the listed parcels offered for collateral.
 - b. A portion of the lien will be discharged at each payment applied by the land Owner,
 - i. Lien Discharge will occur after each payment is applied, per the proposed payment schedule.
 - ii. Upon completion of the payment schedule, Lander County will remove the lien and provide Owner with a full reconveyance in recordable form.
 - iii. Owner will have financier listed as primary lien holder, with Lander County as the second lien holder, unless financier is Owner or affiliated thereof.
 - iv. Owner shall be permitted to finance Owner's obligations under this agreement and grant liens as long as such liens are subordinate to Lander County's rights under this agreement.
6. Assignment: This agreement is nontransferable and is specifically created for the Owners, as conveyed to Lander County, Mr. Heath Rushing and Mr. Isaac Morrison, of Battle Mountain Land Company, LLC.
7. Attached to this contract as binding language is the original Key Terms and Clarification Document that supports and enforces the language stated Herein. Any and all conflicting language or terms, shall be superseded by this signed document.

The terms and conditions outlined herein shall be valid until February 15, 2018 unless Owner signs this agreement and provides the documentation required under this agreement on or prior to February 15, 2018, in which case this agreement shall be fully enforceable in accordance with its terms. Owner shall provide Lander County five (5) business day's notice of a final submittal, to establish a final submittal meeting. As listed herein, the Owner will provide all ownership documentation, initial payment and this signed agreement to the County prior to entering the meeting. The County, within the submittal meeting, will then provide final execution of the agreement; provided that, for the purpose of clarity, the County shall immediately refund to Owner the initial payment if County fails to counter-execute this agreement, and County's acceptance of the initial payment shall bind County to this provision even in the absence of such counter-execution. Any and all requested changes will not extend or reduce the above referenced term period. All time extensions will be per the Road and Bridge Department Director.

Owner 1 (Print)

Owner 1 (Signature)

Date

Signatory Continued Page 5

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number _9__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Update from Public Works regarding the status of projects, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action: **Update only**

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __10__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Update from the Lander County Treasurer, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:

Lander County
Keith Westengard - Executive Director
50 State Route 305
Battle Mountain, NV 89820
P: 775-635-2885 f: 775-635-5332



January 22, 2018

Keri Gransbery, Budget Analyst
Nevada Department of Taxation
1550 College Parkway, Suite 115
Carson City, NV 89706-7937

RE: Plan of Corrective Action for Fiscal Year 16-17

Dear Keri,

Following is Lander County's Plan of Corrective Action regarding the compliance issue raised on pages 132-135 of our County's audited financial statements for the fiscal year ended June 30, 2017.

- **2017-001 Bank Reconciliation**
Bank reconciliations on all bank accounts should be completed and reviewed monthly to prevent and detect material misstatements in financial reporting.
 - **2017-001 Bank Reconciliation – Corrective Action**
The Lander County Treasurer and his office personnel will seek training in reconciling bank statements. The Treasurer will do an update at all regular Lander County Commission meetings to address whether any training has been obtained by him or his staff.
- **2016-001 Bank Reconciliation Review**
Bank reconciliations should be reviewed monthly by a person independent of the preparation process.
 - **2016-001 Bank Reconciliation Review - Corrective Action**
The Lander County Treasurer will reconcile the monthly statements. The Treasurer will give the Lander County Fiscal Officer the bank reconciliations by the 15th of the following month, (i.e. January's statement due by February 15th) which will be documented with a time stamp. The Fiscal Officer will then review the reconciling and initial the reconciliations to document the review. In a regular Lander County Commission meeting, the documentation will be presented as an update by the Fiscal Officer.
- **2016-003 Segregation of Duties in Small Departments**

Authorization of transactions, custody of assets (primarily cash receipting) and record keeping duties should be segregated between different individuals.

- **2016-003 Segregation of Duties in Small Departments - Corrective Action**

Smaller departments will create and implement an adequate segregation of duties policy for their office. Which may or may not include making their payments directly to the Treasurer's office.

- The Lander County Fiscal Officer is currently researching for a software program designed for cash receipting in small departments. To ensure timely deposits of funds, the Department Head will oversee that the deposits are made at least once a week.

- **2016-004 Segregation of duties in Treasurer's Office**

Authorization of transactions, custody of assets, and record keeping duties should be segregated between different individuals. Otherwise, mitigating controls should be implemented.

- **2016-004 Segregation of Duties in the Treasurer's Office - Corrective Action**

The Lander County Treasurer will implement an adequate segregation of duties over key functions in the Treasurer's office. Which includes the customer payment adjustments.

The Lander County Fiscal Officer will review the customer payment adjustments monthly. The Fiscal Officer will initial the payment adjustments as evidence of the review and keep a record of the reviews. The Treasurer will do an update on the payment adjustments once a month at a regular Lander County Commission meeting,

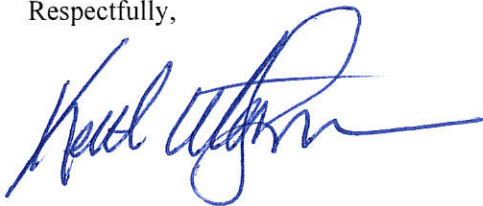
- **2016-005 Credit Card Internal Controls**

County purchase limitations should be followed for all transactions, including credit card transactions. The Executive Director should authorize and oversee any changes to card limitations for the county. Credit card purchases should have supporting documentation and should be timely recorded in the proper department or fund to enable appropriate budget oversight.

- **2016-005 Credit Card Internal Controls - Corrective Action**

The County will establish an internal controls policy over credit card purchases so the appropriate preauthorization for purchases exceeding the County's purchase limitations are obtained and documented. Also the Executive Director will establish internal controls to more effectively authorize and monitor card limits. The Lander County Treasurer will review each statement along with the documentation supporting each transaction. The Treasurer will submit payment requests to Finance for each credit card. The Fiscal Officer will do a review of the statements and payments. The Fiscal Officer will initial the statements as evidence of the review and keep a record of the reviews.

Respectfully,



Keith Westengard
Lander County Executive Director

cc: Commissioners
HintonBurdick, PLLC

THOSE VOTING AYE:

- ✓ Commissioner Doug Mills
- ✓ Commissioner Sean Bakker
- ✓ Commissioner Judy Allan
- ✓ Commissioner Patsy Waits
- ✓ Commissioner Art Clark

THOSE VOTING NAY:

Commissioner _____

THOSE ABSENT:

Commissioner _____

Doug Mills, Chair

Lander County Board of Commissioners

ATTEST: _____

SADIE SULLIVAN
Lander County Clerk

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __11__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to approve/disapprove a policy within Lander County that requires a Professional Review on all projects, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __12__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to approve/disapprove the Easement Agreement between Pershing County Water Conservation District and Lander County, and all other matters properly related thereto.

Public Comment:

Background: **Easement attached**

Recommended Action:

APN: _____

After Recording, Return to:
Schroeder Law Offices, P.C.
10615 Double R. Blvd. Ste. 100
Reno, NV 89521

Affirmation: This document does
not contain the social security
number of any person.

EASEMENT AGREEMENT

DATE: _____, 2018

FROM: PERSHING COUNTY WATER CONSERVATION DISTRICT
 P.O. Box 218
 Lovelock, NV 89419 “GRANTOR” (or “DISTRICT”)

TO: LANDER COUNTY
 50 State Route 305 South
 Battle Mountain, NV 89820 “GRANTEE” (or “COUNTY”)

RECITALS

- A. COUNTY and DISTRICT entered into a Memorandum Agreement in January 2000 that provided that the parties would cooperate with one another during the title transfer of Humboldt Project lands effected between the United States of America, acting through the Bureau of Reclamation, Department of the Interior and the COUNTY, DISTRICT, State of Nevada and Pershing County.
- B. The Memorandum Agreement further provided that as part of the title transfer process, and contingent upon successful transfer of title to DISTRICT, DISTRICT would grant to COUNTY a permanent easement to a strip of land along either side of the centerline of the Humboldt River (“Access Easement”).
- C. Title to the Battle Mountain Pasture Lands has now been transferred to DISTRICT, and consistent with the terms of the Memorandum Agreement, DISTRICT may now grant the Access Easement to COUNTY.

NOW THEREFORE, in compliance with the terms of the Memorandum Agreement, and in consideration of the mutual benefits to be received from this Access Easement, DISTRICT hereby grants and conveys to the COUNTY a perpetual easement for public access.

Easement Agreement, Page 1

TERMS

1.0 EASEMENT

- 1.1 DISTRICT agrees to grant and convey a non exclusive easement to a strip of land on both sides of the Humboldt River as follows:
 - 1.1.1 The Access Easement begins at the intersection of the centerline of the Humboldt River and the northwest edge of Nevada State Route 806 (North Battle Mountain Highway) and extends in a northwesterly direction along the length of the Humboldt River approximately 4 miles to the west boundary of the Battle Mountain Pasture.
 - 1.1.2 The Access Easement shall include only that width necessary to create a 20 feet wide strip of dry land immediately adjacent to each bank of the Humboldt River under non-flood conditions.
 - 1.1.3 The parties recognize that the outer boundaries of the Access Easement are not stationary, but will “float” depending upon the flow level of the Humboldt River and the location of its banks.

2.0 PURPOSE OF ACCESS EASEMENT

The Access Easement is granted solely for the purpose of providing members of the public with pedestrian access to the Humboldt River and the riparian lands adjacent to the River.

3.0 RESTRICTIONS ON USE OF ACCESS EASEMENT

- 3.1 The Access Easement shall only be used by members of the public from one-half hour before sunrise to one-half hour after sunset.
- 3.2 The Access Easement shall be used for human foot traffic only.
 - 3.2.1 No motorized vehicles, horses, or other conveyances are permitted on the Access Easement
- 3.3 Pets must be kept on a leash at all times.

4.0 IMPROVEMENTS

- 4.1 The Access Easement shall be maintained and used in its natural state, without improvements of any kind.

4.2 COUNTY shall not make improvements to any portion of the Access Easement except as described in Subsection 4.2.1 - 4.2.3 of this Article 4.0.

4.2.1 Prior to opening the Access Easement, COUNTY shall construct and fence a parking lot at the east end of the Access Easement on the parcel located on the west (left) bank of the Humboldt River at the east end of the Access Easement in Section 8, T.32N., R.45E., MDM ("Parking Area"). The fence shall be constructed out of permanent materials. The fence shall include an immovable gate, which shall be designed to restrict the use of the Access Easement solely to human foot traffic.

4.2.2. COUNTY may, after obtaining permission from the Nevada Department of Transportation, erect a second, identical immovable gate on the north (right) bank of the Humboldt River at the east end of the Access Easement in Section 8, T.32N., R.45E., MDM. The gate shall be constructed out of permanent materials and shall be designed in a manner necessary to restrict the use of the Access Easement to human foot traffic.

4.2.3. COUNTY shall erect one or more signs at the east end of the Access Easement in Section 8, T.32N., R.45E., MDM, which identify the easement and set forth all relevant restrictions on the public's use of the Access Easement.

4.3 COUNTY shall not add to or alter in any way or permit others to add to or alter in any way, the fencing, vegetation, or drainage now present within the Access Easement, except as provided in Article 6.0 of this Access Easement.

5.0 LIABILITY AND INDEMNIFICATION

5.1 COUNTY agrees to assume full liability for any and all damages incurred by the DISTRICT as a result of the use of the Access Easement by COUNTY or the general public. The assumption of liability under this paragraph expressly excludes any damages or injury proximately caused by DISTRICT or DISTRICT'S employees, agents, representative, invitees, licensees, or guests.

5.2 COUNTY agrees to indemnify the DISTRICT to the extent allowed by Nevada law and hold the DISTRICT harmless against any and all damages and expenses (including legal fees), claims, liabilities, causes of action, and demands of any nature whatsoever, arising out of or in any manner connected with the use of the Access Easement by COUNTY or members of the public.

5.3 COUNTY'S indemnification expressly excludes any action or demand of whatever nature brought by a DISTRICT employee, agent, representative, invitee, licensee, or guest against DISTRICT.

6.0 MAINTENANCE OF EASEMENT

- 6.1 COUNTY shall be responsible for regularly patrolling the Access Easement to ensure that no trash or other refuse is present on the Access Easement.
- 6.2 COUNTY, recognizing that DISTRICT will continue to use the Community Pasture for grazing, will not exclude DISTRICT's livestock from accessing the Humboldt River across any portion of the Access Easement.
- 6.3 COUNTY, recognizing that DISTRICT will continue to use the Community Pasture for grazing, will not disturb, alter, or remove any portion of the existing perimeter fence without first constructing a new fence along the common boundary between COUNTY and DISTRICT lands or between DISTRICT lands and the state highway right of way.
- 6.4 Any new fence constructed by COUNTY shall be constructed at the sole and exclusive cost of COUNTY. DISTRICT shall have not financial responsibility for such fence.
- 6.5 Any new fence constructed by COUNTY pursuant to the terms of this Access Easement shall be constructed to the standards set forth in Nevada Revised Statute 569.431 (1997).
- 6.6 DISTRICT will continue to maintain the Access Easement area for grazing purposes. DISTRICT maintenance activities for this area may include noxious weed control and river channel maintenance.

7.0 DISTRICT DISCLAIMERS

- 7.1 The parties understand that the Access Easement is located in the annual floodplain of the Humboldt River. It is a dynamic natural area subject to erosion, flooding, and debris accumulation. DISTRICT does not maintain or monitor the servient estate, and expressly disclaims all responsibility for the condition of the Access Easement or the servient property and any hazards whether natural or man-made, that may exist now or in the future.
- 7.2 The parties understand that the lands underlying the Access Easement have been used in the past and will continue to be used for agricultural purposes. The parties acknowledge that as a result of such activities, there are now and may be in the future agricultural residues, wastes, or by-products present on the Access Easement property. COUNTY accepts this Access Easement as is.

8.0 NON ASSIGNABILITY

This Access Easement shall not be assigned by COUNTY to any other party.

9.0 NOTICE

Any notice, demand, or request required or authorized by this Access Easement to be provided to any party shall be effective if delivered by mail, postage prepaid as follows:

DISTRICT: Manager
 Pershing County Water Conservation District
 P.O. Box 218
 Lovelock, Nevada 89409

COUNTY Executive Director
 Lander County
 50 State Route 305 South
 Battle Mountain, NV 89820

10.0 REVERTER

Failure to enforce and abide by the Access Easement terms set forth herein, or express abandonment of the Access Easement, shall cause the Access Easement to revert to the DISTRICT. Upon such reverter, all rights and benefits in and to the Access Easement conferred by this Agreement to COUNTY shall terminate.

11.0 MODIFICATION

No amendment to this Access Easement shall be effective unless executed in writing by the parties. No required consent shall be effective unless set out in writing and signed by the party giving its consent.

12.0 INTEGRATION

This instrument contains the entire agreement and understanding of the parties with respect to the rights granted herein and supersedes all prior and contemporaneous agreements among them, their employees, or agents with respect this Access Easement. Further, there are no representations, agreements, arrangements or understandings, either oral or written, between the parties hereto relating to the subject matter contained in this Access Easement that is not fully expressed herein.

13.0 SEVERABILITY

If a term, covenant, condition, or provision of this Access Easement is determine to be invalid by a court of competent jurisdiction, or the application thereof to any circumstance is determined to be invalid, void, or unenforceable to any extent, the remaining provisions of this Easement Agreement shall be unaffected and shall remain valid and fully enforceable.

14.0 THIRD PARTIES

Nothing in this Access Easement, whether express or implied, is intended to confer any right or remedy under or by reason of any provision of this Access Easement upon any person other than the parties to this Access Easement. Nothing in this Access Easement is intended to relieve or discharge the obligation or liability of any third party to the parties to this Access Easement. No provision of the Access Easement shall give any third party any right of subrogation or right of action over or against the parties to this Access Easement.

15.0 CAPTIONS

The caption of the articles of this Access Easement are intended solely for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation of this Access Easement. The words “include” and “including” are not limiting in any way.

16.0 COUNSEL

The parties acknowledge that they have read this Access Easement, that they have had an opportunity to discuss it with legal counsel, that they had an opportunity to offer modifications to this Access Easement, and that they approve of the form of this Access Easement.

17.0 CHOICE OF LAW

It is the intention of the parties to this Easement Agreement that the performance hereunder, and all suits, actions, and proceedings under this Easement Agreement, be construed in accordance with, under, and pursuant to the laws of the State of Nevada. Further, the parties intend that in any suit, action, or proceeding that may be brought arising out of, in connection with, or by reason of this Access Easement, the laws of the State of Nevada shall be applicable and shall govern to the exclusion of the law of any other forum, without regard to the jurisdiction in which any suit, action or proceeding may be instituted.

18.0 COUNTERPARTS

This Access Easement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same instrument.

19.0 ATTORNEY FEES

In the event of any suit or action arising out of or related to this Access Easement or with respect to the rescission of this Access Easement, the prevailing party shall be entitled to recover from the losing party all reasonable costs and expenses incurred, including,

By: _____

Date: _____

Title: _____

STATE OF NEVADA)
) ss.
County of _____)

On this ____ day of _____, 2018, personally appeared before me, the undersigned, a Notary Public in and for the State of _____ personally known (or proved) to me to be the person whose name is subscribed to the above instrument and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes thereby mentioned.

IN WITNESS WHEREOF I have hereunto
set my hand and affixed my official seal the day
and year in this certificate first above written.

1 COMMISSIONER WAITS: So --
2 KATHLEEN ANCHO: Trust me.
3 COMMISSIONER WAITS: I -- I personally think it's a great
4 idea. I'd like to see --
5 KATHLEEN ANCHO: Okay.
6 COMMISSIONER WAITS: -- it grow and get bigger and
7 people --
8 CHAIRMAN BAKKER: The Fourth of --
9 COMMISSIONER WAITS: -- who care.
10 CHAIRMAN BAKKER: -- July club.
11 COMMISSIONER WAITS: Yep.
12 KATHLEEN ANCHO: Yeah.
13 COMMISSIONER WAITS: Yep.
14 KATHLEEN ANCHO: So --
15 COMMISSIONER WAITS: Thank you.
16 KATHLEEN ANCHO: -- so thank you, guys. I appreciate it.
17 CHAIRMAN BAKKER: Okay. Thank you, Kathy.
18
19 10) Discussion for possible action regarding the Pershing County
20 Land Transfer and all other matters properly related thereto.
21
22 CHAIRMAN BAKKER: Moving on. Number 10. Discussion for
23 possible action regarding the Pershing County land transfer and
24 all other matters properly related thereto.
25 FRANK DIMICK: Hi, Commissioner -- Chairman.
26 CHAIRMAN BAKKER: Thank you.
27 FRANK DIMICK: Frank Dimick with Dimick Water Resources
28 Engineering.
29 I -- I would like to bring to your attention four documents,
30 which you'll require the county's approval and -- and signature.
31 Resulting from about -- almost 20 years of activity to get
32 some land transferred to you from the federal government.
33 It is not the Pershing County which is transferring the land.
34 Pershing County Water Conservation District paid for the
35 land over -- over the last 50 years, but -- but the land is
36 actually owned by the federal government.
37 It's the land that we have talked about previous to this is
38 about 998.7 acres, just shy of a thousand acres, would be
39 transferred to you in the very near future.
40 That land requires four separate documents to be transferred

1 to you -- or three -- three documents to be transferred.

2 But there is a fourth document. And that fourth document
3 is a -- an easement.

4 When this process started way back in the late 1990s, there
5 was discussion between the Pershing County Water Conservation
6 District, which is g- -- which has obtained title to much of the
7 -- what's called the community pasture here.

8 That -- that then was transferred to them a few months ago.

9 But in that agreement, there was an agreement that the --
10 Pershing County Water Conservation District would provide the
11 county with a permanent easement along the Humboldt River from the
12 north Battle Mountain highway to the east boundary, a
13 several-mile-long easement along both sides of the river, for
14 hiking, fishing, bird watching, whatever. And that easement now
15 has been drafted and provided to your county for review and is in
16 process of reviewing.

17 That easement -- the original agreement between the -- the
18 Pershing County Water Conservation District and the dis -- and
19 this -- and the county provided for a five-foot-wide easement on
20 either side.

21 The Pershing County Water Conservation District looked at
22 that originally and said, you know, five feet isn't much for
23 people to even walk on and they might step outside of it, et
24 cetera. So the draft that was sent to the county provides for a
25 20-foot-wide easement on both sides of the river for -- for
26 walking. And it's a day-use-only-type easement that -- that will
27 provide access for fishing or whatever. No motorized vehicles
28 would be allowed.

29 And the county would be responsible for policing the area for
30 trash, et cetera, that might be gathered along there.

31 And the only other really restriction would be that the --
32 the -- the easement cannot be fenced. In other words, the co-
33 -- the area will still be grazed by cattle and the water --
34 cattle would have to have access to water. So there would be no
35 fencing of that easement. But that's the only real guts of the
36 easement.

37 So that will be required to be signed by the county. And
38 then -- when you want to accept the easement. There's no
39 deadline for it. It's just that that easement is before you
40 for -- in draft form and being reviewed by your county attorney.

1 The sec -- the second -- the other three documents result --
2 result from the requirements of the federal government in
3 transferring land to you.

4 The first document is a memorandum of agreement. When the
5 land is being transferred to you, under public law, 102 se- --
6 107, two sev- -- two -- I'm sorry -- 102 -- 107.282, that -- that
7 was signed in 2002 by -- by the President.

8 But it re- -- the -- it requires compliance with the
9 environmental impact statements, environmental -- NEPA, and state
10 -- the National Historic Preservation Act.

11 That act states that -- the section 106 of that act states
12 that any sites that might be found out there, that the signature
13 of the Secretary of the Interior on the -- on the deed
14 transferring that property to you is deemed to be an adverse
15 impact to any cultural site that might be found on that property.
16 Just the signature. Consequently, it has to be mitigated in some
17 way.

18 The -- the Bureau of Reclamation performed studies out of
19 there for cultural resources and found that the California Trail
20 goes through the property that will be transferred to you, out
21 west of town.

22 The trail starts about where the sewage treatment ponds are
23 and goes in kind of a northwesterly direction out through there.

24 Two segments of that trail are considered to be eligible
25 for the National Historic Register. Consequently, they are --
26 fall under that Section 106. And the Bureau of Reclamation, by
27 law, is required to protect those.

28 After many years of discussion and working with the federal
29 government, it's been determined that they will provide you with
30 an MOA, a memorandum of agreement, with the -- between you and
31 the federal government and the Nation- -- and the State Historic
32 Preservation Office, that will allow the land to be transferred
33 to you. Basically, what it does is it transfers the
34 responsibility for those sites, protecting and maintaining those
35 sites to you as a county.

36 Now, and the -- that's one of the documents.

37 The second document is the -- the -- the MOA will require a
38 cultural resources -- Cultural Historic Preservation Treatment
39 Plan, I guess, is what it is. Cultural -- it's a treatment plan
40 for those sites so that you will protect them appropriately and

1 comply with the laws of the federal government and the state --
2 State Historic Preservation Office.

3 So that plan has also been developed. The memor- -- the
4 MOA has been provided with your county and is being reviewed for
5 final approval.

6 The cultural resources management plan is -- is also being
7 approved. And this treatment plan is actually fairly simple.

8 Let's go back to cultural resources plan. It -- it basically
9 provides that the -- that the county will protect those sites,
10 that -- that California Trail out there.

11 Nothing really serious for you, as far as what has to be
12 done. That will be -- under the treatment plan -- the treatment
13 plan has several aspects to it that -- that you need to be aware
14 of that the county will be required to do.

15 First, the Bureau of Reclamation will actually perform field
16 investigations out there to -- to more closely identify the --
17 survey did a cursory look at it. The bureau will actually do the
18 final work as to what the sites really entail. The California
19 Trail, what parts of it -- the exact extent of those sites and
20 what those sites contain. They'll do all that fieldwork.

21 The -- the county is responsible for basically about four or
22 five different things. One that you -- anything you do out there
23 would have to be planned in such a way to avoid those sites.

24 If you develop that site out there for an industrial area,
25 for instance, you'd have to try to avoid those sites. And if
26 you couldn't avoid those sites, then you'd be responsible to
27 work with the State Historical Preservation Office to mitigate
28 those sites and -- and do what you can to make sure that they
29 are not lost to history.

30 The -- the other thing is that you'd be required to work with
31 the State Stewardship Program to monitor the sites. There is a
32 State Stewardship Program, which is -- which would be no cost to
33 you. But it's done by volunteers to monitor the sites to make
34 sure that they're not being vandalized, et cetera.

35 You'd have to coordinate with the California-Oregon Trail
36 Association for any potential assistance in monitoring that or
37 contributing to the -- the trail segments. It's just a -- a
38 coordination process, if you would, for both of those.

39 And if anything else was found out there, such as Indian
40 burial sites or Native American burial sites or historic burial

1 sites of pioneers or whatever, then you'd have to work through the
2 state laws to -- to accommodate those sites.

3 So in reality, there's really not much required of you to do
4 as far as financial. There's a -- they want you to add to your --
5 if you have a county website, they want to add -- you want -- they
6 want you to add to that that you have this trail on your property.
7 And people can come visit it, that type of a thing. So it's
8 nothing really serious on that.

9 That's what MOA requires and the treatment plan. That
10 treatment plan would be in effect and require you to accomplish
11 those activities.

12 The third -- or the fourth document that you would have to
13 agree to and work with is a quitclaim deed. The Bureau of
14 Reclamation would provide that quitclaim deed. But you, as a
15 county, would have to have a -- a resolution that you would sign
16 it and accept -- and accept the responsibility for that land from
17 the federal government.

18 So those are the -- and again, the quitclaim deed has been
19 provided to your -- you county for review. But it's strictly a
20 little quitclaim deed that transfers all right, title, and
21 interest and to the lands -- are to you.

22 Those four pe- -- there's four parcels involved, if you're
23 not familiar with the four parcels. One parcel is underneath
24 your -- your rodeo event center out here in town. Second parcel
25 is an acreage up along the river, just east of the Battle
26 Mountain highway, on the river for a -- a recreation area that
27 the county would like to -- to develop. It was originally
28 intended to be a -- a -- just have a few picnic tables and stuff
29 out there. Nothing elaborate. The third parcel the -- a little
30 parking area on the -- on the west side of the Battle Mountain
31 highway up at the river. I think it's just three acres or
32 something like that, for people to park that want to walk along
33 the easement that we're going to provide you.

34 And the fourth parcel is about 900-and-some acres out here
35 west of town from -- along the -- along the freeway that would
36 be -- was originally designed for future development for
37 industrial site. So that's the acreage that -- what happened.

38 These four documents will need to be signed fairly rapidly so
39 that this process can occur.

40 There's still some processes that the Bureau of Reclamation

1 has to do for reviewing the site, the land for hazardous waste, et
2 cetera.

3 Once we get close to that, because they have to have a time
4 limit. They have to do it within three months, or something
5 like that, of transfer. So we have to do that.

6 But it's a process we've been working on. It's taken us
7 almost 20 years to get this. The original agreement between you
8 and the Pershing County Water Conservation District was signed
9 in 2000, the year 2000.

10 So gives you an idea of how long we've been working on it.
11 But it is finally coming to fruition.

12 Any questions you might have, I'd be glad to answer.

13 COMMISSIONER MILLS: I have a couple.

14 It's my understanding that the California Trail uses a --
15 uses markers made out of railroad --

16 FRANK DIMICK: They --

17 COMMISSIONER MILLS: -- rail. And then it's got a plaque
18 on it. Is -- would it be okay if we decided we want to enhance
19 that to make those easier to find for people that want to follow
20 the trail?

21 FRANK DIMICK: The --

22 COMMISSIONER MILLS: You've talked about not disturbing
23 them, but can we enhance them?

24 FRANK DIMICK: You know, the -- the memorandum of agreement
25 just says that you will coordinate those efforts with --

26 COMMISSIONER MILLS: With the --

27 FRANK DIMICK: -- the California Trail. And so it doesn't
28 --

29 COMMISSIONER MILLS: Okay.

30 FRANK DIMICK: -- limit you to working with them to try and
31 change that at all. No. There's no -- nothing that says you
32 have to do something, specifically.

33 COMMISSIONER MILLS: Okay.

34 You talked about that 900 acres was to be an industrial site.
35 Was this some -- was there a previous commission that had come up
36 with that idea? Where did that idea come from? Do you know?

37 FRANK DIMICK: The -- it was a previous commission, way
38 back in the late 1990s.

39 COMMISSIONER MILLS: Okay.

40 FRANK DIMICK: The concept was that that area out there,

1 that land isn't really good for much else, I mean, as far as
2 agricultural production or anything.

3 COMMISSIONER MILLS: Right.

4 FRANK DIMICK: And so the land was to be provided for any
5 future expansion of the -- of the -- of Battle Mountain, whether
6 it's, you know, industrial or homesites or whatever. It would
7 just be a good place to -- to expand to. And that was just --

8 COMMISSIONER MILLS: So if somebody came up with an idea
9 that was different than that, that --

10 FRANK DIMICK: Yeah.

11 COMMISSIONER MILLS: -- probably would be okay?

12 FRANK DIMICK: There's noth- -- there's nothing --

13 COMMISSIONER MILLS: Okay.

14 FRANK DIMICK: -- in any of the documents that specifically
15 states what it will be used for.

16 COMMISSIONER WAITS: Yeah.

17 COMMISSIONER MILLS: Because I know a lot of the ground --
18 you mentioned around the fairgrounds, it looks like a lot of
19 that extends into our flood zone. So I don't know how much use
20 that would ever be to anybody.

21 FRANK DIMICK: In fact, part of the Reese River dike is on
22 that property.

23 COMMISSIONER MILLS: Right. Okay.

24 FRANK DIMICK: Which I understand is the next item on the
25 agenda. But -- but there's an easement for that. But yes, that
26 -- there -- there's no -- this land being transferred to you,
27 there is no restriction on the use of that land.

28 COMMISSIONER MILLS: Okay.

29 FRANK DIMICK: The easement there is a restriction. But
30 the land -- the -- the transfer of the deed for these 998 acres
31 there is no -- there is no restriction.

32 COMMISSIONER MILLS: Okay. Thank you.

33 COMMISSIONER WAITS: Frank, I think you did an excellent
34 job as an overview for it. And I think he hit the highlights.
35 Thank you.

36 My big concern with the information that Lander County is
37 responsible for, obligating with the implementation immediately
38 upon signing the MOU, and that's who -- who is going to be doing
39 this? Who's going to be doing the monitoring? And where in the
40 world would we put this responsibility for Lander County? What --

1 what does that entail for us?
2 KEITH WESTENGARD: Well, talking with Frank, it's -- it's
3 more of a cooperation effort with SHPO, with the
4 California-Oregon Trails. Has do with a lot of signage that we
5 would have to put up. It would be an added responsibility
6 for -- it would probably fall under the Parks, is where I'm
7 thinking about it ending up being.
8 COMMISSIONER WAITS: Under the Parks?
9 KEITH WESTENGARD: Yes, under Road and -- under Public
10 Works.
11 DISTRICT ATTORNEY HERRERA: Well, it -- it'd be incumbent
12 for us to do mitigation reports and public education.
13 FRANK DIMICK: The -- the mitigation reports is if there's
14 something that has to be done out there. Say you go to disturb
15 a site or something, then you'd have to mitigate that site,
16 which requires you to -- to hire a professional archaeologist
17 to -- to dig up the site and -- and make sure that there's no
18 artifacts missed and so forth.
19 DISTRICT ATTORNEY HERRERA: It would be incumbent upon
20 Lander County to do that?
21 FRANK DIMICK: Yes.
22 COMMISSIONER WAITS: Uh-huh.
23 DISTRICT ATTORNEY HERRERA: So there may not be
24 restrictions, but there's conditions on this transfer?
25 FRANK DIMICK: That's -- on -- on those sites, yes. On any
26 cultural resources site, that's correct.
27 COMMISSIONER WAITS: But if we don't dig anywhere, we're
28 not going to find anything because it's all been gone over so --
29 DISTRICT ATTORNEY HERRERA: People are walking --
30 COMMISSIONER WAITS: We don't want it --
31 DISTRICT ATTORNEY HERRERA: -- people are walking on that
32 easement --
33 COMMISSIONER WAITS: And kicking --
34 DISTRICT ATTORNEY HERRERA: -- and just may --
35 COMMISSIONER WAITS: -- and kicking an --
36 DISTRICT ATTORNEY HERRERA: -- look at that.
37 COMMISSIONER WAITS: -- arrowhead; right?
38 KEITH WESTENGARD: This would just be in the event that
39 we're going to do some type of an improvement, like --
40 FRANK DIMICK: Okay. The -- the sites -- the sites -- the

1 two segments that are located in the -- almost in the very
2 northwest corner of the property, way away from the sewa- -- the
3 sewage treatment plant, for instance. And so it would be if you
4 ever did develop it, it would be probably the last part you'd
5 ever develop out there.

6 And those sites, as long as you don't bother the trail,
7 they can stay just the way they are.

8 The -- the monitoring of that would be done by the State
9 Stewardship Program, Nevada State Stewardship Program, which is
10 a volunteer program. And so it's just a coordination with them.
11 You'll probably have to sign some kind of a little memorandum of
12 agreement with them to come out and monitor the sites for you.

13 The other opportunity is you can actually train somebody in
14 the county, if you'd like, to monitor those sites and -- and
15 report those. In other areas, that's -- some of the
16 organizations do that themselves. So you can have that trained.

17 But, yes, if you ever develop that site, that restriction
18 would apply to those sites because they are listed in the National
19 Historic Register. And you have to comply with the requirements.

20 But again, it's between -- it would be an agreement between
21 you and then the State Historical Preservation Office. The
22 Bureau of Reclamation would be out of the picture once you sign
23 that agreement. The Bureau of Reclamation's out of the picture.

24 COMMISSIONER WAITS: Well, I -- I know there's some
25 additional financial costs on it. And it also says that, you
26 know, we may be eligible for some limited financial support from
27 the trails program and such.

28 But it's somebody that's going to have to really be ahold
29 of it and -- and pay attention and monitor everything and to
30 contact all these people. So we're -- we're talking some time.
31 There's no question.

32 KEITH WESTENGARD: Yes.

33 COMMISSIONER WAITS: And I see in here that the MOU can
34 extend for five years. We can extend it further if we need to.
35 But that seems to be about the time it takes to put all this
36 together. So we're looking at a five-year program.

37 FRANK DIMICK: Well. No. They -- the program can actually
38 be much shorter time than that. Because you -- it's basically
39 the time that you get together the people and find out what you
40 need to do and then do it. So it's not really -- most of it's

1 coordination.
2 COMMISSIONER WAITS: And time.
3 FRANK DIMICK: And time. That's --
4 COMMISSIONER WAITS: Yeah.
5 FRANK DIMICK: -- correct.
6 You have -- you have an agreement right now for -- for my
7 services, basically, through the Pershing County Water
8 Conservation District.
9 And -- and I -- I'm doing that for them. And I can continue
10 to -- to help transfer that responsibility over to whoever you
11 choose in the county to do that.
12 I'll continue to work even after the land's transferred
13 because there will still be some activity we have to do after the
14 land is transferred.
15 COMMISSIONER WAITS: Yeah.
16 FRANK DIMICK: For instance, we have to get easements for
17 AT&T for their -- their fiber optic cables and so forth on the
18 land that you will now own.
19 COMMISSIONER WAITS: Well, I --
20 FRANK DIMICK: You will be able to -- you will
21 (indiscernible).
22 COMMISSIONER WAITS: I know we don't have any other
23 choices, you know, as far as what we're presented with today.
24 But as long as our counselor's had a chance to go through,
25 like, the easement agreement and the MOU agreement and we're okay
26 with -- with what's set up legally for us to --
27 DISTRICT ATTORNEY HERRERA: Yeah. It's legal. But I'm not
28 really okay with -- with the conditions set. But I don't think
29 we have a choice. But it's all legally --
30 COMMISSIONER WAITS: Okay.
31 FRANK DIMICK: Well, the only -- there -- the only choice
32 you have is not to accept the land. I mean, you can --
33 DISTRICT ATTORNEY HERRERA: Right.
34 FRANK DIMICK: -- just say, --
35 COMMISSIONER WAITS: Right.
36 FRANK DIMICK: -- we don't want --
37 DISTRICT ATTORNEY HERRERA: That's our --
38 FRANK DIMICK: -- to accept --
39 DISTRICT ATTORNEY HERRERA: -- only choice.
40 FRANK DIMICK: -- the land.

1 DISTRICT ATTORNEY HERRERA: If we accept the land, we have
2 certain conditions under this MOU that we have --
3 FRANK DIMICK: Right.
4 DISTRICT ATTORNEY HERRERA: -- to follow.
5 FRANK DIMICK: Right. And the -- and the only conditions
6 are with the cultural resources.
7 DISTRICT ATTORNEY HERRERA: Right.
8 FRANK DIMICK: And that's because they happen to be --
9 those two segments out there are actually in the National
10 Historic Registry.
11 DISTRICT ATTORNEY HERRERA: Are you suggesting it's easy to
12 work with the federal government?
13 FRANK DIMICK: No.
14 DISTRICT ATTORNEY HERRERA: After 20 years?
15 FRANK DIMICK: But once the land is transferred to you, you
16 will not be working with the federal government. You'll be
17 working with the State Historical Preservation Office. The
18 federal government will -- that's the -- the -- the great thing
19 of the MOA is the federal government's out of the picture and
20 you're working with state people.
21 DISTRICT ATTORNEY HERRERA: Yeah.
22 FRANK DIMICK: And sister -- Mrs. Baldwin -- Baldwin in
23 Carson City. And she's been very easy to work with and very
24 helpful on this so far, on other lands that we've done.
25 But yes, that -- that is a restriction on the land. That
26 -- but -- but there's only related to the cultural resources.
27 DISTRICT ATTORNEY HERRERA: Right. So I have --
28 Commissioner Waits, I have looked at the -- the documents for --
29 for legal. And -- and we -- and that's the choice. We either
30 say, we don't want the land or we accept land with the
31 conditions.
32 CHAIRMAN BAKKER: Okay. Thank you.
33 With that...
34 COMMISSIONER MILLS: So --
35 FRANK DIMICK: I -- I don't know that you -- if there's any
36 specific action you need to take today other than to be aware
37 that this -- these will need to be approved and signed. And the
38 sooner we can do that, of course, the sooner we get the land
39 transferred to you.
40 DISTRICT ATTORNEY HERRERA: Right. And I wouldn't ask you

1 to approve a draft.
2 FRANK DIMICK: Right.
3 COMMISSIONER MILLS: Right. That's what I was going to --
4 this is not final form. So --
5 DISTRICT ATTORNEY HERRERA: No.
6 FRANK DIMICK: The -- the --
7 CHAIRMAN BAKKER: Oh, if there was changes to be made which
8 we can't change so --
9 DISTRICT ATTORNEY HERRERA: Well, the easement agreement, I
10 think that's -- that can be approved today.
11 FRANK DIMICK: Yeah, the easement agreement.
12 DISTRICT ATTORNEY HERRERA: That's the only document out of
13 the four that -- that Frank was talking about, that I think is
14 ready for a -- approval.
15 COMMISSIONER STIENMETZ: It's a draft.
16 COMMISSIONER MILLS: Yeah. I kind of just as soon do them
17 all at once so it's not so confusing.
18 DISTRICT ATTORNEY HERRERA: That's fine.
19 COMMISSIONER WAITS: So we have four: the reclamation, the
20 draft of the memorandum agreement, the easement agreement, and
21 also the --
22 DISTRICT ATTORNEY HERRERA: Quitclaim deed.
23 COMMISSIONER MILLS: Quitclaim. Yeah.
24 DISTRICT ATTORNEY HERRERA: That we don't have right now.
25 COMMISSIONER WAITS: So we --
26 FRANK DIMICK: So which?
27 DISTRICT ATTORNEY HERRERA: The quitclaim deed?
28 COMMISSIONER WAITS: The quitclaim deed.
29 FRANK DIMICK: I think we did -- I -- I've got one. I can
30 -- I can provide that, but apparently we didn't -- you didn't
31 have that already. So I can --
32 COMMISSIONER WAITS: We can authorize to sign the quitclaim
33 deed regarding this property; right?
34 DISTRICT ATTORNEY HERRERA: Yeah. You can. If you want to
35 parcel this up and do two today, but we certainly can't do the
36 -- the other two, which are just draft.
37 FRANK DIMICK: Right.
38 COMMISSIONER WAITS: Okay.
39 CHAIRMAN BAKKER: Okay. Thank you.
40 FRANK DIMICK: All right.

1 COMMISSIONER STIENMETZ: Thank you.
2 FRANK DIMICK: Just -- just so you're aware, we'd -- I'd
3 like to get this completed before the end of the year because
4 the agreement for my services ends January -- in January of
5 2017. It can be extended, but it'd be --
6 COMMISSIONER MILLS: When -- when would we get the final
7 drafts of these so that we can approve them?
8 FRANK DIMICK: The -- the final draft of the MOA came out
9 just last week. And so we've got that.
10 The final draft of the cultural resources management plan
11 should be out very shortly. It's not cultur- -- it's not called a
12 cultural resources -- it's a -- a historic properties preservation
13 treatment plan, is what it is. And it should be out in final form
14 very shortly. We've made our comments on it and provided -- and
15 they're redrafting it right now.
16 COMMISSIONER MILLS: Okay.
17 CHAIRMAN BAKKER: Thank you.
18 COMMISSIONER MILLS: So it sounds like we should be able to
19 get it done before the end of the year, then, --
20 FRANK DIMICK: Yes, but --
21 COMMISSIONER MILLS: -- I would think.
22 FRANK DIMICK: -- your -- well, you're -- the federal
23 government still owns the land. And when you're working with
24 them, there's always delays that come through --
25 COMMISSIONER MILLS: Okay.
26 FRANK DIMICK: -- or happen. Okay. Thank you.
27 COMMISSIONER STIENMETZ: All right.
28 COMMISSIONER MILLS: Thank you.
29 COMMISSIONER STIENMETZ: Thank --
30 CHAIRMAN BAKKER: Thank you.
31 COMMISSIONER STIENMETZ: -- you.
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LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number _13__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to approve the 2017 Lander County Policy Plan for Federally Administered Lands (The Lander County Public Lands Plan), and all other matters properly related thereto.

Public Comment:

Background: **Attached**

Recommended Action:

2017 Lander County Policy Plan for Federally Administered Lands (The Lander County Public Lands Plan)

The purpose of the Plan is to:

- a. Detail Lander County's vision and strong policy voice concerning public lands.
- b. Define Lander County's public land-related issues and needs.
- c. Provide locally developed land management policies that enable the federal land management agencies to better understand and respond in a positive fashion to the concerns and needs of Lander County in a collaborative process.
- d. Increase the role Lander County has in determining the management of the federally administered lands.
- e. Provide an opportunity to positively address federal land use management issues directly and thereby offer a proactive alternative rather than an after-the-fact response.
- f. Encourage public comment and involvement.

Within the Plan are descriptions of issues and opportunities relating to public lands and how best to work collaboratively with the federal planning partners, most notably Bureau of Land Management (BLM), US Forest Service (USFS), Reclamation and the Bureau of Indian Affairs.

Action Before the County Commission

The County Commission is being asked to approve the Lander County 2017 Policy Plan for Federally Administered Lands (The Plan). Both the PLUAC and the Planning Commission have approved the Plan after several public workshops held since May 2017.

At a subsequent meeting, the County Commission will be asked to adopt an update to the 2010 Lander County Master Plan. The Master Plan will incorporate by reference the Lander County Policy Plan for Federally Administered Lands. At that time, the 2017 will become officially part of the Lander County Master Plan.

Lander County 2017 Policy Plan for Federally Administered Lands



Prepared by:

The Lander County Public Land Use Advisory Planning

Adopted by the Lander County Public Land Use Advisory Planning Commission:
December 4, 2017

Adopted by the Lander County Planning Commission: December 6, 2017

Adopted by the Lander County Board of County Commissioners: December 14,
2017

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I. BACKGROUND

The initial Lander County Policy Plan for Federally Administered Lands (Plan) was developed between 1983 and 1984 as part of a state-wide effort resulting from the passage of Senate Bill 40. Under SB40, the Nevada Division of State Lands (NDSL) was directed by the 1983 State Legislature to:

- a. "Prepare, in cooperation with appropriate state agencies and local governments throughout the state, plans or policy statements concerning the use of lands in Nevada which are under federal management."

NDSL, in concert with local governments, developed a public lands policy plan for each of Nevada's 17 counties as well as a statewide element. The Plan was adopted on October 4, 1984 by the Lander County Board of Commissioners (LCBC). The LCBC working under advisement of the Lander Public Land Use Advisory Planning Commission (PLUAPC) adopted an update to the Plan on November 8, 1999 and again in 2005. The 2017 Plan represents a review of existing and emerging public lands issues that are of importance to Lander County as it works with federal agencies under the National Environmental Policy Act (NEPA) and other public processes.

II. PURPOSE

The purpose of the Plan is to:

- b. Detail Lander County's vision and strong policy voice concerning public lands.
- c. Define Lander County's public land-related issues and needs.
- d. Provide locally developed land management policies that enable the federal land management agencies to better understand and respond in a positive fashion to the concerns and needs of Lander County in a collaborative process.
- e. Increase the role Lander County has in determining the management of the federally administered lands.
- f. Provide an opportunity to positively address federal land use management issues directly and thereby offer a proactive alternative rather than an after-the-fact response.
- g. Encourage public comment and involvement.

Within the Plan are descriptions of issues and opportunities relating to public lands and how best to work collaboratively with the federal planning partners, most notably Bureau of Land Management (BLM), US Forest Service (USFS), Reclamation and the Bureau of Indian Affairs.

- h. The Plan enables the federal land management agencies to better understand and respond to the concerns and needs of Lander County.
- i. Planning, effective communication and coordination by Nevada's governments, in concert with its citizens, can establish a set of policies for the proper use of these lands and to take advantage of the consistency language in Section 202(c)(9) of the Federal Land Policy and Management Act (FLPMA).
- j. Section 202(c)(9) governs BLM Planning and directs the BLM to give consideration to appropriate state, local, and tribal plans in the development of land use plans for federally administered lands.
- k. The BLM is to provide for meaningful public involvement of state and local government officials in the development of land use plans, regulations and decisions for federally administered lands.
- l. The BLM will review each Resource Management Plan (RMP) and proposed federal action for consistency with the Lander County Policy Plan for Federally Administered Lands and will attempt to make the RMPs and proposed actions compatible with the Plan to the extent that the Secretary of the Interior finds consistent with federal law and the purpose of FLPMA.

Forest Service Regulations for Land Management Planning and for implementing the National Environmental Policy Act (NEPA) requires that the Forest Service determine the consistency of any project proposal with state and/or local laws and plans.

- m. The agency is required to describe any inconsistencies and the extent to which the agency would reconcile its proposal with the state/local laws and plans. This consistency review is also provided for by the Council of Environmental Quality (CEQ) regulations (40 CFR 1506.2(d)) developed to implement NEPA.

III. PROCESS

The Plan revision involved a review of the 2017 plan to determine changes and additions needed to reflect current conditions and needs. The following is a summary of the process to adopt the 2017 Plan:

The PLUAPC reviewed and discussed revisions to various elements at regularly scheduled meetings during the Spring and Fall of 2017. Elements of the draft were presented beginning May 1, 2017 PLUAPC meeting in Battle Mountain. The PLUAPC held an official public review meeting on December 4, 2017 and recommended approval of the Plan. The Lander County Planning Commission reviewed the Draft Plan on November 8, 2017.

The Planning Commission held a public hearing on December 6, 2017 and recommended approval of the Plan to the Lander County Board of Commissioners. The Lander County Board of Commissioners held a public hearing on December 14, 2017 and adopted the 2017 Plan.

IV. HISTORICAL BACKGROUND

The earliest evidence of human occupation in the Great Basin began about 11,500 years ago. Lander County was apparently the home of the Western Shoshone people, although there is some evidence that the Northern Paiute people used the western area of the county. One description by Ethnographer Julian H. Steward in 1938 indicated the Western Shoshone people inhabited the fertile lowlands along the Humboldt River and the Reese River at the time of contact with the early explorers and emigrants. There is evidence that Native Americans used essentially the entire county for hunting and gathering. (Basin- Plateau Aboriginal Sociopolitical Groups. *Bureau of American Ethnology Bulletin 120, Washington*. Reprinted: University of Utah Press, Salt Lake City, 1970). Additional historical information can be obtained by reviewing the ledgers of Colonel Frederick W. Lander.

Lander County was named in honor of Colonel Frederick W. Lander, chief engineer for a federal wagon route, the Central Overland Route, which ran from Fort Kearney to Honey Lake through South Pass. Colonel Lander had been appointed Special Indian Agent and through his efforts a truce had been arranged in 1860 with the Paiute Indian, Young Winnemucca, who had vowed to fight the whites for trespassing onto Paiute's land. Subsequently, Brigadier General Lander fought in the Civil War and was killed on March 2, 1862 at Paw Paw, Virginia.

The Humboldt River served as the only natural travel course across what is presently Nevada and is the only major river in Nevada which is wholly contained within the state, having its headwaters in eastern Elko County and its terminus in the Humboldt Sink in Churchill County. The river corridor funneled thousands of emigrants en route to California during 1841-1870. Another major feature in the county is the Reese River and the Reese River Valley which runs from the southern end of the county north to the Humboldt River. The Reese River was discovered by John Reese in 1854.

Lander County was created on December 19, 1862 out of Esmeralda County, one of the original nine counties in the Nevada Territory (Territory was created on November 25, 1861). Once created, Lander County covered nearly one-third of the state's area. Later, in 1869, Elko and White Pine counties were established from the original Lander County. In 1873 Eureka County was formed out of the eastern half of what remained of Lander County. Jacobsville (Jacob's Springs) was founded on the banks of the Reese River in 1859 and became the county seat. Jacobsville began as an overland stage and mail station and later a Pony Express stop in 1860. Austin, located six miles east was established on May 2, 1862 following discovery of silver. This set off the "rush to Reese"

or to the Reese River Valley. The county seat remained in Austin until 1979 when it moved to Battle Mountain.

V. PHYSICAL CHARACTERISTICS

Lander County is Nevada's ninth largest county with 5,621 square miles (3,597,440 acres), accounting for approximately 5.1 percent of the state's surface area. Elevations vary from 4,500 feet in the valleys to more than 10,000 feet on the highest peaks. The County stretches across two of Nevada's 14 major watersheds. The northern part of the county drains into the Humboldt River Basin (Watershed Unit #4), and includes the Reese River area which occasionally (during extremely wet years) drains into the Humboldt River. The remaining portion of the county is within the Central Region Watershed.

The Humboldt River is the County's most important source of water, snaking through the northern part of the County. The Reese River Valley running from south to north in the county is also an important natural feature. The topography consists of a series of wide valleys, some supporting agriculture where there are sufficient water and suitable soil. These valleys are bordered by mountain ranges, which generally follow a north south pattern.

Climate

Lander County's annual precipitation is influenced by elevation and averages 12.26 inches. March to May is the wettest period with one and one-half inch of precipitation per month. August and September are the driest months, averaging 0.47 inches per month. Temperature, on the average, ranges between 18 and 40 in January to a range from 53 to 87 degrees in July.

Land Ownership

Of Lander County's 3,597,440 acres, 83.2+/- percent are administered by the federal government. The Humboldt-Toiyabe National Forest is administered by the U.S. Forest Service. Most of the remaining lands are administered by the Bureau of Land Management. The Elko Field Office administers land in the northern part of the County (generally north of I-80) while the Battle Mountain Field Office has responsibility for the other BLM administered lands in Lander County. The BLM and the County have identified many federal land parcels needed to meet county or community needs. Additional lands have been identified that would enhance economic development, if made available for purchase by the private sector. Appendix A describes the specific BLM parcels identified by the county for disposal.

Table 1 Lander County Land Status

Land Area	Acres	Land Area in Percent
Lands Administered by Federal	2,993,252	83.2
Agencies BLM	2,667,467	74.1
Forest Service	294,946	8.2
Reclamation	30,150	0.8
Tribal	689	0.02
State	8,548	0.1
Local Government/Private	594,951	16.5
Total Acres	3,597,440	100.0

Source: BLM 2005

VI. SOCIOECONOMIC CHARACTERISTICS

Population

With an estimated population of 3,599 in 2016, over 58 percent of the County's population lived in Battle Mountain area. The total County population was 5,772 in 2010 (2010 Census). The entire County is designated by U.S. Census Standards as rural. More recently, the Nevada State Demographer estimated Lander County's population for 2016 to be 6,257. The 2016 state population estimates of the County's unincorporated towns were Austin 166, Battle Mountain 3,599 and Kingston 136. The Census estimates show somewhat lower populations for Lander County (See Table 2).

Table 2 Demographic Characteristics Lander County, Nevada

Population	1990	2000	2008	2009	2010	2016	2000-16 change
Lander County	6,266	5,794	5,891	6,003	5,772	6,257	-7.9%
Battle Mountain	3,542	3,453	2,920	2,967	2,922	3,559	-17.5%
Austin		305	309	304	312	166	-%
Kingston		219	320	331	328	136	49.8%
		County	Nevada				
Age 65 Older-2010		11.8%	12.00%				
% Family Households-2010		69.8%	65.3%				
% Population White-2010		84.0%	66.2%				
% Population Hispanic-2010		21.1%	26.5%				

Source: 2010 Census, Nevada State Demographer, Bureau of Labor Statistics, U.S. Dept of HUD.

Battle Mountain have seen a rebound in population since 2000. The population of Kingston and Austin saw decreases due to readjustments after the 2010 Census. Mining has the greatest influence on Lander County's population.

As shown in Table 3, Lander County's median age of its population was 34.1 years in 2000 increasing to 37.1 in 2015. The largest change is the number of children age 5 to 14 and the population age 65 and older. Table 4 shows the Lander County by race and population. Like most of the west, the Hispanic population increased substantially over the last 25 years.

Table 3 Age Distribution: Lander County 2000, 2010, and 2015

Age	2000	Percent of Total (%)	2010	Percent of Total (%)	2015	Percent of Total (%)
Under 5	433	7.5	452	7.8	422	7.1
5 to 14	1,131	19.5	848	14.7	1,035	17.4
15 to 19	442	7.6	453	7.8	293	4.9
19 to 44	1,936	33.4	1,737	30.1	1,671	28.1
45 to 64	1,449	25.0	1,604	27.7	1,708	28.7
Age 65+	403	7.0	681	11.8	817	13.7
Median Age	5,794	34.1	5,772	37.1	5,945	37.2

Source: 2000, 2010 and 2015 Census

Table 4 Population by Race for Lander County, 1990 and 2015

Race	1990		2015	
	Number	Percent of Total (%)	Number	Percent Total
White	5,663	90.38	5,259	88.5%
Black or African-American	9	0.14	8	0.13
American Indian or Alaska Native	295	4.71	316	5.3
Asian & Pacific Islander	16	0.26	61	1.0
Other Race	283	4.52	141	2.4
Total	6,266	100.00	5,945	100.00
Hispanic or Latino (of any race)	789	12.59	1,613	27.1

Source: U.S. Department of Commerce. "Table DP-1, Profile of General Demographic Characteristics: 1990. American Community Survey 2015.

Economic Activity: Income and Employment

In 2015, Lander County residents received approximately \$327.9 million in personal income. Of this amount, approximately \$257 million were total earnings in the County in the form of wages and salaries, other labor income and proprietor's income. This number is adjusted to net earnings of approximately \$247 million by considering social security contributions and commuting adjustments. Approximately \$27.3 million was in the form of unearned income from dividends, interest and rent. Approximately \$38 million came from transfer payments, such as social security, food stamps, unemployment payments and veteran's benefits. These income figures are shown in Table 5.

Social Security contributions are subtracted from total earnings to better measure income available to Lander County residents before income taxes (a concept called personal income by economists). A commuting adjustment is made to total earnings since some people who earn income in Lander County are not county residents. These people commute into the county to work and take their paycheck back to their county of residence. Lander County residents do the same; work outside the county and bring income back to Lander County. Approximately \$46 million more in income is earned by workers who live in Lander County, but work outside of Lander County. This value is added to total earnings in Lander County to derive net earnings for Lander County residents.

Table 5 Personal Income of Lander County Residents, 2015		
Income Category	(\$1,000)	(\$1,000)
Wages and Salaries	\$256,325	
Other Labor Income-Supplements	\$66,030	
Proprietor's Income	\$5,580	
Total Earnings in Lander County		\$327,935
Less Personal Social Security Contributions	\$34,233	
Plus Residence/Commuting Adjustment	-\$46,257	
Net Earnings of Lander County Residents		\$247,445
Dividends, Interest and Rent	\$27,325	
Transfer Payment	\$38,006	
Total Personal Income, Lander County Residents		\$312,776
Per Capita Personal Income-2010		\$52,986

Source: U.S. Department of Commerce. "Regional Economic Information System." Bureau of Economic Analysis: Washington, D.C. 2015.

Economic quality of life is difficult to measure because of differences in cost of living and non-monetary income between locations. However, per capita income is still an important basis for comparing economic quality of life, especially among geographically similar areas. Table 6 lists the 2015 per capita income for each county shown, and in comparison, Lander County had the second highest 2015 per capita income at \$52,986

in Nevada. In comparison, the 2015 per capita income level for the state of Nevada was \$41,889 while the national average was \$48,190.

**Table 6 Nevada County
Per Capita Income and Rank, 2015**

County	Per Capita Income	Rank
Douglas	\$59,953	1
Lander	\$52,986	2
Elko	\$51,935	3
Washoe	\$47,584	4
Esmeralda	\$45,315	5
Humboldt	\$44,198	6
Carson City	\$43,443	7
Churchill	\$36,876	8
Nye	\$42,477	9
White Pine	\$41,645	10
Storey	\$41,027	11
Clark	\$40,652	12
Eureka	\$37,396	13
Mineral	\$35,345	14
Lyon	\$32,822	15
Pershing	\$30,938	16
Lincoln	\$28,563	17
State of Nevada	\$41,889	
U.S.	\$48,190	

Source: U.S. Department of Commerce. "Regional Economic Information System."
Bureau of Economic Analysis: Washington, D.C. 2015.

The trend in Lander County personal income can be summarized as follows:

- Per capita income for Lander County in 2015 was \$52,986 increasing from \$44,272 in 2009. Lander County's 2015 per capita income is more than \$10,000 greater than the state's average (\$41,889) and \$4,500 higher than the nation's average (\$48,190).
- Total 2015 place of work earnings for Lander County were \$327.9 million. Place of work earnings are adjusted by adding the net resident adjustment to derive resident earnings. For Lander County, the net residence adjustment for 2015 was \$46.3 million. This means \$46.3 million more was earned by people living inside Lander County but working outside Lander County than as compared to people living outside Lander County and working in Lander County. This may constitute an injection of potential spending to Lander County. This amount is likely to grow as mining employment increases and gains in local population are realized.

Table 7 shows employment by industry and average annual wages for 2016. The total average wage in Lander County is higher than the State of Nevada. The higher total wage level in Lander County is primarily due to mining industry wages. Approximately 61 percent of the employment in Lander County is in the mineral industry whereas the highest of the employment in the State of Nevada is associated with leisure and hospitality. Improving economic conditions are resulting from an increase in the labor force, population growth and lower unemployment rates.

Table 7 Industrial Employment and Wages Lander County and the State of Nevada: 2016						
Industry	Lander County			State of Nevada		
	Avg Emp	% of Total	Wages	Avg. Employ.	% of Total	Wages
Total	3,329	100.0%	\$1,444	1,284,143	100.0%	\$906
Nat. Resources and Mining	2,031	61.03%	\$1,850	16,719	1.3%	\$1,608
Construction	15	.5%	\$462	75,743	5.9%	\$1,063
Manufacturing	*	*	*	43,517	3.4%	\$1,053
Trade, Transportation, Information	434	13.03%	\$808	248,118	19.3%	\$802
Financial Activities	*	*	*	15,406	1.2%	\$1,202
Professional Services	20	.6%	\$489	60,106	4.7%	\$1,185
Education and Health Services	12	.3%	\$542	176,832	13.8%	\$1,116
Leisure and Hospitality	313	9.3%	\$931	205,591	16.0%	\$979
Other Services	192	5.8%	\$298	342,244	26.7%	\$641
Government	54	1.6%	\$1,651	32,788	2.5%	\$675
	230	6.8%	\$931	60,504	4.8	\$1,254

Source: Nevada Employment Security Dept., 2016 *limited data, less than 10.

Table 8 provides labor force, employment and unemployment from 2010 to 2016. Overall, unemployment rate has trended higher in recent years. Over the next several years, employment should remain stable and the unemployment rate should continue to decline as mining employment expands in Lander County. Since 2010, the labor force increased by nearly 200. By 2016, total employment increased to 2,988 and the unemployment rate dropped to 6.2 percent.

Mining and government are the largest single employers in Lander County followed by trucking and services. Table 9 shows the major employers located in Lander County. In 2016 Cortez Gold Mines (Barrick) became the County's largest employer. Mining companies are the largest employers in the County.

**Table 8 Labor Force and Unemployment
Lander County: 2010-2016**

	2016	2015	2014	2013	2012	2011	2010
Labor Force	3,186	3,284	3,374	3,555	3,434	3,219	3,070
Unemployment	198	219	223	258	253	283	293
Unemployment Rate	6.2%	6.75	6.6%	7.3%	7.4%	8.8%	9.5%
Total Employment	2,988	3,065	3,151	3,297	3,181	2,936	2,777

Source: Nevada Department of Employment, Training and Rehabilitation

Table 9 Major Employers, Lander County: 2016

Company	Sector	No. of Employees
Cortez Gold Mines	Mining	1,000-1,499
Newmont Mines	Mining	400-499
Lander County Schools	Government	100-199
Lander County	Government	100-199
Battle Mtn. General Hospital	General Medical	100-150
Firecreek	Mining	90-99
Quality Transportation	Transportation	70-79
M-I Holdings	Mining/Chemical	70-79
Bureau of Land Management	Government	50-59
Colt Broadway Flying J.	Gasoline Station/Restaurant	50-59
Etcheverry Food Town	Supermarkets	40-49
Halliburton Energy Services	Chemical/Fertilizer	30-39
Baker Hughes	Construction Equip Merchant Wholesalers	30-39

Source: Nevada Department of Employment Security, 2016

Federal and State Land-based Payments to Lander County

The federal and state governments make payments to local governments in Nevada. Payments are to provide services such as fire and police protection, search and rescue operations, natural resource conservation/preservation, and support of public schools and road construction. Table 10 and Table 11 lists schedule of payments.

Federal Revenue Sharing Programs - The following are specific programs associated with federally administered lands that may provide funding for Lander County:

- Mineral Lease Act of 1920 specifically provides revenues collected from gas, oil, geothermal and all leasable minerals such as sand and gravel. (Locatable minerals such as gold are not included).

Of the gross revenues, 40 percent goes to the Reclamation Fund, 10 percent is retained by the federal government for administrative purposes, and 50 percent to states. In 2011, the County received approximately \$67,300 in payments from this program.

Table 10 Federal Land Payments

Title	Agency Making Payments	Types of Receipts	Deposition of Receipts
Act of 5/23/08; Dept of Agriculture Appropriation Act; 35 Stat. 251; 16 U.S.C. 500, PL 94-588	US Forest Service	Moneys received from each National Forest	65% to Treasury 25% of gross to counties 1 0% to Forest Roads for appropriation
Act of 2/25/20 (Section 35) Mineral Lands Leasing Act; 41 Stat. 450; 30 U.S.C. 191	Bureau of Land Management	Moneys received from mineral leasing	50% to States 40% to Bureau of Reclamation 10% to Federal Treasury
Federal Power Act (Section 17); 41 Stat. 1072; 16 U.S.C. 810	Federal Energy Regulatory Commission	Occupancy and use of National Forests and Public Lands	50% to Bureau of Reclamation 37.5% to US Treasury 12.5% to States for counties
Taylor Grazing Act (Section 10); 43 U.S.C. 315)	Bureau of Land Management	Proceeds from Section 3 grazing receipts Receipts from Section 15 grazing receipts	50% to Range Improvement Fund 37.5% to U.S. Treasury 12.5% to States for Counties
Act of 6/22/56 to amend Act of 6/22/48; 70 stat. 328; 61 U.S.C. 577g-1	US Forest Service	Percentage of their appraised value	3/4 of 1% of appraised value paid in addition to act of 5/23/08
Mineral Leasing Act for Acquired Lands (Section 6); 61 Stat. 95; 30 U.S.C. 355	Bureau of Land Management US Forest Service	Moneys received from mineral leasing	50% to States 40% to Bureau of Reclamation 1 0% to US Treasury
Material Disposal Act (Section 3) 61 Stat. 681	Bureau of Land Management US Forest Service	Net revenues from sale of land and materials	Varies depending upon type of receipt and agency
Santini-Burton Act P.L. 96-586	Bureau of Land Management	Revenues from the sale of BLM Lands in Clark County	85% for Federal purchase of lands 10% to Clark County or City of Las Vegas 5% to Nevada State Government
PILT, PL 94-565	Bureau of Land Management	Appropriated by Congress	100% to Counties
Nuclear Waste Policy Act	Department of Energy	Appropriated by Congress	100% to Counties
Refuge Revenue Sharing Act, as amended; 92 Stat. 1321; 16 U.S.C. 715s(c)(2)	US Fish and Wildlife Service	Revenues from sale of timber, grazing, and minerals on reserve area lands and sale of carcasses of certain animals	25% of net receipts to counties 75% to Revenue Sharing Fund
Southern Nevada Public Land Management Act of 1998	Bureau of Land Management	Revenue from the sale of BLM lands in Clark County	85% for Federal purchase of lands, recreation s, wildlife, trails & operation cost 10% to Southern Nevada Water Authority 5% to State
BACA Bill (Federal Land Transaction Facilitation Act of 2000)	Bureau of Land Management	Revenue from sales of BLM lands statewide.	4% to Nevada for educational purposes and for construction of roads. 96% to the Federal Land Disposal Account. (Of the funds in this account, 80% utilized for acquisition of inholdings and other sensitive lands. 20% utilized for administrative purposes including appraisals.)

Source: The University of Nevada Report entitled "Federal and State Land-Based Payments," Technical Report UCED 95-02, dated December 1995. Southern Nevada Public Land Management Act of 1998 and BLM 2005

Table 11 State Land Payments

Provisions of Law	Agency Making Payments	Types of Receipts	Disposition of Receipts
NRS 322.003	Nevada State Lands	Income from the lease of State Lands, buoys & piers'	State General Fund
NRS 407.0762	Nevada Division of Parks	Revenues from user fees, concessions and grazing fees	Special "State Parks" account to be used only to repair and maintain State Parks
Source: The University of Nevada Report entitled "Federal and State Land-Based Payments," Technical Report UCED 95-02, dated December 1995			

- The Taylor Grazing Act of 1934 established grazing districts and created a source of funds which are returned to the state, counties and grazing districts. The Act allows the State Legislature discretion in the allocation 12.5 percent from Section 3 lands and 50 percent from section 15 lands, if it benefits the county where the revenue was generated. The State and County received the following funds:

State		Lander County	
\$255,392	(2001)	\$21,190	(2001)
\$260,141	(2002)	\$23,171	(2002)
\$220,297	(2003)	\$17,033	(2003)
\$212,980	(2009)	\$20,175	(2009)
-	(2017)	\$12,437	(2017)
Source: US Department of Agriculture 2009, Lander County Treasurer			

- Payments in Lieu of Taxes (PILT) began in 1976. "PILT" payments were designed to supplement other federal land receipts sharing payments. The payments are made to local government units and can be used for any government purpose. The State and County received the following funds:

State		Lander County	
\$7.6 million	(2000)	\$324,916	(2000)
\$22.8 million	(2010)	\$806,114	(2010)
\$25.2 million	(2015)	\$965,348	(2015)
\$25.6 million	(2016)	\$982,774	(2016)
\$26.2 million	(2017)	\$1,003,801	(2017)
Source: U.S. Department of Interior			

- The US Department of Agriculture Appropriations Act of 1908 directed 25 % of gross receipts from National Forest Service system lands to be returned to the state of origin. The Act earmarked funds for schools and roads at the county level.

State		Lander County	
\$295,414	(2000)	\$390,609	(2004)
\$31,517	(2004)		

Source: US Department of Agriculture 2004

- The US Department of Education, Title 8, Public Law 103-382 provides for payments to the local school districts as "Impact Aid" based on the premise that federal, civilian and military activities bring an additional burden upon the public school districts. The law provides for payments based on the number of children of federal employees and contract employees doing work for the federal government, native American children attending public schools, and for children of employees of private businesses doing work on federal lands (e.g., mining companies). The payments depend upon the number of qualifying children attending school. The State and County received the following funds:

State		Lander County	
\$3.04 million	(2003)	\$256,517	(2003)
\$6.11 million	(2008)	\$246,675	(2008)
\$5.86 million	(2009)	\$237,454	(2009)
\$5.18 million	(2010)	\$193,443	(2010)
\$5.11 million	(2011)	\$158,578	(2011)
\$4.65 million	(2012)	\$162,069	(2012)

Source: US Department of Education 2012

VII. RECREATION

Recreational activities play an important part in the lifestyle and economy of Lander County. The 2010 Statewide Comprehensive Outdoor Recreation Plan (SCORP) developed by the Nevada Division of State Parks provided an outdoor recreation profile for the State but did not break it down to a county specific level. Nature based activities (day hiking, camping, backpacking, and climbing) are enjoying strong gains in popularity. Lander County offers excellent opportunities to pursue nature based activities. Water based activities also enjoy strong participation rates in Nevada and across the nation.

Recreational use is becoming more important to the economy of Lander County as a means to diversify the local economy. The County is looking for opportunities to increase tourism and general recreation as a way to offset some cyclical impacts of mining. Major improvements have been made in Lander County such as OHV trail construction, improvements to existing hiking trails, improvements to camping facilities and equestrian trails. Due to its proximity, areas in Lander County draw Nevada residents from western and southern Nevada.

Table 12 summarizes major recreational facilities in Lander County.

TABLE 12 Recreation Profile for Lander County			
Recreation Facility	Number	Recreation Facility	Number
Playfields	8	Outdoor Swimming Pools	2
City and County Parks	7	State Parks	0
Tennis Courts	2	Golf Courses	1
Playgrounds	*	Developed Picnic Areas	3
Developed Campgrounds	7	Primitive Picnic Areas	Numerous County wide
Primitive Campgrounds (BLM & FS)	Numerous County wide	Motorized and Non-motorized Trails	500+ miles
Historic Sites	11	Mountain Bike Trails	100+ miles
* Playgrounds are included in the total for parks Source: BLM, USFS, Lander County 2017			

Opportunities for water-based recreation such as boating, fishing, waterskiing, swimming (not pools) etc:

Willow Creek Pond Kingston	Kingston Creek and Groves Lake
Willow Creek	Rock Creek
Humboldt River	Big Creek, Birch Creek

Major Recreation Areas/Sites in the County:

Kingston Canyon Recreation Area	Groves Lake
Mill Creek Recreational Area	Toiyabe Crest Trail
Spencer Hot Springs	Dry Canyon Trail
Copper Canyon Mountain Bike Trail	Big Creek/Big Creek Campground
Austin Mountain Bike Trails	Shoshone OHV Trail
Spencer's Hot Springs	Lewis Canyon

Notable Trends in Outdoor Recreation in Lander County:

Lander County residents' recreational activities include hunting, fishing, birding, camping, OHV use, and many others. Golfing has become popular with the Battle Mountain golf course. The interest in mountain biking and organized horse trail rides is increasing. An OHV Travel Guide has been developed to advertise the County's many miles of roads and trails. An update needs to be completed.

The county provides outstanding opportunities for a variety of outdoor activities for both local residents and visitors. Fishing, hunting, along with primitive camping/picnicking and driving for pleasure are major activities enjoyed, along with rockhounding, off-highway vehicle racing, off-highway recreational vehicle use,

mountain biking and hiking/walking. Table 13 describes the existing developed recreation sites in the county and most recent estimated use data. Table 14 describes recreation activity in the Nevada State Division of Parks' Planning Area VI which covers Humboldt, Lander, and Pershing Counties.

Table 13 Recreational Sites on Federally Administered Lands

Site	Primary Site Type	Visitor Days for 2011	Agency
Antelope Range	Interpretative Center	628	BLM
Hickison Petroglyph Recreation	Campground	8,626	BLM
Mill Creek Recreation	Campground	15,153	BLM
Hickison Petroglyph Interpretative/Equestrian Trails	Trailhead/Equestrian Trails	5,500	BLM
Roberts Mountain	Intensive Use Area	993	BLM
Simpson Park	Intensive Use Area	1,052	BLM
Smith Creek Dry Lake Bed	Specialized Sport Site	1,650	BLM
Spencer Hot Springs	Intensive Use Area	331	BLM
The Point: PX Trail	Historical	316	BLM
Tonkin Springs	Picnic Area/Fishing	273	BLM
BLM - Dispersed Use (Lander, Nye & Eureka Counties)	Dispersed Area	475,000	BLM
Bob Scott Recreation	Campground	4,050	USFS
Kingston Canyon Recreation (includes Groves Lake, Campground, Toiyabe Crest Trail)	Campground	4,050	USFS and NDOW
Big Creek Recreation	Campground	2,700	USFS
Copper Basin Mountain Bike Trails	Mountain Bike Trails	506	BLM
Shoshone OHV Trail	OHV Trail	NA	BLM
Toquima Cave	Campground	600	USFS
Forest Service Dispersed use - Lander, Nye & Eureka Counties	Dispersed Area	39,000	USFS
Source: BLM/USFS/Lander PLUAPC/LEDA 2011			

Important outdoor recreational uses in Lander County include hunting, fishing, hiking, camping, mountain bike riding, day use, and camping. Recreational resources in Lander County are utilized by both local and non-local visitors from outside the area. The Reno area and Las Vegas are within a reasonable driving distances to recreation sites in Lander County. The area is starting to see more recreational use in terms of OHV, mountain biking and hiking from areas outside the state most notably, California.

Table 14 - Recreational Activities: Planning Region VI

(Humboldt, Lander and Pershing Counties)

Recreation Activity	Percentage
Lake Fishing	52
Stream Fishing	49
X-Country Skiing	3
Snowplay	29
Snowmobiling	8
Game Hunting	33
Bird Hunting	32
Pleasure Driving	78
Off-Road Vehicles	52
Exploring	49
Picnicking	77
Tent Camping	38
Vehicle Camping	46
Backpacking	15
Hiking/walking	69

Source: 1995 and 2003 Statewide Comprehensive Outdoor Recreation Plan

VIII. WILDERNESS

There is no Congressionally designated Wilderness area in Lander County. The BLM has recommended Wilderness designation for one area in the county, the Desatoya Mountains. Congress has not acted on any BLM recommendation. BLM Wilderness Study Areas (WSA) within Lander County include:

BLM WSA	WSA Number	County	BLM Recommendation	Acres
1) Augusta Mountains	NV-030-108	Lander/Pershing	Non-wilderness	89,372
2) Simpson Park	NV-060-428	Lander/Eureka	Non-wilderness	49,670
3) Desatoya Mountains	NV-030-110	Lander/Churchill	Wilderness	43,180
	NV-030-110		Non-Wilderness	<u>8,222</u>
Total				190,444

IX. AGRICULTURE AND LIVESTOCK PRODUCTION

Lander County had 124 farms or ranches in 2012, ranking Lander County 10th among Nevada's 17 counties. Table 10 lists county values of production for crops (including hay) and nursery, livestock and poultry, and total value of production. In 2012, Lander County's crop and nursery value of production was \$27,088,000. Included in Table 15 is the total value of livestock and poultry production for Lander County in 2012, which was \$12,228,000. Lastly, from Table 15, the total value of agricultural production for Lander County in 2012 was \$39,256,000, ranking Lander County 8th (same as 2007) among Nevada's seventeen counties. Livestock and hay production represent key

elements of Lander County's agricultural base. Farm and ranch acreage in Lander County in 2012 was 313,457. Also, average farm or ranch size in Lander County declined from 4,037 to 2,532 acres.

Table 15 Census of Agriculture: 1997, 2002, 2007, and 2012

	2012	2007	2002	1997
Number of Farms:	124	84	116	85
Total Farm Acres:	313,457	339,091	620,292	487,941
Average Farm Size:	2,532	4,037	5,347 acres	5,740 acres
Production Market Value (Total):	\$39,256,000	\$19,098,000	\$20,615,000	\$12,871,000
Crops:	\$27,018,000	\$10,444,000	\$10,263,000	
Livestock:	\$12,238,000	\$8,654,000	\$10,352,000	
Farm Average:	\$316,579	\$277,357	\$177,715	\$151,422
Government Payments:	\$132,000	\$179,000	\$123,000	\$23,000
Gov. Payments Avg/Farm:	\$6,936	\$12,758	\$6,128	\$3,718

Source: Census of Agriculture 2002, 1997, 2007, and 2012.

Average market value of land and building increased from \$1,273,980 in 2002 to \$1,880,301 in 2012. This was a 48 percent increase during the ten-year study period. On a per acre basis, average market value of agricultural land and buildings in Lander County increased from \$247 per acre in 2002 to \$408 per acre and \$743 per acres respectively in 2007 and 2012.

Table 16 shows the agricultural production in Lander County. The cattle and calves inventory has increased from 1999 to 2010. In 2010 the inventory stood at 34,000 head up from 20,000 head in 1999. Alfalfa hay and other hay production averaged just over 90,000 tons in 2002 and 2003. In 2016, Lander County had 28,000 acres under cultivation producing 90,000 tons of hay. Reduction in hay production due to extended period of drought conditions.

**Table 16 Agricultural Production
Lander County: 2002, 2010, and 2016**

	2002	2010	2016
Cattle and Calves	24,000	34,000	22,500
Sheep	5,000	5,300	4,000
Hay Production in Tons	83,000	139,000	90,000

Source: Nevada Agricultural Statistics, 2002, 2010, and 2016

X. RANGE AND GRAZING MANAGEMENT

As described previously there are approximately 124 ranches and farms in Lander County. Most are dependent upon federally administered lands for grazing. There are 22,500 cattle and 4,000 sheep in the county. The federally administered lands are an essential component for most of the county's ranches. Grazing authorized on the federally administered lands has been reduced over many years for a variety of reasons. Some reasons identified by the federal agencies for the reductions include conflicts with riparian and stream conditions, loss of rangeland productivity, wild horse needs, increases in less desirable species and noxious weeds along with impacts on key wildlife areas such as habitats for threatened and endangered species and other species. Other factors include low market prices, high costs of labor/equipment, and the trend toward purchase of small ranches by large corporations. These factors have had some impact on changing the historic ranching trends.

Resource Concepts Inc., developed a grazing report entitled "A Review of Public Land Grazing in Central Nevada," dated July 1998 for the N-6 Grazing Board, Eureka, Lander, and Nye Counties. Table 17 describes the grazing trends on BLM administered lands and National Forest lands based on this report. The figures represent all three counties in Central Nevada. However, the report also reflects specific conditions in Lander County.

In 2005, Lander County included 183,169 AUMs (BLM) and 18,498 AUMs (USFS). By 2011 active BLM AUMs had declined to 164,256 with 50,987 suspended AUMs. In 2017 the BLM AUMs authorized and suspended are largely unchanged from 2017. Austin Ranger District AUMs declined from 20,840 to 20,348 in 2017. Reductions in BLM AUMs since 2005 has an annual economic impact of \$1.7 million in 2017. The reductions in AUMs as described in Table 17 have impacted the traditional economies of Lander County directly through the loss of revenues to the rancher and the community. Additionally, the reduction of permitted AUMs has reduced the value of the individual ranches and the ability of the rancher to secure financing. Other economic activities such as recreation have not replaced the economic loss to date.

Table 17 Summary of Grazing Authorization by BLM and Forest Service

Time Period	Measured in AUMs	BLM Shoshone-Eureka Resource Area	Austin Ranger District	Tonopah Ranger District
Before 1980	Adjudicated Preference	382,211	n/a	n/a
Status as of 1980	Permitted Preference	312,828	36,141	16,422
Status as of 1986	Permitted Preference		37,496	14,813
September 1995	Permitted Preference	252,937		
Status on 1998 (BLM) Status on 1997 (USFS)	Permitted Preference	246,736	23,458	8,513
Percent Change as of 1998, - Based on Period Before 1980 to 1998		35.4%		
Percent Change 1980-1997		21.1%	35%	48%
BLM - Change in Permit Value 1980-1998 & 2017 (\$37.00/AUM)		(-\$2,445,404) (-\$3,680,663-2017)*		
USFS - Change in Permit Value 1980-1997 & 2017 (\$42/AUM)			(-\$532,686) (-\$819,194)*	(-\$322,178) (-\$510,842)*
BLM - Annual Direct Economic Impact to Livestock Sector 1980-1998 & 2017 (\$21/AUM)		(-\$1,387,494) (-\$2,152,597-2017)*		
USFS - Annual Direct Economic Impact to Livestock Sector 1980-1997 & 2017 (\$21/AUM)			(-\$266,343) (-\$413,212)*	(-\$166,089) (-\$257,675)*
Source: Document entitled "A Review of Public Land Grazing in Central Nevada" dated July 1998, prepared by Resource Concepts, nc. For N-6 State Grazing Board, Lander and Eureka, and Nye County Commissioners. * Adjusted for current 2017 value				

Tables 18 and 19 contain livestock grazing AUMs for the national forests and BLM allotments in Lander County. Since 2005 BLM AUMs have been reduced by about 10 percent.

Although mining remains the dominant industry in the county, mining activity historically has fluctuated greatly depending on market prices. The experience of the last 18 months illustrates how quickly market changes can impact mining activity. A stable agricultural industry is important to Lander County's economy especially when mining activity slows.

**Table 18 BLM Battle Mountain District
Livestock Grazing AUM's in Lander County - 2017**

Allotment	AUMs (permitted)	AUMs (suspended)
Argenta	18,024	-
Austin	14,478	18,277
Buffalo Valley	5,451	1,732
Carico Lake	24,954	-
Copper Canyon	5,023	335
Cottonwood	5,683	-
Dry Creek	5,702	2,311
Gilbert Creek	13,071	11,769
Grass Valley	17,701	2,340
Kingston	2,720	-
Manhattan Mtn.	1,746	3,371
Mount Airy	3,651	1,465
North Buffalo	3,447	-
O'Toole Ranches	1,006	230
Potts	9,262	-
San Juan	9,169	-
Santa Fe/Ferguson	5,202	2,379
Simpson Park	3,446	0
South Smith Creek	5,331	3,889
Tierney Creek	817	-
Underwood	1,462	-
Washington Creek	360	1,140
Wildcat Canyon	2,677	-
Willow Race Track	252	-
Willows Ranch	3,621	1,749
TOTAL	164,256	50,987

Source: BLM 2012

Note: BLM and USFS maps that correspond to Tables 21 and 22 are included in Appendix B. Some of the aforementioned BLM and USGS AUM allotments include portions of neighboring counties.

**Table 19 U.S. Forest Service, Austin-Tonopah Ranger District
Livestock Grazing AUM's in Lander County – 2012 and 2017**

Allotment	2012	2017
Bade Flat C&H	1,157	1,527
Birch Creek C&H	513	677
Bunker S&G	5,055	1,504
Cahill C&H	765	1,010
Elkhorn C&H	815	1,076
Gold Park C&H	985	1,300
Hot Spring Winter C&H	190	995
Kingston S&G	5,055	closed
Lake Flat C&H	60	210
Monitor Winter C&H	900	1,188
North Shoshone C&H	1,400	5,312
Reeds-Indian Canyon C&H	1,388	1,832
Stoneberger C&H	832	1,101
Washington C&H	1,725	2,616
TOTAL	20,840	20,348

Source: US Forest Service 2012 and 2017

XI. MINING

According to the Nevada Division of Minerals (NDOM), "Major Mines of Nevada 2015", 6 mining companies employed 2,700 employees in 2015. As of the 3rd quarter of 2016 total mining employment in Lander County was 2,030. Total mining employment in Lander County is expected to remain stable over the next several years.

In 2015, 409,015 tons of Barite, 1,259,426 ounces of gold, and 1,092,085 ounces of silver were produced in Lander County. Turquoise has also been mined, but is a minimal aspect of the overall mining portfolio. Lander County mines produced just over 46.3 million pounds of copper in 2015.

Mining dominates the county economy as to jobs and payrolls. Lander County's mines produced some \$1,825,342,818 in total gross proceeds in 2016, a substantial increase 2001 when Lander County registered \$413.5 million. This accounted for 24.5% of Nevada's \$7.43 billion in total mineral proceeds in 2016. This makes Lander County the second most important mining county behind only Eureka County. Mining jobs in Lander County commanded the highest annual average wage at \$96,200 per worker.

XII. WATER Resources

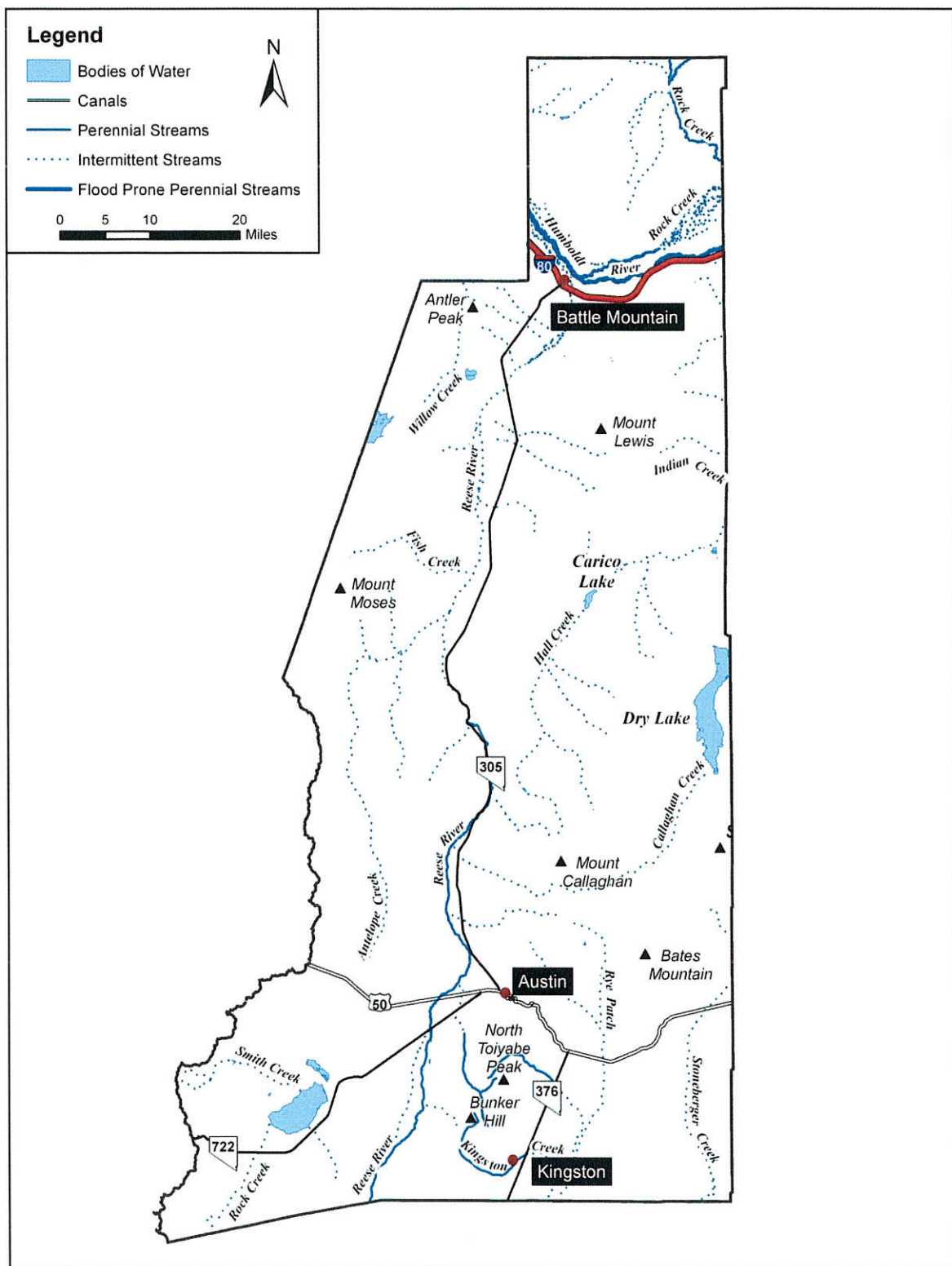
Surface Water

The hydrology of Lander County is typical of the basin and range environment. Precipitation is seasonal with rain or snow in the winter and thunderstorms in the summer. Stream flows are seasonal with the peak flows typically occurring in the spring. Major surface water features in Lander County are shown in Figure 8-1. There are three major streams in Lander County. They include the Humboldt River, the Reese River, and Rock Creek.

The dominant hydrologic feature in the region is the Humboldt River, which has had a significant impact on the history of the development of Battle Mountain. Water records kept sporadically for flow in the River since 1896, show an average discharge of 302 cubic feet per second (cfs), or 218,600 acre-feet per year. The drainage area above Battle Mountain is an impressive 8,870 square miles, which can cause serious flooding during unusual conditions. Several irrigation diversions exist upstream which have some impact on flow in the Humboldt River during the growing season. During the 1990s, the highest peak flow occurred on June 13, 1995 when the Humboldt River reached a flow of 4,010 cfs. High flows in the River begin to build in February and March, with the onset of spring snowmelt. Peak flows historically occur in June and rapidly decrease in July, to base flow conditions by August. Base flows continue until February of the following year.

The Reese River in contrast, has a drainage area of 2,330 square miles at Battle Mountain, and an average discharge of 10.4 cfs or 7,530 acre-feet (measured at Ione, upriver). Peak flow on the Reese River during the 1962 flood was estimated at 4,760 cfs, compared to 167 cfs at Ione. It has a similar hydrograph as the Humboldt River with peak flows occurring in June in most years. Periods of no flow are recorded in some years. The Reese River is fed by several tributaries draining the west slopes of the Toiyabe Mountains including Cottonwood Creek, Big Creek, Italian Creek, Silver Creek and Boone Creek (See Figure 1). During intense or unusual storm events surface flows from Antelope Valley can reach the Reese River.

Figure 1 – Lander County Surface Water Features



Rock Creek and its tributaries drain much the area west of the Tuscarora Mountains. The headwaters of Rock Creek are in the unnamed mountain range on the northern side of Willow Creek Valley in Elko County. Rock Creek is joined by Willow Creek and flows southward in a rugged canyon to Rock Creek Valley. Flows of each stream are influenced by irrigation diversions and releases from Willow Creek Reservoir. Rock Creek is then joined by Antelope Creek, cuts through the Sheep Creek Range by way of another rugged canyon, and enters Boulder Flat. Rock Creek at the gaging station where it enters Boulder Flat discharges about 29,000 acre-feet/year. Flow of the stream probably enters Humboldt River in years of above-normal runoff. Rock Creek is joined by Boulder Creek in the lowlands between the Sheep Creek Range and the Argenta Rim and then enters the Humboldt River about 2 miles east of Battle Mountain. Rock Creek has no baseflow near the Humboldt River.

Other significant surface water features include a number of smaller streams located throughout the County most of which are perennial in the upper reaches then becoming ephemeral near the valley floors. There are no major lakes or reservoirs in the County with the exception of Groves Lake which is approximately 10 acres in size. There are a host of smaller reservoirs associated with local ranching operations. Two of the largest are located at Iowa Creek Ranch and Smith Creek Ranch. Specific information on surface water features in Lander County can be found in County Water Resource Plan 2010.

Groundwater

Ground water occurs in porous alluvial basins adjacent to the Humboldt and Reese Rivers, as well as Rock Creek and other water courses in the region. Ground water also occurs associated with fractures in the bedrock of upland mountain ranges. Recharge occurs primarily from precipitation, and infiltration in the case of the Humboldt River. Ground water discharge from the Humboldt River Basin is estimated to be about 30,000 acre-feet per year (Rush et al, 1971). There are two major hydrographic basins/regions (Humboldt River Basin and the Central Region) in Lander County. Figure 2 shows groundwater basins contained in whole or in part within Lander County.

There are a total of 18 groundwater basins in Lander County. Only three of the groundwater basins in Lander County are hydrologically closed units. Figure 8-2 also shows which basins are closed and the amount of subsurface flow moving between each groundwater basin. As seen in Figure 2 subsurface flow from Upper Reese River, Antelope Valley and Middle Reese River ultimately contributes to groundwater recharge in the lower Reese River Valley basin. Each year the lower Reese River Valley receives approximately 9,000 acre-feet of subsurface flow from the Middle Reese River Valley. The majority of Lander County's population currently lives within four major groundwater sub-basins. Three basins bisect the Battle Mountain area, they are 64 Clovers Area, 61-Boulder Flat, and 59 Lower Reese River Valley. All three sub-basins

are currently designated. The Austin area is located in basin 56-Upper Reese River Valley and Kingston/Gilman Springs is located in 137B-Big Smoky Valley.

Certain areas of Lander County have been "designated" by the State of Nevada. This designation means that permits to pump water are not being issued, being issued with limitations, or issued for preferred uses only. Possible appropriations are allowed for industrial, municipal, domestic mining, and stock watering, but are restricted for irrigation purposes. The depth of water in the valleys of Lander County varies tremendously. On average, ground water is as shallow as 10 feet and as deep as 460 feet. The depth of domestic water wells reported to the Nevada Division of Health Protection Services is generally less than 200 feet.

Lander County includes all or part of 18 hydrologic ground water basins. The amount of water that can be removed from a basin without causing the depletion of the resource is defined by the perennial yield. Estimates for the perennial yield of several basins in Lander County are shown in Table 1. Four basins are open to additional groundwater appropriations for all uses. The remaining basins are designated preferred use designations (domestic, municipal, and quasi-municipal) and are closed to further irrigation permits.

The amount of groundwater pumping taking place along the Humboldt River corridor is considered as a possible contributing factor to lack of river flow reaching Rye Patch Reservoir near Lovelock, NV. This belief has resulted in a legal challenge, calling on the Nevada State Water Engineer to take action to protect the water rights of surface water right owners, served by the Pershing County Water Conservation District.

In their 2015 suit, the irrigation district maintained that the up-stream groundwater basins have been over-appropriated and that the amount of pumping that is being carried out, through these appropriated groundwater rights, is extracting water from the ground to the extent that it is depleting stream flows from the Humboldt River. The State Engineer's response to this action is a four-year study and modeling project to identify the hydrologic connection and interaction of groundwater and river streamflow.

Legend

- Perennial Streams (solid blue line)
- Intermittent Streams (dotted blue line)
- Hydrologically Closed Basin (shaded blue area)

0 5 10 20 Miles

Map Labels:

- Counties:** ELKO, HUMBOLDT, PERSHING, LANDER, EUREKA, CHURCHILL, NYE.
- Hydrologically Closed Basins (shaded blue):** 131, 132, 134, 138, 139, 137B, 140A.
- Water Rights (AF/Yr):**
 - Basin 131: 9,000 AF/Yr
 - Basin 132: 500 AF/Yr
 - Basin 134: 722 (road label)
 - Basin 138: 2,500 AF/Yr
 - Basin 139: 200 AF/Yr
 - Basin 137B: 376 (road label)
 - Basin 140A: 140A (road label)
 - Basin 54: 300 AF/Yr
 - Basin 55: 2,500 AF/Yr
 - Basin 56: 500 AF/Yr
 - Basin 57: 6,000 AF/Yr
 - Basin 58: 500 AF/Yr
 - Basin 59: 2,800 AF/Yr
 - Basin 60: 750 AF/Yr
 - Basin 61: 2,800 AF/Yr
 - Basin 62: 2,800 AF/Yr
 - Basin 64: 2,800 AF/Yr
- Roads:** 80, 50, 305, 376, 722.

Table 20 Perennial Yield Groundwater Basins in Lander County: 2017

Basin	Region	Name	Perennial Yield	Designated, Engineers Order
54	Humboldt River	Crescent Valley	16,000	Y-All, O-755
55		Carico Lake	4,000	Y-All, O-1254
56		Upper Reese River V.	37,000	Y-All, O-1255
57		Antelope Valley	9,000	Y-All, O-1256
58		Middle Reese River V.	14,000	Y-ALL, O-1257
59		Lower Reese River V.	17,000	Y-All, O-739
60		Whirlwind Valley	3,000	Y-All, O-799
61		Boulder Flat	30,000	Y-Preference, O-799
62		Rock Creek Valley	2,800	Y-All, O-1260
64		Clovers Area	40,000	Y-All, O-700
128	Central Region	Dixie Valley	15,000	Y-All, O-715
131		Buffalo Valley	8,000	N
132		Jersey Valley	250	Y-All, O-715
134		Smith Creek	10,000	N
137B		Big Smoky NP	65,000	Y-All, O-852
138		Grass Valley	13,000	N
139		Kobeh Valley	15,000	Y-All, O-816
140A		Monitor Valley	2,000	N

Source: Nevada Division of Water Resources, 2017

XIII. POLICIES

Policy statements have been carried forward from the 1984 SB 40 Plan and the previously updated plans. Additional policy statements have been developed from citizen and PLUAPC feedback as they relate to changing conditions. Many of the statements are reflective of previous positions taken by the Commissioners in resolutions and cooperative agreements.

1. Plan Implementation, Agency Coordination, and Local Voice

Agency coordination of planning is mandated by federal laws.

The Federal Land Policy and Management Act, 43 U.S. § 1701, declared the National Policy to be that "the national interest will be best realized if the public lands and their resources are periodically and systematically inventoried and their present and future use is projected through a land use planning process coordinated with other federal and state planning efforts." See 43 USC §1701 (a) (2).

43 U.S.C. § 1712 (c) sets forth the "criteria for development and revision of land use plans." Section 1712 (c) (9) refers to the coordinate status of a county which is engaging in land use planning, and requires that the "Secretary [of interior] shall" "coordinate the land use inventory, planning, and management activities... with the land use planning and management programs of other federal departments and agencies and of the State and local governments within which the lands are located." **This provision gives preference to those counties which are engaging in a land use planning program over the general public, special interest groups of citizens, and even counties not engaging in a land use planning program.**

Policy 1-1: All proposed actions on federally administered lands should be brought to the attention of the PLUAPC for purposes of review to determine if the federal program is in conformance with this Plan pursuant to NEPA requirements. The PLUAPC's role is to recommend to the LCBC appropriate action concerning such proposals.

Policy 1-2: Lander County will participate with federal agencies on actions that affect federally administered lands within the county. The PLUAPC will serve in an advisory capacity only, and act as liaison between the LCBC and the federal land managing agencies. Studies concerning impacts of proposed actions affecting federally administered lands should be conducted by professionals. PLUAPC requests the commission be notified by the federal agencies before any studies sponsored by the federal land management agencies are initiated. Copies of resource studies should be provided to PLUAPC as soon as available.

Policy 1-3: The PLUAPC will emphasize consistency between this Plan and federal land use plans which apply to Lander County.

Policy 1-4: The PLUAPC requests inclusion as a recipient of the BLM Northeastern Great Basin Resource Advisory Council and the Mojave Southern Resource Advisory Council meeting minutes and agendas. The PLUAPC will reciprocate by forwarding agendas and minutes to the RACs.

2. Management of Federally Administered Lands

Policy 2-1: Lander County supports the concept of **Multiple Use Management** as an overriding philosophy for management of the federally administered lands based on multiple use and sustained yield concepts, and in a way that will conserve natural resources.

Policy 2-2: Whenever possible, protect and preserve the quality of the environment, and ecological, scenic, historical and archeological values; protect and preserve wildlife habitat values compatible with economic development needed to provide for long term benefits for the people of Lander County and future generations.

Policy 2-3: The citizens of Lander County support the Constitution of the United States and the State of Nevada. Protecting individual freedoms of land ownership, customs and cultures, and traditional free market enterprise is paramount.

3. Land Use and Federal Land Transactions

The following are policies developed by the BLM and Lander County relating to the federal land program. Appendix A provides a list of parcels generally identified by the County for local public purposes and for community expansion and economic development. The list and the map provide a general description of the lands identified for acquisition and are intended to be used as a guide for more detailed studies. Each parcel will need to be further reviewed at the time a specific realty action is proposed. As an example, although the map and description only describes the area to the section, some of the lands may already be in private ownership and would not be affected by this Plan.

The lands identified in Appendix A represent the latest efforts by the BLM and County in developing an overall plan for transferring some federally administered lands to the county or private sector. This is an on-going process and changes in the list should be expected as new information or needs develop in the future.

Lander County has a total land base of 3,597,440 acres, approximately 83 percent of which is federally managed. Most of the federally administered lands within and adjacent to the communities are administrated by the BLM and US Forest Service,

along with the checkerboard lands located along the Central Pacific Railroad right-of-way. The lands north of Battle Mountain (i.e., north part of town) are covered by the Elko Resource Management Plan (RMP). The Land Tenure decisions for this area are described on Page 1 of the Elko RMP, Map 3, dated March 11, 1987. This Plan identifies lands for sale and/or exchanges in both Lander and Elko Counties. Specifically 8,340 acres were identified as available for sale that were difficult and uneconomic to manage, 5,900 acres to meet community expansion needs, and 243,200 acres identified for transfer, primarily through exchange.

The rest of the BLM administered lands in Lander County are included in the Shoshone-Eureka RMP. The BLM's Land Tenure program for this area is described on page 11 of the Shoshone-Eureka RMP and Appendix A. This Plan covers both Lander County and southern Eureka County. The Plan identifies 104,959 acres for disposal and an additional 13,440 acres suitable for disposal as agricultural lands. The RMP is undergoing an extensive update and should be completed in 2019.

Lander County recognizes that many of the policies described below are currently part of the BLM procedures for land adjustments. However, the County believes the basic policies on land tenure need to be clearly expressed in this Plan to communicate County policies not only to the federal agencies, but to the citizens of Lander County as well.

Lander County has identified many parcels for public purposes and for economic development. The specific land adjustment program is to be guided by the following county policies:

Policy 3-1: The establishment of new specially designated lands (i.e. National Recreation Areas, National Conservation Areas, Wildlife refuges, wilderness, State parks, etc.) is not supported unless specifically endorsed by the County and such designations have direct benefit for County residents.

Policy 3-2: Government agencies should not acquire additional private lands without first ensuring:

- a. That private land ownership is not decreased;
- b. That private property interests are protected or enhanced;
- c. That socioeconomic impacts are duly considered;
- d. That takings in any form are fully compensated;
- e. That due process is guaranteed to all private parties involved in land use controversies, by means that do not demand or create a financial hardship.

Policy 3-3: Isolated tracts of federally administered lands should be identified for disposal.

Policy 3-4: Increase opportunities for local economic development by selectively increasing the amount of privately owned land within the county. Lander County's goal for land exchanges is to maintain a "no net loss" in private, county or state acreage. Although the county supports exchanges that will increase economic development, the county is also concerned about any proposal that will reduce private, county or state ownership.

- a. Federally administered lands within and adjacent to the municipal service areas of Austin, Kingston and Battle Mountain should continue to be made available for urban expansion through the Recreation and Public Purposes (R&PP) process. Sale and Exchange Provisions of FLPMA can also be used to transfer lands. These lands should be transferred only when local governments agree that the transfer is opportune and would not be a burden on local governments.
- b. Federally administered lands should be made available as needed for state and local government purposes. Lands identified for public purposes should receive preference to disposal for private purposes.
- c. Before federally administered lands are disposed of, adverse impacts on existing uses should be considered. Adverse impacts could include important wildlife habitat, key seasonal grazing rights, municipal watersheds, flood prone areas, access, and recreational use of the lands.
- d. Land exchanges and lands sales that block up high value public purpose lands and/or make private lands more manageable should be given high priority in federal real estate actions.
- e. Lander County encourages the BLM to review the agency's land sales/exchange procedures to determine ways, including changes in policy and regulations when appropriate, to expedite the sales and exchange process. The existing process can be "cost prohibitive" and time consuming when applied to small isolated land exchanges and sales. All appropriate authorities for land disposal under the BACA Bill should be used for maximum flexibility and for the payment of fees associated with appraisals and other administrative costs to expedite the process.
- f. Land sales should be emphasized over land exchanges.
- g. Public access to and through disposed lands should be retained. Whenever federally administered lands are disposed of, existing public access to adjoining or nearby federally administered lands should be retained for recreational and other multiple use needs. The development of alternative routes of access may be necessary.

- h. The public, local and state governments need to be involved in decisions related to federally administered land activities. Adequate public notice should be given before the initiation of land adjustment actions.

Policy 3-5: Federally administered lands should be transferred to the private sector when suitable for intensive agricultural operations through either the Desert Land Act or the Sale authority provided by FLPMA.

- a. Preference should be given to existing land users or adjacent land owners, where possible.
- b. The lands made available for irrigated farm land must have adequate water, as determined by the State Engineer, and appropriate soil, as determined by a soil study.
- c. A process should be developed to compensate livestock operators for loss of AUMs when federally administered lands are transferred out of federal ownership. The party receiving the lands should be responsible for providing the compensation. Current federal law is limited in that it provides the permittee with a two-year period before the permitted AUMs are reduced or lost, although the law does provide for compensation where there are range improvements involved.
- d. Any federally administered lands fenced in with existing private land, should receive a high priority for sale by the BLM.

Policy 3-6: Promote the increased use of, and adherence to, comprehensive planning among all government entities in Nevada.

- a. Corridors for the future transmission of energy, communications and transportation need to be planned for in manner that is compatible with other multiple uses on federally administrated lands.
- b. The County will review all federally administrated land withdrawals for the transportation, storage, and disposal of all hazardous and toxic refuse or waste materials within the county.

Policy 3-7: Impacts to private lands from development proposals on BLM managed lands and USFS lands shall be fully evaluated for potential impacts and proper mitigation established. Resources to be evaluated include, among others:

Impacts to well owners and water right holders, and water resources.
Land Values and private property
Grazing Rights
Recreation Use

Municipal water sheds, water quality and quantity
Access, roads and drainage requirements
Municipal services
Noise

Policy 3-8: Proposals on public lands shall be subject to Lander County special use permit requirements when applicable. Local governments maintain jurisdiction over certain elements of development activities on public lands which affect locally provided services, require building permits, and where such development has the potential to impact other property owners in the immediate area.

Policy 3-9: Overall land use should be consistent with the Lander County Master Plan and policies and program incorporated by reference. When Federal Actions conflict with the Master Plan, agencies responsible for environmental compliance shall determine the extent of potential impacts arising from inconsistencies with local plans and policies.

Policy 3-10: Lander County and BLM shall coordinate planning efforts for areas where a checkerboard pattern of public and private ownership exist. Areas of coordination include:

- a. BLM and Lander County should coordinate the development of new roads, access, and needed rights of way and easement.
- b. Consolidation and land transactions should occur in a manner that increases the base of private lands in Lander County.
- c. Encourage limited residential development on private lands when such lands are isolated and remote from municipal services and or where such development is not capable for supporting the cost of services.
- d. Maintain land uses consistent with the Rural Lands Group of the Lander County Master Plan. Maximum residential density is not to exceed 1 dwelling unit per 20 acres.
- e. Minimize impacts to Sage Grouse habitat as discussed in the Sage Grouse Policy.
- f. Minimize conflicts with existing users such as mining, grazing, and other natural resource development important to Lander County.
- g. Minimize or limit costs to provide municipal services (police, fire, emergency services, and infrastructure improvements, etc).

4. Custom and Culture

Policy 4-1: The County recognizes that local proprietorship leads to optimum resource enhancement through individual and/or local stewardship and responsibility. This principle is recognized as one of the most important aspects of American custom and culture. Private land ownership, free enterprise and local collaboration in the management of our federally administered lands leads to economic prosperity and realization of these ideals, developed laws which encouraged the private use and development of the resources from the federally administered lands.

5. Community Stability

Policy 5-1: The stability of the community is reliant upon a strong, stable, private industry and commerce. In order for the county to provide essential services and facilities to meet the basic needs of the people, private enterprise should be encouraged and strengthened to assure a viable tax base to fund these services and facilities.

Policy 5-2: Increasing governmental regulations and taxation is not only diminishing private enterprise, but it is also threatening to destroy the most important feature of freedom, the rights of individuals to control and utilize private property. The people of Lander County are strongly opposed to this trend in government.

6. Public Safety

Cattle grazing along State Highway 376 (i.e., Austin to Tonopah) and Highway 305 (i.e., Austin to Battle Mountain) historically have been a public hazard and safety problem. Fencing along State Highway 376 has been completed to the Nye County line and fencing on State Highway 305 has been completed. Highway 722 is not fenced and poses a public safety problem as well as an economic hardship when cattle are lost. In the unfenced areas the cattle are free to wander along and across the road.

Policy 6-1: Lander County recommends that any unfenced rights-of-ways along State highways be fenced to protect the traveling public and to minimize the loss of livestock. This fencing should be constructed under a cooperative effort between the BLM, Nevada Department of Transportation and the permittees.

Recently, the BLM has proposed new law enforcement regulations that could increase the authority BLM has conducting law enforcement on public lands.

Policy 6-2: Lander County appreciates the presence and cooperation of federal law enforcement officers on public lands but is opposed to any increase in BLM and or U.S. Forest Service law enforcement authority. The County

prefers the existing protocol between BLM and other federal law enforcement officers, and the Lander County Sheriff. Lander County strongly supports the provisions contained in the Second Amendment of the United States Constitution and the absolute right of a person to carry firearms on public lands.

7. Agriculture and Livestock Production

It is recognized that agricultural production in Nevada will be necessary to help meet the requirements of future state populations and is important to Lander County.

Policy 7-1: Increase agricultural Lands and uses and support the continuation of agricultural pursuits in Lander County and Nevada.

Policy 7-2: The pursuit and production of renewable agricultural resources is important for a stable and diversified economy. The importance of this private industry to economic and cultural well being of the citizens of Lander County is duly recognized. Its continued sustainability relies, in part, on public and national forest lands.

Policy 7-3: Opportunities for agricultural development on federally administered lands should continue at levels that are consistent with historical customs, culture and compatibility with other multiple uses. Disposal of lands adjacent to existing agricultural areas with sufficient water resources available to support increased cultivation is encouraged.

Policy 7-4: Grazing should utilize sound management practices. Range assessments and capacity determinations should be based on an allotment-by-allotment basis, based on site-specific monitoring. The procedures described in the Nevada Rangeland Monitoring handbook should be followed to establish proper levels of grazing.

Policy 7-5: Allotment management strategies should be developed that provide incentives to optimize stewardship by the permittee. Maximum flexibility should be given to the permittee to reach condition standards for the range. Monitoring should utilize the use of long-term trend studies as described above.

Policy 7-6: Lander County supports adaptive grazing management practices. Adaptive Management and collaborative processes should be instituted to consider possible solutions, implement on-the-ground changes/enhancement activities and monitor for results. Adaptive management practices should be taken on a local basis, involving an inclusive opportunity for all locally affected stakeholders (private sector

and government). Inherent in Adaptive Management is that it recognizes progression towards ultimate resource goals through measurable objectives.

Policy 7-7: Encourage BLM to develop regionally variable grazing fees that are based on the quality and quantity of forage, accessibility and infrastructure.

Policy 7-8: Livestock operators need assurance of long-term tenure as an incentive for good stewardship. Active range improvement programs are encouraged. AUMs should not be reduced upon the sale of land and federal agencies doing so should cease this policy immediately.

Policy 7-9: The County will provide guidance and aid, through county extension agents, control of predators and pests that are harmful to the economic well-being of the agricultural industry and residents of its communities. Active pest and predator control will be used if it is clearly demonstrated there are only minimal undesirable side effects on wildlife and wildlife habitats. Programs to control mountain lions and other predators will be used when necessary to maintain optimum levels of game animals.

Policy 7-10: The federal agencies should give a priority to working cooperatively with the county to control noxious weeds. The continued spread of noxious weeds is a serious threat to agriculture and native grasslands within the county. This threat requires immediate action by federal, state and local agencies along with private land owners while there is still time to control the spread of these weeds. Lander County should continue to work cooperatively with BLM and USFS.

8. Air Quality

Policy 8-1: The County supports the establishment of air quality standards based on local background conditions by the Nevada Division of Environmental Protection.

Policy 8-2: The County supports the establishment of particulate monitoring stations by the Nevada Division of Environmental Protection to establish local ambient emission conditions.

Policy 8-3: Projects on public lands shall maintain ambient air quality standards. For projects which have the potential to impact native vegetation, a thorough analysis of the direct and indirect impacts is needed to establish adequate mitigation for public and private lands.

9. Cultural Resources

Policy 9-1: Lander County supports multiple use of cultural resources (i.e., research, interpretative opportunities for the public etc.) compatible with local customs and culture, limited by private property rights and local self-determination.

Policy 9-2: Cultural resources must be managed in a way that allows for community advancements supported by the will of most of Lander County residents, consistent with federal and state law.

10. Forestry and Forest Products

Policy 10-1: The County supports the prudent development of forest product industries including biochar operations, firewood cutting areas, and the selling of permits for Christmas trees, posts, and pine nuts. Firewood permits should be used for PJ removal.

Policy 10-2: The County encourages BLM and the US Forest Service to expedite wildland/urban interface and forest thinning contracts. The current contract process is excessively onerous and precludes many local entities from deriving an economic benefit from the forests, which in turn is a detriment to Lander County as a whole. Permits should be free to those removing dead and dying trees.

Policy 10-3: The County recognizes the importance of maintaining healthy aspen communities and encourages activities that will retain and improve the vigor of these communities.

Policy 10-4: Lander County supports programs to reduce Pinyon/Juniper forests for the purposes of Sage Grouse conservation and range management. BLM needs to expedite and increase acreage of Pinyon/Juniper removal. The US Forest Service should develop similar programs.

Policy 10-5: BLM needs to expedite Pinyon/Juniper removal by undertaking a program to identify and analyze numerous areas which should be subject to forest thinning and removal. Such areas and projects should be identified in the agency land management plans.

Policy 10-6: Consistent with Sage Grouse conservation efforts, Lander County will support Pinyon/Juniper removal and public and private lands.

11. Water Resources

The water resources are critical to current and future development of Lander County. Water resources play a key role in the major economic activity for the county including mining, agriculture, and tourism and recreational activity and support wildlife habitat. Even with the relatively small population base, competing uses of water resources are particularly evident in a number of areas throughout Lander County as most areas in the County are fully appropriated. As a result, all of the available water resources currently in Lander County are needed to support economic activity, population growth and community development and other natural resources important to the County.

Policy 11-1:Water rights and water resources shall be used for the benefit of Lnder County and shall be consistent with the Lander County Master Plan.

Policy 11-2:Lander County adheres to the principles of private water rights and "beneficial use" concepts as implemented under state law.

Policy 11-3:Lander County is opposed to the export of water resources outside Lander County. BLM and the US Forest Service shall examine potential impacts to private and public lands from groundwater withdrawals. Issuance of right of ways and easements for transmission pipelines shall be considered a connected action to groundwater or surface water withdrawal for purpose of the environmental review process. Pumping, transmission, storage facilities as well as related facilities and components will be subject to Lander County Special Use Permit requirements.

Policy 11-5:Lander County supports the Nevada Stockwater Bill passed by the 2003 State Legislature. The Bill assures that permits or certifications issued to appropriate water for watering livestock on federally administered lands are limited to applicants legally entitled (i.e., owners of the livestock) to place the livestock on the federally administered lands.

Policy 11-6:Lander County requires a special use permit for water resource development projects. Water exportation project facilities including but not limited to pumping, storage, and transmission shall be subject to review under Lander County ordinance 17.14.010. Water resource development project shall not be detrimental to the health, safety or welfare; injurious to the property or improvements of adjacent property; or detrimental to the character of the surrounding area.

Policy 11-7:Impacts to groundwater and surface water resources need to be evaluated based upon its relationship to watershed areas.

Policy 11-8:The Kingston Canyon watershed is critical for municipal and agricultural purposes. Increased development and use of the area has the potential to result in contamination of water resources. Additional protective measures may be required to ensure limited impacts to water quality.

Policy 11-9:Water resources are needed to maintain economic activities, community development in Lander County. Water resources are already fully allocated to support Lander County and required uses.

Policy 11-10: Proposals affecting flood plains in Lander County shall be subject to review and approval by Lander County.

Policy 11-11: Activities on Public Lands shall be consistent with the Lander County Water Resources Management Plan, Master Plan, Lander County ordinance, and Special Use Permit requirements.

Policy 11-12: State and local agencies maintain authority for water resource planning in Lander County. Any federal planning efforts shall be developed with Lander County and consistent local plans and policies.

Policy 11-13: Lander County through zoning authority may limit water use if the restrictions are consistent with relevant long-term comprehensive plans, Nevada law and notions of public welfare.

12. Wetlands, and Riparian Areas

Policy 12-1:The PLUAPC should be notified of any federal or state agency proposals concerning water resources within the County. Lander County requests active participation in all decisions concerning management of waterways, wetlands, and riparian areas on federally administered lands in the county.

Policy 12-2:It is the policy of Lander County that wetlands should be protected from undue degradation. The County recognizes that the value of wetlands and waters of the US is not greater than the benefit and needs of the citizens in using and developing these resources. The County requests that any newly designated wetlands be administered by county or state agencies.

Policy 12-3: Waterways, wetlands and riparian areas should be managed in a responsible and balanced manner with other resources.

Policy 12-4: Efforts to protect or conserve wetland and riparian areas shall provide access to water for permitted users.

13. Mineral Resources

The development of Nevada's mineral resources is desirable and necessary to the economy of the nation, the state and particularly to Lander County.

Policy 13-1: Support expansion of mining operations, exploration and development.

Policy 13-2: Lander County supports the Mining Law of 1872 and opposes any policy or regulatory revisions that may result in overregulation.

Policy 13-3: The federal government should continue to evaluate the mineral resources on lands before they are sold or exchanged. Federal agencies are encouraged to continue to manage the presently open, federally-managed mineral estate in Lander County as open to mineral location, sales and leases. The agencies should carefully evaluate all withdrawals and land disposal and minimize the separation of surface and mineral estates in all realty actions) Federal management policies on existing split mineral estates should be developed with state and local participation.

b) The mineral withdrawal process may be an acceptable means of protecting fragile or "special" lands, but its use should be limited.

Policy 13-4: Maintain existing reclamation standards to ensure there is no undue degradation of the federally administered lands due to exploration, development and operations of mines in Lander County.

Policy 13-5: To improve the economic well-being of the County, federal land management agencies should allow the use of buildings and infrastructure on reclaimed sites for other uses. Buildings should be retained for other economic development including industry as well as uses pursuant to the Recreation and Public Purposes Act.

Policy 13-6: Mine site and exploration reclamation standards should be consistent with the best possible post mine use for each specific area. Specific reclamation standards should be developed for each property rather than using broad based universal standards. Private properties (i.e., patented claims) should be reclaimed to the standard and degree desired by their respective owners, following state law and regulations.

Policy 13-7: An annual assessment requirement for holding mining claims has led to unjustified land disturbances which did not necessarily aid in the furtherance of the property's resource development. These requirements have since been revised and provide for the claim holder

to pay a \$100 fee annually to the BLM, in lieu of doing work on the ground. There is an exemption for a small miner who holds ten claims or less. If the small miner chooses the exemption, \$100 of assessment work must be expended annually to hold the claim. Lander County supports the policy of the small miner exemption if the miner is offered the opportunity to develop the property.

Policy 13-8: The Secretary of Interior prohibition on issuing patents should be withdrawn. The Secretary should use all means to encourage the exploration and development of the mineral resource, including the issuance of patents, as appropriate.

14. Public Access

According to NRS 405.191, a “public road” is defined as follows:

1. A United States highway, a State highway or a main, general or minor county road and any other way laid out or maintained by any governmental agency.
2. Any way which exists upon a right of way granted by Congress over public lands of the United States not reserved for public uses in chapter 262, section 8, 14 Statutes 253 (former 43 U.S.C. § 932, commonly referred to as R.S. 2477), and accepted by general public use and enjoyment before, on or after July 1, 1979. Each board of county commissioners may locate and determine the width of such rights of way public use alone has been and is sufficient to evidence an acceptance of the grant of a public user right of way pursuant to former 43 U.S.C. § 932. Lander County has established 60 feet as an appropriate width.
3. Any way which is shown upon any plat, subdivision, addition, parcel map or record of survey of any county, city, town or portion thereof duly recorded or filed in the office of the county recorder, and which is not specifically therein designated as a private road or a nonpublic road, and any way which is described in a duly recorded conveyance as a public road or is reserved thereby for public road purposes or which is described by words of similar import.”

Policy 14-1: Federal land management agencies shall recognize and honor the valid and important rights Congress gave local governments to own and manage public roads and related right-of-ways.

Policy 14-2: The State definition of a “public road” (NRS 405.191) should be used consistently throughout Nevada by all federal, State and local agencies. Road mapping should be coordinated between the US Forest Service and BLM.

Policy 14-3: Utilize R.S. 2477 right-of-ways to protect historical public access to public lands across private property.

Policy 14-4: Support access to mining claims by adhering to the rights claimed under R.S. 2477.

Policy 14-5: Optimize accessibility within the County and reduce the cost of movement between all communities across federally administered lands. Public access to federally administered lands is vital to Lander County's economic stability.

Policy 14-6: The County supports transportation of minerals and mining products over federal, state, and county roads and highways, given that appropriate safety precautions guarantee public safety.

Policy 14-7: As part of its 2017 Master Plan, Lander County adopted its official county road map. The road map will be updated and revised periodically using GPS and shall be recognized and the official county map which includes streets and roads, historic trails, RS 2477 roads, and other designated travel ways.

Policy 14-8 Submit County streets and roads map to BLM and Forest Service. Establish a memorandum of understanding between agencies as to the acceptance of County roads, and establish a procedure to resolve disputes between Lander County and federal land agencies.

Policy 14-9: In areas affected by the checkerboard pattern of land ownership, require legal and physical access to privately owned lands. Maintain county road standards.

Policy 14-10: Establish and maintain a memorandum of understanding with BLM and the Forest Service to implement the County Road Plan and resolve any potential disputes regarding roads including RS2477 roads and trails.

15. Recreation and Open Space

Lander County enjoys many natural amenities that attract local residents and visitors. These resources should be protected and developed for the public's multiple use benefit.

Policy 15-1: Conserve and protect scenic, historical, recreational and open space resources for the benefit of the present and future generations with additional consultation with local, State and federal governments and

users. Lander County recognizes that recreation in all forms is consistent with multiple use of federally administered lands. All resources utilized by the public should be conserved and Lander County reserves the right for application under the Recreation and Public Purposes Act (R&PP) for all such resources.

- Policy 15-2:** Encourage recreational use in Lander County by increasing marketing efforts that describe the recreational opportunities available in the county. Marketing programs that promote such features as the "The Loneliest Highway in America," The Hickison Archaeology Site, The Pony Express Trail, The Overland Stage Route, Kingston Canyon, The Toiyabe Crest Trail, California/Emigrant Trail, Spencer Hot Springs, OHV and mountain bike trails, and the Mill Creek and Willow Creek Recreation Areas should be increased.
- Policy 15-3:** Promote "Eco-tour" and responsible off highway vehicle businesses in the County. All governmental agencies should work in a cooperative effort to encourage such uses while protecting the resources from damage.
- Policy 15-4:** Evaluate potential for increased winter recreation opportunities such as heli-skiing, cross-country skiing, snowshoeing, and snowmobile use. Develop a regional marketing strategy that includes the promotion of a heli-ski operations based at the Austin Airport and using the Toiyabe, Toquima and Monitor mountain ranges for recreational heliskiing and other backcountry skiing and snowshoeing adventures.
- Policy 15-5:** Encourage dispersed recreation opportunities on federally administered lands as a substantial economic asset to local economies.
- Policy 15-6:** Lander County supports additional recreation facilities on federally administered lands. Such sites should be identified concentrated recreational use (camp grounds, day use historic sites, wagon trails, motorized and non-motorized trails, winter/backcountry support facilities, etc.) should be identified, protected and developed for recreational purposes.
- Policy 15-7:** Recognizing that most Nevadans reside in towns, investments in open space, park and recreation facilities should be concentrated as close to resident populations as feasible. Water based recreational resources maintains high values for Nevada residents. More federal water-based recreation sites and facilities should be provided. Other sites in more remote areas are encouraged where feasible.

- Policy 15-8:** Protect and promote the Pony Express Trail corridor as a cultural and recreational resource.
- Policy 15-9:** Protect water quality and water for recreational fisheries in Kingston Creek, Big Creek, Mill Creek and other important water resources. Impacts to stream flows affected by development on public lands should be fully mitigated.
- Policy 15-10:** Support hunting and fishing as recreational resources and as a multiple use of federally administered lands. Lander County endorses the State's programs to provide sustained levels of game animals.
- Policy 15-11:** The establishment of new specially designated lands (i.e. National Recreation Areas, National Conservation Areas, Wildlife refuges, wilderness, State parks, etc.) is strongly opposed with consent from Lander County.
- Policy 15-12:** The USFS and Nevada Division of Wildlife should update or develop a new Kingston/Big Creek Canyon Plan which provides for future improvements and facilities to accommodate the increasing use and popularity of the area. Lander County continues to support the development of the Kingston Administrative site for public use.
- Policy 15-13:** Development of recreation facilities and sites shall be consistent with the Lander County Master Plan.
- Policy 15-14:** Lands Identified for recreation and public purposes include:
Town of Austin Water Tank
Austin Historic Railroad Turntable
Austin Shooting Range
Austin Airport Lands
- Policy 15-15:** Primitive campsites and day use sites should be allowed. If significant resource damage is occurring, BLM and USFS should seek recommendations and consultation for management action from PLUAPC.
- Policy 15-16:** Lander County supports additional improvements at Spencer's Hot springs area to better accommodate increasing use at the site and to maintain public health and safety.

16. Wilderness

The Bureau of Land Management conducted a 15-year wilderness study completed in

1991. The Secretary of Interior recommended in a Record of Decision dated October 18, 1991 that 147,264 acres of federally administered lands within Lander County should be released from wilderness study for uses other than wilderness.

The areas in Lander County include:

Wilderness Study Area (WSA) Name	WSA	Number Acres to be Released
1) Augusta Mountains *	NV-030-108	89,372
2) Simpson Park **	NV-060-428	49,670
3) Desatoya Mountains ***	NV-030-110	8,222
Total		147,264 acres

* Augusta Mountains is within Lander, Humboldt, and Churchill Counties.

** Simpson Park WSA lies partially in Lander and Eureka Counties.

*** Desatoya Mountains WSA lies partially in Lander and Churchill Counties.

Many years have passed since the Secretary's recommendation with no Congressional action and many of these areas were taken out of multiple use. Lander County has adopted the following policies as expressed in Lander County Resolution No. 98-21, dated October 26, 1998.

Policy 16-1: "Nevada's Congressional delegation should sponsor and actively pursue passage of legislation releasing from wilderness study the 147,264 acres of public land in Lander County, Nevada determined by the U.S. Department of Interior and Bureau of Land Management to be unsuitable for inclusion in the National Wilderness Preservation System."

Policy 16-2: The designation of any area in the county as wilderness is not supported (i.e., Desatoya Mountains, WSA NV-030-110). As part of any potential land act process in Lander County, the Congressional delegation should conduct public hearings that specifically address the BLM's wilderness recommendations.

Policy 16-3: Wildlife, fire control, weed management, mineral resources, visitor impacts, grazing, public access and management needs should be considered when designating areas for wilderness and in the development of wilderness area management plans. Documented mineral resources are adequate reasons for not considering the area as wilderness.

Policy 16-4: Any wilderness area management plans should be developed involving the public and governmental consultation, preferably using a coordinated resource management and planning process.

Policy 16-5: Lander County strongly opposes any new wilderness areas or special lands designation especially when multi-use is prohibited or restricted. Lands designated for wilderness characteristics and managed for wilderness characteristics is a de facto wilderness designation and is opposed by Lander County.

17. Wild Horses

Policy 17-1: Manage wild horses to reduce detrimental impacts to natural resources. Horse population in Lander County far exceed levels established in herd management areas. As a result, resources in Lander County sustain significant damage.

Policy 17-2: Wild horse herds should be managed at levels to be determined with public involvement and managed with allowance for the needs of other wildlife species and livestock grazing. The BLM and the State should work cooperatively on wild horse management issues. BLM should give a priority to establishing Appropriate Management Levels (AML) for the remaining horse management areas. The AML must be at levels that do not jeopardize or interfere with the economic viability of any private enterprise within Lander County, and be coordinated with the BLM Resource Advisory Council.

Policy 17-3: Wild horse impacts on private lands and water sources should be fully mitigated.

Policy 17-4: Encourage the BLM to increase the potential of the adoption program for wild horses through an aggressive marketing program.

Policy 17-5: The BLM should take advantage of good forage years by emphasizing maintenance level captures on horse management areas that have established AMLs. Maintenance of established AMLs is economical if herd numbers are kept in check periodically. Once herds greatly exceed the AMLs, capture and management is very expensive.

Policy 17-6: Lander County supports a strict policy of wild horse population control to ensure the species does not interfere with the productivity of the ranching community.

Policy 17-7: Horses and Burro populations and areas of use must be maintained in accordance with 1971 levels as required by the Wildhorse and Burro Act and to minimize adverse impacts to Sage Grouse and other wildlife. Wildhorse and burro population have not been controlled in Nevada and Lander County resulting in significant resource damage.

Lander County supports BLMs efforts to improve management and substantially reduce overpopulation and damage to resources through removal, contraception and reduction of sick, lame and older horses.

Policy 17-8: BLM should have sale authority to reduce captive herd size and to redirect limited financial resources to control horse populations, reduce resource degradation, and minimize adverse impacts to sage grouse and other wildlife.

Policy 17-9: Lander County supports the Nevada Association of Counties' position on horse and burro management.

Policy 17-10: Lander County opposes allocation of forage to horse population when populations remain significantly above levels allowed by federal law.

18. Wildlife

Policy 18-1: Identify, protect and preserve wildlife species and habitats. Wildlife and fisheries' populations are recognized as a renewable resource and therefore should be managed accordingly. Coordination of federal and state wildlife and fisheries' management and enforcement is encouraged.

Policy 18-2: Identify habitat needs of wildlife species, such as adequate forage, water, cover, etc. and provide for those needs in time, to attain reasonable population levels compatible with other multiple uses.

a) Known critical wildlife habitats such as streams, riparian zones, wetlands etc. should receive protection where needed to the extent practicable while maintaining access for livestock.

b) Wildlife habitat improvement projects such as guzzlers should be continued as appropriate. The projects should take into consideration impacts on other uses.

c) The county supports general improvements to the waterways and fisheries to enhance access for recreational activities.

Policy 18-3: Rangeland management should include adequate consideration of wildlife needs.

Policy 18-4: Adequate and sufficient habitats to support the reintroduction of big horn sheep in Lander County should be provided on federally

administered lands. The mountain ranges identified for reintroduction include: Battle Mountains, Desatoya Range, Fish Creek Mountains, Sheep Creek Range, Sheep Range, Shoshone Range and Toiyabe Range. The reintroduction of the bighorn sheep should be in coordination with local government officials and agencies.

- Policy 18-5:** The Nevada Department of Wildlife (NDOW) should give a high priority to the opinion of the County wildlife boards when setting harvest levels for wildlife.
- Policy 18-6:** Lander County should establish a threatened and endangered species (T&E) committee for overseeing protection and recovery of all federal and state listed threatened and endangered and sensitive species, coordinated with the BLM Resource Advisory Councils.
- Policy 18-7:** Continue to support efforts to implement the Lander County Policies and Recommendations for Sage Grouse Conservation (See Appendix B).
- Policy 18-8:** Predator control is needed to protect game species, livestock, and sage grouse population.
- Policy 18-9:** Wild horse and burro population should be reduced substantially to limit adverse impacts to wildlife, wetlands and riparian areas.
- Policy 18-10:** Elk population north of U.S. 50 need to be reduced and controlled. Adequate compensation must be provided to land owners for damage, crop loss and loss of forage.

19. Fire Management

- Policy 19-1:** Improve local coordination between BLM, US Forest Service and local volunteer fire departments to improve fire suppression. The federal agencies need to take advantage of the skills and local knowledge of local residents. This is particularly important when using out-of-state fire crews for firefighting. Lander County will aid in any way possible in suppression of wildfires that endanger the livelihoods and personal well-being of its citizens.
- Policy 19-2:** Encourage the development of mutual aid agreements between the local fire departments and the federal agencies. The BLM has a county wide operating plan for fire management in the northern part of the county and conducts a joint preseason meeting with the county fire

chief and sheriff's office annually. Lander County and the federal agencies should evaluate the need for a similar agreement for the Austin and Kingston areas. Lander County supports the use of mutual aid agreements and encourages the federal agencies to utilize local fire fighting resources as much as possible.

Policy 19-3: Encourage the federal agencies to continue the policy of contracting with Lander County residents for privately owned equipment suitable for fire fighting. Encourage the practice of early season inspections and sign-ups well before the fire season.

Policy 19-4: Encourage the federal agencies to consider using livestock to reduce the fire hazard. Livestock grazing can be effective in reducing the fire danger and will not result in environmental damage.

Policy 19-5: Fire equipment brought in from out-of-state should be cleaned to assure it is "weed-free" before being dispatched to a wildfire.

Policy 19-6: Develop a County Wildland Urban Interface Emergency Services Plan as soon as possible, coordinated with Lander County, BLM, US Forest Service and the UNR Cooperative Extension.

20. Military Operations

Policy 20-1: Lander County supports a collaborative dialogue with the Department of Defense on all future testing and training. Lander County supports military training on federally administered lands and military withdrawn lands in central Nevada.

Policy 20-2: Lander County opposes any further military land withdrawals.

Policy 20-3: Lander County shall be a cooperating agency for any federal action which changes military airspace, training routes, and land utilization.

21. Energy Production

Policy 21-1: Energy production is encouraged as a vital component of the Lander County economy. Renewable resources should be a priority and utilized in a manner that compliments other environmental resources. All efforts should be undertaken to ensure a balance between energy development and protection of resources.

- Policy 21-2:** The development and coordinated siting of new energy generation and transmission facilities is encouraged. Coordinated planning is needed to integrate related federal, State and local planning documents and processes and expedite the permitting and evaluations needed for project approvals including special use permit requirements.
- Policy 21-3:** Lander County shall review energy development projects under its special use permit requirements and determine whether additional permit conditions are required.

22. Habitat Conservation Planning

Habitat conservation planning is important if the County and State wish to preserve wildlife species. Without proper planning and protection, species could be listed under the Endangered Species Act. If this occurs, drastic measures will be required to address the listing. It is much more beneficial to proactively develop appropriate habitat conservation planning measures.

- Policy 22-1:** Promote proactive conservation planning to improve the habitat of species at risk of being listed under the Endangered Species Act, and to help avoid the adverse impacts associated with such listings.
- Policy 22-2:** Habitat conservation planning should consider the economic and social consequences of the conservation efforts being considered and the impacts to multiple use.
- Policy 22-3:** Habitat conservation planning should include the use of positive incentives for private landowners to increase the likelihood the plan will succeed.
- Policy 22-4:** Lander County's Sage Grouse Conservation Plan is included as Appendix C.

23. Off-Highway Vehicles (OHVs)

The use of off highway vehicles (OHVs) has increased substantially over the past decade. With this increase often comes a number of environmental impacts and economic benefits.

- Policy 23-1:** Support efforts to direct OHV use to designate trails and actively discourage the pioneering of new trails and use in sensitive areas through collaborative public education efforts with local communities

and federal planning partners.

Policy 23-2: Continue to monitor OHV use and potential resource damage in Lander County. Renew tread lightly messaging efforts.

Policy 23-3: Support community efforts to expand the availability of OHV trails and resources in a manner that limits conflicts with other public land i.e trail development from Mill Creek to Austin.

IX. Priorities and Action Plans

This section outlines important priorities for the Commission to achieve during the next 3 to 5 year period. Additionally, there are a number of proposed action items for the Commission to achieve during this time period.

- 1.0 Horse and Burro Populations
 - 1.1 Review current conditions in Lander County and potential impacts to range conditions.
 - 1.2 Request funding from Lander County to prepare independent review of horse overpopulation.
 - 1.3 Submit Letter to BLM regarding highest priority areas for horse removal.
 - 1.4 Form a subcommittee to track problems with horse populations in Lander County.
 - 1.5 Coordinate with NACO and other Counties regarding overpopulation of horses.
 - 1.6 Continue to monitor efforts to remove horse and administer other means of population control.
 - 1.7 Initiate efforts to utilize drone technology to monitor and count horse populations.

- 2.0 Riparian and Wetland Areas
 - 2.1 Work with BLM and the Forest Service to identify funding sources for wetland and riparian conservation efforts.
 - 2.2 Access to water for livestock is critical and needs to be maintained particularly where valid water rights exist and the owner has right of use.
 - 2.3 Lander County Planning Commission shall consider access to water resources for new development proposals and or land divisions on private lands.
 - 2.4 Lander County Planning Commission should consider protective measures for critical wetland and riparian areas on new land development proposals and or land divisions on private lands.

- 3.0 Road and Travel Management
 - 3.1 Review County Road Map with BLM.
 - 3.2 Establish MOU or cooperative agreement to resolve differences in road claims.
 - 3.3 Resolve any differences or disputed roads and trails.
 - 3.4 Work with BLM and Forest Service to increase tread lightly program in Lander County.

- 3.5 Require legal and physical access to private lands in the checkerboard area and throughout Lander County.
- 3.6 Identify roads needing improvements.

- 4.0 Pinyon Juniper Removal and Sage Grouse Conservation
 - 4.1 Evaluate potential to restart Pinyon Juniper removal program.
 - 4.2 Seek Funding from Lander County to fund the program.
 - 4.3 Contact other agencies to investigate potential funding sources.
 - 4.4 Evaluate potential to vest program locally.
 - 4.5 Continue to monitor development initiatives in sage grouse priority areas.
 - 4.6 Continue to implement Sage Grouse conservation efforts and the State County Conservation Plan.

- 5.0 Other Action Plans:
 - 5.1 Prepare and submit recreation development recommendations for BLM's Resource Management Plan Update.
 - 5.2 Pursue trail development from Mill Creek south to Austin.
 - 5.3 Pursue land transfers i.e. Austin Airport Land and other priority transfers.
 - 5.4 Renew efforts to improve recreational features in Southern Lander County in Big Creek and Kingston Canyon.
 - 5.5 Create new recreational marketing brochure (Travel Guide) with tread lightly messaging.
 - 5.6 Work with NDOW on Elk population control for Elk north of U.S. Highway 50 and land owner compensation.
 - 5.7 Work with BLM to develop more data about the potential impacts from fracking and water migration.

APPENDIX A

LANDER COUNTY'S LAND ADJUSTMENT PLAN FOR FEDERAL LANDS

Proposal to Acquire Federal Lands

OVERVIEW - Federal lands should be made available for state, local government and private uses. The lands listed below have been identified for acquisition by Lander County for public purposes, or are lands needed for economic expansion and should be made available by the BLM for private development.

The following lands were identified in the original 1984 Lander County Policy Plan for Public Lands and reviewed for appropriateness in 1999 2005 and 2012. These lists are consistent with the Land Tenure Section of the BLM's Shoshone-Eureka Resource Management Plan dated January 27, 1984 where they were identified as suitable for disposal after extensive public involvement and concurrence. The list of lands and the map provide a general description of the lands identified for acquisition and is intended to be used as a guide for more detailed studies. Each parcel will need to be further reviewed at the time a specific realty action is proposed. As an example, although the map and description only describe the area to the section, some of the lands may already be in private ownership and would not be affected by this plan.

To provide maximum public benefit, all disposal should be by the most appropriate authority available, with individual land sales, R&PP transfers, and exchanges encouraged. Disposal must be completed in coordination with local government governing bodies. These lands are primarily small tracts and checkerboard lands. As specific parcels of federally administered lands are proposed for sale, site specific information must be made available to the public, and environmental assessments completed.

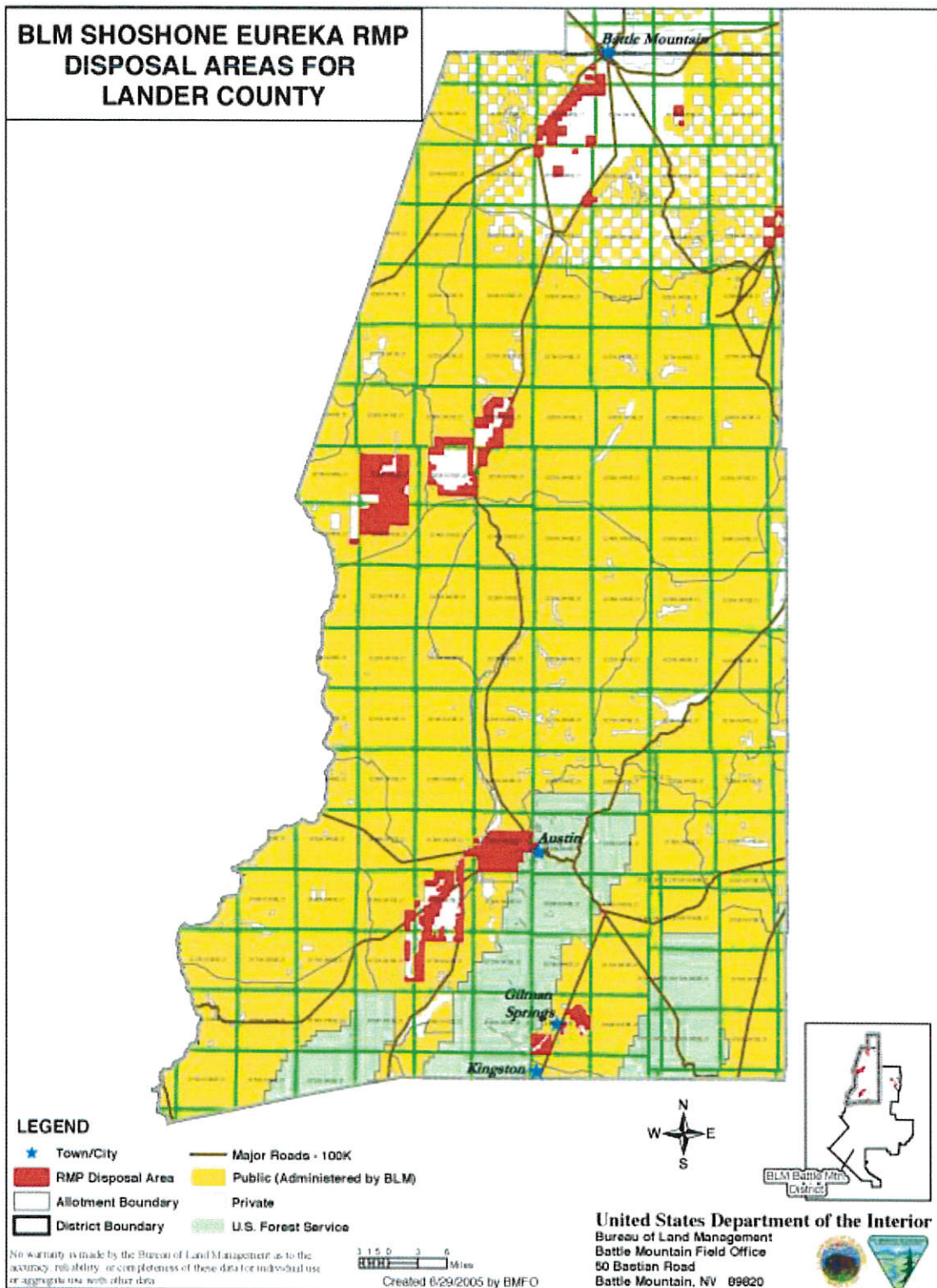
TABLE A1 LAND FOR LOCAL GOVERNMENT FACILITIES

The following lands have been identified by local government entities for local government facilities.

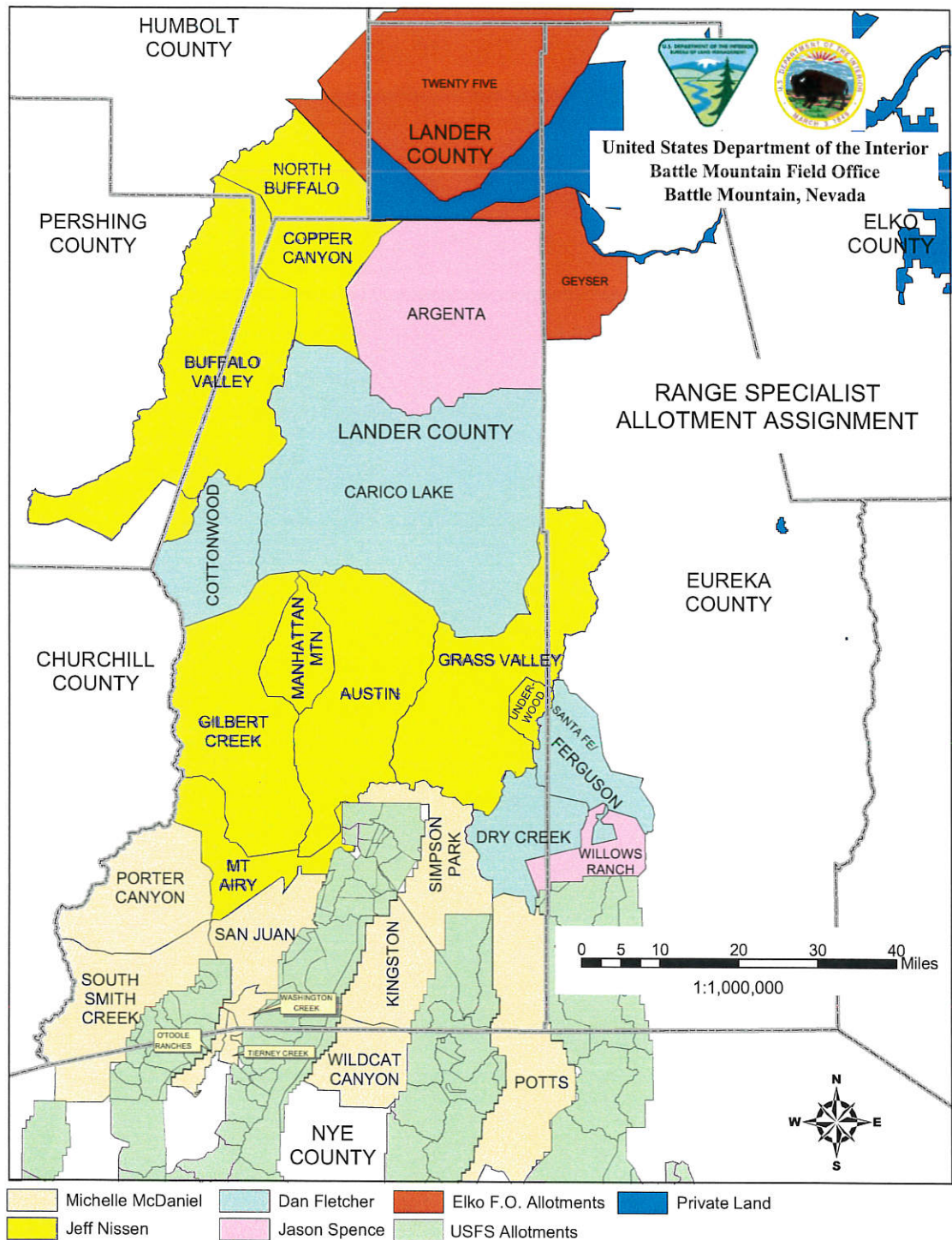
Public Purposes, schools, public facilities, or other needs.	Township	Range	Section	Acres [Total acres selected within section(s)]
Recreation area - Marshall Canyon	T. 19 N.	R. 43 E.	23	320
Austin Facilities				To Be Determined

TABLE A2 LANDS IDENTIFIED FOR ECONOMIC DEVELOPMENT (PRIVATE SECTOR)

Lands Identified for Private Purposes	Township	Range	Section	Acres [Total acres within selected section(s)]
Lands (approximately 80,000 acres were identified in BLM Plans for disposal	T. 16 N.	R. 44 E.	10-15, 22, 23, 24, 29, 30, 31, 32	4,395
	T. 17 N.	R. 41 E.	12, 13, 25	841
	T. 17 N.	R. 42 E.	2-7, 18, 19, 30	3,898
	T. 18 N.	R. 41 E.	25, 36	961
	T. 18 N.	R. 42 E.	2, 3, 4, 8, 9, 10, 11, 14, 15, 16, 17, 19, 20, 21, 23, 26, 28-33, 35	7,979
	T. 18 N.	R. 45 E.	20	54
	T. 19 N.	R. 42 E.	24, 25, 26, 35	755
	T. 19 N.	R. 43 E.	13-24, 26-35	11,613
	T. 19 N.	R. 44 E.	19, 20	412 (USFS Mgt Lands)
	T. 19 N.	R. 44 E.	19	213 (BLM)
	T. 24 N.	R. 40 E.	24	321
	T. 24 N.	R. 41 E.	2-10, 11, 16, 17, 18	6,795
	T. 25 N.	R. 41 E.	7-11, 14-23, 26-30, 33, 34, 35	11,623
	T. 25 N.	R. 42 E.	1, 4, 5, 8, 12, 13, 17, 20, 23, 24, 25, 26, 27, 28	4,945
	T. 25 N.	R. 43 E.	6, 7	1,141
	T. 26 N.	R. 42 E.	33-36	
	T. 26 N.	R. 43 E.	8, 9, 10, 15, 16, 17, 19, 20, 22, 28, 32, 33	2,156
	T. 29 N.	R. 47 E.	12, 24	5,877
	T. 29 N.	R. 48 E.	6, 18	1,419
	T. 30 N.	R. 44 E.	2, 6, 16, 25, 36	1,280
	T. 30 N.	R. 45 E.	3	2,279
	T. 31 N.	R. 44 E.	1-3, 9-11, 15-17, 19, 20, 21, 28-32, 36	167
	T. 31 N.	R. 45 E.	6	7,249
	T. 31 N.	R. 46 E.	16, 21	702
	T. 32 N.	R. 44 E.	36	797
	T. 32 N.	R. 45 E.	31	460
				633



APPENDIX B



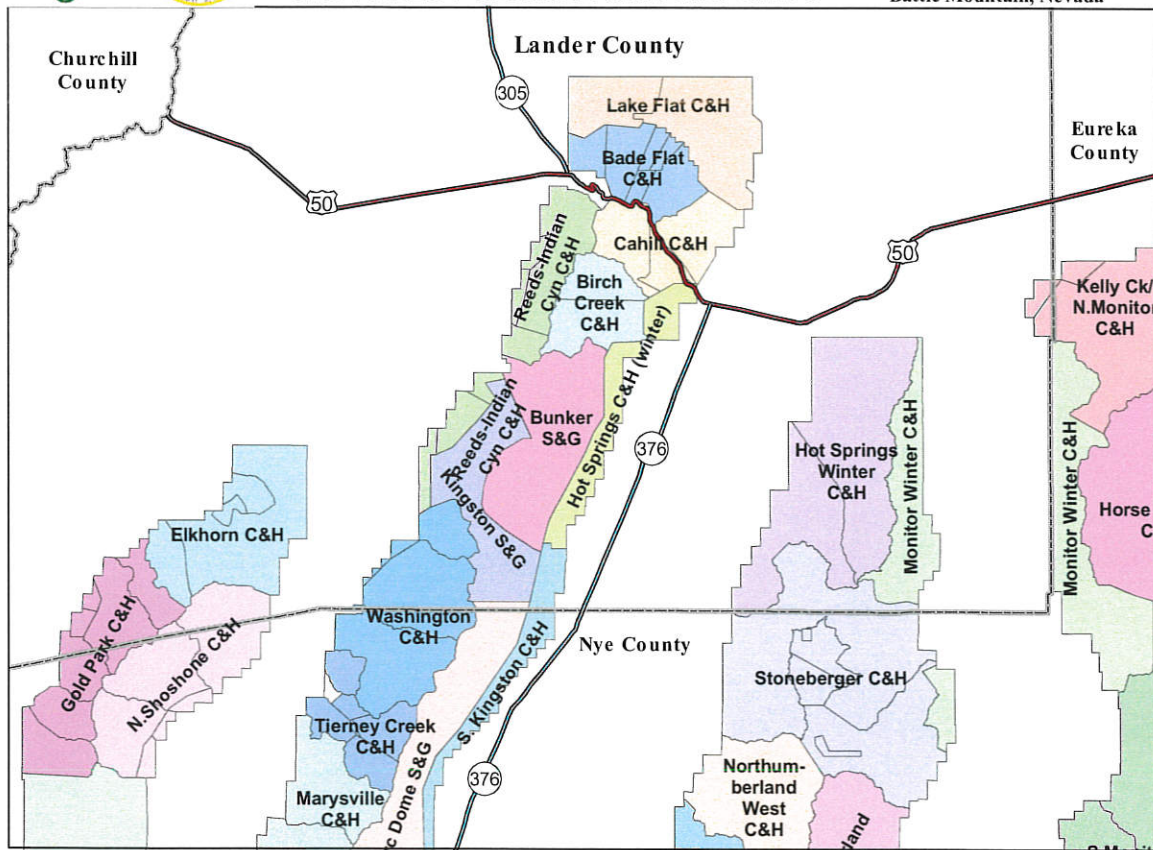
"No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data."

Data is published in the North American Datum 1983 (NAD 83), UTM, Zone 11, meters March 2005, D. Drennon



LANDER COUNTY U.S. FOREST SERVICE GRAZING UNITS

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Battle Mountain Field Office
Battle Mountain, Nevada

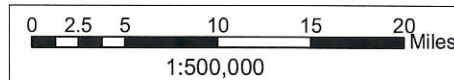


LEGEND

Major Roads

— U. S. Highways — State Highways

□ Lander County Border



U.S. Forest Service Allotments

Bade Flat C&H	Hot Springs C&H (winter)	N.Shoshone C&H
Birch Creek C&H	Hot Springs Winter C&H	Reeds-Indian Cyn C&H
Bunker S&G	Kelly Ck/N.Monitor C&H	S.Kingston S&G
Cahill C&H	Kingston C&H	Stoneberger C&H
Elkhorn C&H	Lake Flat C&H	Washington C&H
Gold Park C&H	Monitor Winter C&H	



"No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data."

Data is published in the North American Datum 1983 (NAD 83), UTM, Zone 11, meters, March 2005, D. Drennon

Appendix C
Policies and Recommendations
For Sage Grouse Conservation
Lander County Public Land Use Advisory Planning Commission

SG 1. Support efforts to control of noxious weeds and other invasive species.

SG.1.1 In accordance with the 2010 Lander County Master Plan, the County Road Department will coordinate road grading and maintenance planning activities in a manner which reduces or minimizes the potential for the spread of noxious weeds.

SG.1. 2 Lander County will continue to support local efforts to reduce the spread of noxious weeds and other invasive species by coordinating efforts with appropriate agencies.

SG.1.3 Lander County will encourage the Union Pacific railroad to take measures to control noxious weeds along existing rights of ways. Lander County will work with NRCS and the Conservation District to develop potential measures.

SG.1.4 Land clearing activities should be minimized to reduce the potential for the spread of noxious weeds throughout Lander County especially in areas where such activity encroaches upon existing agricultural areas. Lander County will provide measures to minimize removal of native vegetation, soil disturbance, and other natural features when land clearing for new development has the potential to contribute to the spread of noxious weeds and invasive species.

SG.2 Minimize impacts from proposed new development in priority Population Management Units (PMUs) which have the potential to adversely affect Sage Grouse populations.

SG.2.1 Lander County may require a special use permit for proposed new development in locally established high priority sage grouse population management units (PMUs). Such areas are identified in Figure SG-1.

SG.2.2 Identify specific locations within high priority PMUs that may warrant protective measures and special use permit conditions which impose specific mitigation if such lands are proposed for future development.

SG2.2.1 A map with designated sites will be presented to the Board of County Commissioners and the public for review and comment. Special

use permit conditions will be identified and will require current landowner concurrence.

SG2.2.2 Lander County will provide land owner with development concessions to ensure the development potential under the prevailing zoning is fully realized. Land owner will not be responsible for the cost of sage grouse conservation or mitigation improvements.

SG.2.3 During the development review process for sites identified in SG2.2, Lander County will contact NDOW, NRCS and BLM to consult on pending proposals.

SG.2.4 Lander County will continue to monitor other areas within high priority PMUs that may require mitigation measures and conservation improvements.

SG.2.5 Lander County will minimize, to the extent practical, new road construction and maintenance activity during March through May when such activities are likely to affect critical habitat. Emergency circumstances may require exceptions to this policy.

SG.2.6 Lander County supports land transactions and change in ownership to protect critical sage grouse habitat as long as such transactions do not reduce the private land base in Lander County. Conservation easements could be utilized to compensate land owners for future development potential while maintaining current uses.

SG.3 Lander County will support Locally developed sage grouse conservation measures and planned activities.

SG.3.1 Lander County will maintain Predator/Raven Control at the County Landfill site and surrounding areas. Lander County will seek funding through various programs to implement predator control. Predator control may be expanded to other areas as needed to reduce impacts to Sage Grouse nesting.

SG.3.2 Lander County will support Pinyon/Juniper removal activities on public and private lands in Lander County.

SG.3.3 In cooperation with livestock permittees, Lander County will support fencing of springs and seeps and riparian areas. Lander County will encourage private landowners to participate in similar programs.

SG.3.4 Assist local ranching operations to apply for funding available through the Farm Bill for Pinyon/Juniper removal and other sage grouse conservation measures.

SG3.5 Work with BLM and USFS to establish expedited environmental review procedures for activities on public lands involving sage grouse conservation efforts. Federal environmental review requirements can create significant delays in sage grouse conservation and recovery efforts. BLM should prepare an environmental document covering multi-year conservation activities in Lander County.

SG3.6 Encourage the use of State of Nevada conservation camps to conduct conservation measures and activities to protect and conserve Sage Grouse in Lander County.

SG3.7 Federal agencies shall be encouraged to establish recovery goals for Sage Grouse populations.

SG.4 Livestock Grazing and Wildhorse and Burro Management

SG.4.1 Wild Horses and Burro populations must be maintained at appropriate levels to minimize adverse impacts to Sage Grouse. Wildhorse and burro population have not been effectively controlled in Nevada and Lander County resulting in significant damage to resources. Lander County supports BLMs efforts to improve management and substantially reduce populations.

SG.4.2 BLM should have sale authority to reduce captive herd size and to redirect limited financial resources to control horse populations, reduce resource degradation, and minimize adverse impacts to sage grouse.

SG.4.3 Lander County supports the Nevada Associations of Counties position on horse and burro management.

SG.4.4 Lander County supports adaptive grazing management practices. Adaptive Management and collaborative processes should be instituted to consider possible solutions, implement on-the-ground changes/enhancement activities and monitor for results. Adaptive management practices should be taken on a local basis, involving an inclusive opportunity for all locally affected stakeholders (private sector and government). Inherent in Adaptive Management is that it recognizes progression towards ultimate resource goals through measurable objectives.

SG.4.5 Lander County does not support new regulations to improve rangeland health. BLM already has sufficient regulatory authority over grazing management. Additional and new regulations will provide little meaningful benefit. BLM should avoid a one size fits all top down programmatic approach to rangeland management.

SG.4.6 Given the potential for beneficial gains to enhanced protection of habitat areas (especially for the management of fine fuel loads and invasive plants), properly managed livestock grazing should be the focus rather than grazing prohibition.

SG.5 Coordination and Consultation with Local Agencies is Critical and Required.

SG.5.1 Coordination with local governments is mandated and guaranteed regardless of cooperating agency status and regardless of formal comment being submitted by a local government during the official public scoping period (see 40 CFR § 1501.6 and § 1508.5). This relationship should extend beyond BLM merely informing local agencies of pending actions.

SG.5.2 The notice of intent for the Western Region Sage Grouse Conservation Environmental Impact Statement and Land Use Plan Amendments invites the public *"to nominate or recommend areas on public lands for greater sage-grouse and their habitat to be considered as Areas of Critical Environmental Concern as part of this planning process."* Public notice and opportunity for comment shall be required before any such areas are designated in Lander County.

SG.5.3 Annually, the BLM, NDOW, USFS, and the US Fish and Wildlife Service should provide updates on recovery efforts both regionally and in Lander County. Such agencies should report on monitoring, data collection, populations, and measurable progress toward established goals for the Sage Grouse.

SG.5.4 Lander County will designate a local government agency to be the primary point of contact for Sage Grouse related activity.

SG.6 Lander County supports the prohibition of Sage Grouse hunting in priority PMUs such as the Fish Creek Mountains, and the Battle Mountains. Additional areas should be reviewed and considered for further restrictions especially in areas being considered for additional protective measures.

SG.7 Conservation activities and other measures imposed to protect sage grouse shall minimize adverse impacts to important economic sectors in Lander County such as mining, agriculture, recreation, and other natural resource development. Appropriate alternatives for conservation activities shall be considered and discussed before being implemented.

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number __14__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding a letter from Lander County in support of the release of Wilderness Study Areas (WSA's) in Lander County, and all other matters properly related thereto.

Public Comment:

Background: **Elko County Letter of Support and Resolution attached.**

Recommended Action:



Elko County Board of Commissioners

540 Court Street, Suite 101 • Elko, Nevada 89801

775-738-5398 Phone • 775-753-8535 Fax

www.elkocountynv.net

Commissioners

Delmo Andreozzi

Demar Dahl

Cliff Eklund

Jon Karr

Rex Steninger

Elko County Manager

Robert K. Stokes

Executive Assistant

Michele Petty

January 18, 2018

The Honorable Dean Heller

United States Senate

324 Hart Senate Office Building

Washington, D.C. 20510

Re: Elko County Board of Commissioners Support for the Release of BLM Wilderness Study Areas in Elko County, Nevada

Dear Senator Heller:

The Elko County Board of Commissioners appreciates your work on public land issues that affect the State of Nevada and Elko County. Enclosed is the unanimously approved Elko County Resolution 2018-01 in support of the release of Wilderness Study Areas (WSA's) in Elko County. Ten WSA's totaling 272,422 acres were identified in the early 1990's in Elko County by the BLM. To our knowledge, there has not been any significant review or study of these lands that were set aside and have been managed as de facto wilderness lands without Congressional action for over two and a half decades.

Elko County further recommends review for release WSA's that total over 2.5 million acres in Nevada and over 12.6 million acres in twelve western States, again lands being treated as wilderness without Congressional action.

The Elko County Board of Commissioners thanks you for your leadership at our Nation's Capitol on important issues that impact Elko County and our State. Please feel free to contact me if you have any comments or questions on this matter.

Sincerely,

Delmo Andreozzi, Chair

Elko County Board of Commissioners

Enclosure



Elko County Board of Commissioners

540 Court Street, Suite 101 • Elko, Nevada 89801

775-738-5398 Phone • 775-753-8535 Fax

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Commissioners

Delmo Andreozzi

Demar Dahl

Cliff Eklund

Jon Karr

Rex Steninger

Elko County Manager

Robert K. Stokes

Executive Assistant

Michele Petty

RESOLUTION NO. 2018-01

A RESOLUTION IN SUPPORT OF RELEASE OF BLM WILDERNESS STUDY AREAS IN ELKO COUNTY, NEVADA

WHEREAS, the Bureau of Land Management (BLM) arbitrarily designated 10 Wilderness Study Areas (WSAs) in Elko County, Nevada, totaling 272,422 acres. The BLM designated these WSAs without appropriate public input or reasonable federal guidelines; and

WHEREAS, the federal government has routinely been restricting access to much of Nevada through designations of national monuments, wilderness areas, WSAs, national parks, etc. The government has been withdrawing access at the rate of 182,000 acres per year since 1930 and, currently, nearly 16 million acres of Nevada's public lands, a full 23% of our state, bears some level of restriction for access; and

WHEREAS, the BLM, to a large degree, has managed these WSAs as de facto wilderness areas without congressional designations for almost 30 years ignoring local Nevadans needs; and

WHEREAS, the federal government has made no effort to address these WSAs since their 1992 designation and has no plans in the future to address them.

NOW, THEREFORE, BE IT RESOLVED that the Elko County Board of Commissioners does hereby support U.S. Senator Dean Heller's congressional efforts to release BLM WSAs in Elko County and thereby protect access for all Americans.

BE IT FURTHER RESOLVED that Elko County also encourages Sen. Heller and Congress to release the other WSAs throughout the West, including Elko County. The BLM has designated 541 wilderness study areas (WSAs) throughout 12 western states totaling 12,679,399 acres, including 63 WSAs in Nevada totaling 2,552,457 acres.

PROPOSED by Commissioner Rex Steninger.

SECONDED by Commissioner Cliff Eklund.

VOTE:
AYES – 5
NAYS – 0
ABSENT – 0

DELMO ANDREOZZI, CHAIR
BOARD OF COUNTY COMMISSIONERS
ELKO COUNTY, NEVADA

ATTEST:

CAROL FOSMO, ELKO COUNTY CLERK

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number _15__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding the proposal of an ordinance amending Chapters 5.04, 5.06 and 5.24 of the Lander County Code to obtain business licenses from the Building and Planning Department instead of the Lander County the Assessor's office, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:

SUMMARY: AN ORDINANCE AMENDING CHAPTERS 5.04, 5.06 AND 5.24 OF THE LANDER COUNTY CODE TO OBTAIN BUSINESS LICENSES FROM THE BUILDING AND PLANNING DEPARTMENT INSTEAD OF THE LANDER COUNTY ASSESSOR'S OFFICE; AND OTHER RELATED MATTERS.

TITLE: AN ORDINANCE AMENDING CHAPTERS 5.04, 5.06 AND 5.24 OF THE LANDER COUNTY CODE TO OBTAIN BUSINESS LICENSES FROM THE BUILDING AND PLANNING DEPARTMENT INSTEAD OF THE LANDER COUNTY ASSESSOR'S OFFICE; AND OTHER MATTERS PROPERLY RELATED THERETO.

**THE BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF LANDER, NEVADA DO ORDAIN:**

SECTION 1: Amendments. The Lander County Code Chapters 5.04, 5.06 and 5.24 are amended in the following manner:

5.04.020 License-Application-Condition.

Any person, firm, association or corporation desiring to conduct, operate, carry on, maintain, transact or pursue any business, trade or profession as hereinafter enumerated, set forth, or provided for under this chapter shall, upon proper application to the ~~Lander County Assessor's Office~~ *Building and Planning Department*, be issued a license for such particular business, trade, or profession under the following conditions and regulations

5.04.050 License--Posting.

All licenses issued under this chapter shall be posted in a conspicuous place where such trade, business or profession is carried on or conducted and shall be made available to inspection by all authorized county or town officials, whose duty it shall be to report to the ~~Lander County Assessor's Office~~ *Building and Planning Department*, any and all trades, businesses or professions found to be operating without a license in violation of this chapter.

5.04.060 License--Issuance.

All licenses issued under this chapter shall be prepared and issued by the ~~Lander County Assessor's Office~~ *Building and Planning Department*, and shall be issued and accounted for as follows . . .

B. Prior to the issuance of any such license, the applicant shall pay the fee therefor, in full, to the ~~Lander County Assessor's Office~~ *Building and Planning Department*, which shall issue a receipt in duplicate. One copy of the receipt shall be given by the community development department Lander County Assessor's Office to the Treasurer.

C. At the first regular meeting of the board of county commissioners of each quarter, the ~~Lander County Assessor's Office~~ *Building and Planning Department* shall submit a detailed report to include the number of licenses issued by the community development department Lander County Assessor's Office and the sum of it deposited for such licenses during the previous month, and the fund into which such moneys were deposited

Chapter 5.06

TEMPORARY BUSINESS LICENSES

Sections:

5.06.020 ~~Lander County Assessor's Office~~ *Building and Planning Department* authorized to issue temporary business licenses . . .

5.06.020 ~~Lander County Assessor's Office~~ *Building and Planning Department* authorized to issue temporary business licenses.

A. The ~~Lander County Assessor's Office~~ *Building and Planning Department* is authorized to issue and administer temporary business licenses. Persons aggrieved by decisions of the ~~Lander County Assessor's Office~~ *Building and Planning Department* in connection with temporary business licenses may appeal to the board of county commissioners, and the appeal shall be heard at the next ensuing commission meeting following lawful notice of the hearing.

B. The ~~Lander County Assessor's Office~~ *Building and Planning Department* is authorized to establish application forms for temporary business licenses, and may require such disclosures on the part of the applicant as are reasonably necessary to protect the public safety, health and welfare

5.24.010 **Peddler permit and license required.**

It is unlawful for any person to engage in the business of peddler within the limits of the county without first obtaining a permit and license therefor as provided by this chapter from the ~~Lander County Assessor's Office~~ *Building and Planning Department*.

//

//

SECTION 2: Reenactments. All other provisions of Lander County Code Chapter 5.04, 5.06 and 5.24 are reenacted without change.

Compliance with NRS 244.119. Pursuant to the requirements of NRS 244.119, the Lander County Clerk is hereby directed to file three (3) copies in the office of the county clerk and two (2) copies of this ordinance with the Librarian of the Supreme Court Law Library.

PROPOSED on the _____ day of _____, 2018.

PROPOSED by Board Member _____

PASSED on the _____ day of _____, 2018.

AYES: Commissioners _____

NAYS: Commissioners _____


ABSENT: Commissioners _____

By: _____
Doug Mills, Chairperson

ATTEST:

By: _____
Sadie Sullivan, County Clerk and Ex-Officio
Clerk of the Board of Commissioners of Lander
County, Nevada

APPROVED AS TO FORM AND LEGALITY:

By: 
Theodore C. Herrera
Lander County District Attorney

EXPLANATION – Matter in blue ***bolded italics*** is new; matter in red strikethrough ~~omitted material~~ is material to be omitted.

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number _16__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Update on budget review, contracts, financial update, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action: **This is a non-action item.**

Lander County Finance Department
Cindy Benson Fiscal Officer



February 8, 2018

- 1) Lander County has received a payment from the FAA Grant for the Battle Mountain Airport Pavement Rehab Project in the amount of \$5,468.00.

- 2) Accounts Receivable for the 2nd Quarter of FY 17/18 are as follows:

Water	149,658.25
Sewer	175,397.44
W&S Misc.	2,176.43
<u>Landfill</u>	<u>47,453.03</u>
Total A/R	374,685.15

- 3) Outstanding balances as of January 2018 are:

Water	32,252.39
Sewer	17,049.49
W&S Misc.	2,651.25
<u>Landfill</u>	<u>13,922.10</u>
Total O/S	65,875.23

- 4) The deadline to propose to levy the property tax rate for Lander County, Battle Mountain Town & Austin Town for the Pro Forma Projections is February 22, 2018 for FY 18/19. Currently our tax rates are as follows:

<u>Lander County</u>		Battle Mountain Town	
General Fund	1.2733	Operating Tax Rate	0.0500
Road & Bridge	0.1855		
Indigent	0.0755	Austin Town	
State Medical Indigent	0.0655	Operating Tax Rate	0.2213
Ag Extention	0.0150		
State Indigent	0.0150		
Capital Acquisition	0.0300		
Aging Services	0.0850		
L.C. Airports	0.0400		
Culture & Rec.	0.0895		
<u>Landfill</u>	<u>0.0500</u>		
Total Tax Rate	1.9243		

In FY 2017 Lander County collected 93.2% of the Pro Forma Projections, totaling \$10,388,664.

- 5) Quarterly Fund Balance Report for the 2nd Quarter of FY 17/18 is as follows:
The total revenue for the 2nd quarter is 2,648,174, which is down 84% compared to last year's 2nd quarter. Total expenses for the 2nd quarter is 3,347,244 which is also down by 69% compared to last year's 2nd quarter.
- 6) Budget Packets were due Friday, February 2nd. There are a few that needed more time because they didn't receive their packet on time. We will be having budget meetings the week of February 12th through the 16th to discuss the budgets for each department. I invite any of the Commissioners to join in on the budget meetings.
- 7) I am working on augmenting the budget, because a few things didn't get rolled over to this year's budget. The LEDA budget also didn't get put into the system correctly, so Kyla and I want to ask the Commission to consider granting her enough money to get through the rest of this fiscal year. We will present this to you at the next Lander County Commission meeting.

FY17 PROPERTY TAX REVENUE

Pro Forma Projections vs Actual/Audited

DRAFT 2/1/18

FUND	Tax Rate	% Of Total	Secured Revenue	New Property	Unsecured Existing	CA Secured	CA Unsecured	Total P-Tax Projection	Budgeted Amount	FY17 Audited Amount	Collection % vs Projection
General Fund	1.2733	66.2%	\$ 2,671,093	\$ 575,161	\$ 3,427,985	\$ 679,415	\$ 24,331	\$ 7,377,985	\$ 7,346,696	\$ 6,850,686	92.9%
Road and Bridges	0.1855	9.6%	\$ 389,136	\$ 83,792	\$ 499,404	\$ 98,980	\$ 3,545	\$ 1,074,857	\$ 1,106,147	\$ 1,028,884	95.7%
Indigent	0.0755	3.9%	\$ 158,361	\$ 34,104	\$ 203,262	\$ 40,286	\$ 1,443	\$ 437,455	\$ 437,476	\$ 406,936	93.0%
St. Med. Indigent	0.0655	3.4%	\$ 137,408	\$ 29,587	\$ 176,339	\$ 34,950	\$ 1,252	\$ 379,536	\$ 379,532	\$ 353,069	93.0%
Ag Extension	0.0150	0.8%	\$ 31,471	\$ 6,776	\$ 40,383	\$ 8,004	\$ 287	\$ 86,920	\$ 86,916	\$ 80,859	93.0%
State Indigent	0.0150	0.8%	\$ 31,471	\$ 6,776	\$ 40,383	\$ 8,004	\$ 287	\$ 86,920	\$ 86,916	\$ 80,841	93.0%
Cap Acquisition	0.0300	1.6%	\$ 62,934	\$ 13,551	\$ 80,766	\$ 16,008	\$ 573	\$ 173,832	\$ 173,831	\$ 161,701	93.0%
Aging Services	0.0850	4.4%	\$ 178,317	\$ 38,395	\$ 228,837	\$ 45,355	\$ 1,624	\$ 492,529	\$ 492,522	\$ 458,163	93.0%
La. Co. Airport	0.0400	2.1%	\$ 83,910	\$ 18,068	\$ 107,688	\$ 21,343	\$ 764	\$ 231,774	\$ 231,775	\$ 215,602	93.0%
Culture and Rec.	0.0895	4.7%	\$ 187,755	\$ 40,428	\$ 240,952	\$ 47,756	\$ 1,710	\$ 518,601	\$ 518,597	\$ 482,414	93.0%
Landfill	0.0500	2.6%	\$ 104,889	\$ 22,585	\$ 134,610	\$ 26,679	\$ 955	\$ 289,719	\$ 289,719	\$ 269,509	93.0%
	1.9243	100.0%	\$ 4,036,745	\$ 869,223	\$ 5,180,611	\$ 1,026,780	\$ 36,770	\$ 11,150,129	\$ 11,150,127	\$ 10,388,664	93.2%
New Property			\$ 869,223								
Existing Unsecured			\$ 5,180,611								
CA Secured			\$ 1,026,780								
CA Unsecured			\$ 36,770								
		Total	\$ 11,150,129								

QUARTERLY FUND BALANCE REPORT
FY 2017-2018
50%

PER Monthly Cost Reports														
Governmental Funds:														
	1st Quarter 09/30/16	1st Quarter 09/30/17	2nd Quarter 12/31/16	2nd Quarter 12/31/17	Total Revenue FY 2016-2017	Total Revenue FY 2017-2018	1st Quarter 09/30/16	1st Quarter 09/30/17	2nd Quarter 12/31/16	2nd Quarter 12/31/17	Total Expenses FY 2016-2017	Total Expenses FY 2017-2018	Net Revenue - Expense FY 2016-2017	Net Revenue - Expense FY 2017-2018
	1,924,614	1,906,638	3,147,343	1,727,797	5,071,957	3,634,435	2,629,115	2,730,246	2,539,856	(840,704)	5,168,971	1,889,542	(97,014)	1,744,893
	282,142	414,971	427,759	299,427	709,901	714,398	338,002	347,278	441,109	458,740	779,111	806,018	(69,210)	(91,620)
	76,382	96,408	67,989	59,481	144,371	155,889	90,670	63,894	40,336	66,870	131,006	130,764	13,365	25,125
	81,542	107,257	556,715	49,768	638,257	157,025	8,737	9,050	34,509	49,642	43,246	58,692	595,011	98,333
	15,272	19,155	13,481	10,101	28,753	29,256	11,798	15,527	17,856	18,893	29,654	34,420	(901)	(5,165)
	109,826	123,230	109,765	74,256	219,591	197,486	71,589	76,549	87,463	88,676	159,052	165,225	60,539	32,261
	83,797	97,190	367,498	78,223	451,295	175,413	51,250	75,090	78,549	90,331	129,799	165,421	321,496	9,992
	45,602	58,710	51,065	42,116	96,667	100,826	32,404	38,541	40,150	25,773	72,554	64,314	24,113	36,512
	191	(190)	181	(391)	372	(580)	0	0	0	0	0	0	372	(580)
	6,200	5,291	49,356	10,543	55,556	15,834	14,181	20,052	6,027	16,020	20,208	36,072	35,348	(20,237)
	450	3,075	675	8,175	1,125	11,250	36,338	1,566	368	5,937	36,706	7,503	(35,581)	3,747
	33,267	12,451	89,956	88,410	123,223	100,861	147,200	77,074	35,507	75,522	182,707	152,596	(59,484)	(51,736)
	0	0	618,134	0	618,134	0	169,143	140,433	146,806	437,708	315,949	578,141	302,185	(578,141)
	30,428	39,979	207,459	18,547	237,887	58,526	6,564	(1,387)	1,583	4,248	8,147	2,860	229,740	55,666
	104,013	1,171,014	91,407	(916,503)	195,420	254,511	290,230	340,496	213,495	39,176	503,725	379,672	(308,305)	(125,161)
	1,125	(1,116)	1,065	3,417	2,190	2,301	0	0	0	0	0	0	2,190	2,301
	2,550	0	9,562,933	55	9,565,483	55	1,911,604	249,585	6,236,263	2,123,057	8,147,867	2,372,642	1,417,616	(2,372,587)
	0	0	0	0	0	0	13,425	5,700	0	74,303	13,425	80,003	(13,425)	(80,003)
	53,081	48,437	83,474	58,694	136,555	107,131	0	0	0	0	0	0	136,555	107,131
	0	0	206,045	557,455	206,045	557,455	7,273	4,187	768,428	356,131	775,701	360,318	(569,656)	197,137
	270,872	204,471	188,516	171,394	459,388	375,865	526,663	92,786	15,958	132,046	542,621	224,832	(83,233)	151,032
	239,107	171,677	340,146	307,209	579,253	478,886	438,801	68,950	100,141	124,875	538,942	193,825	40,311	285,060
	3,360,461	4,478,647	16,180,962	2,648,174	19,541,423	7,126,822	6,794,987	4,355,617	10,804,404	3,347,244	17,599,391	7,702,861	1,942,032	(576,039)

The following are Fiduciary Funds (established and held in trust for different purposes) or funds restricted for a special purpose.

Fund 015 Economic Development Grants

Fund 016 DOE Grants

Funds 34, 35, 36, 37, Kingston

Fund 40 TV District

Funds 45 & 46 Fair & Rec

Fund 50 S&W#2

Fund 60 Hospital

Fund 70 School

Fund 85 Admin Assessment

Fund 88 & 89 Genetic Marker

Fund 90 State

Fund 91 92 93 94 95

Funds 284 & 285 &286 Court Funds

Fund 300 Tech Funds Funded by Net Proceeds

Recorder fees and Assessor Fees

Capital Funds for Infrastructure & Equip

Proprietary Funds

LANDER COUNTY COMMISSIONERS MEETING
2/8/2018

Agenda Item Number _17__

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:
Correspondence/reports/potential upcoming agenda items.

Public Comment:

Background:

Recommended Action:

1. Monthly Reports to Lander County Commissioners. December, 2017.
2. Barrick Cortez, Inc. Renewal and Major Modification Application for Cortez Hills Project Water Pollution Control Permit NEV2007106.

MONTHLY REPORTS TO LANDER COUNTY COMMISSIONERS

DECEMBER, 2017

- 1) LANDER COUNTY CLERK – MONIES COLLECTED FOR THE MONTH OF
DECEMBER, 2017**
- 2) AUSTIN JUSTICE OF THE PEACE – MONIES COLLECTED FOR THE MONTH
OF DECEMBER, 2017**
- 3) ARGENTA JUSTICE COURT – FINES/FORFEITS FOR THE MONTH OF
DECEMBER, 2017**
- 4) LANDER COUNTY RECORDER – TOTAL AMOUNT REMITTED TO
TREASURER FOR THE MONTH OF DECEMBER, 2017**

Lander County Clerk's Office
Monies Collected for the Month of:
DECEMBER, 2017

<u>ACCOUNT</u>	<u>AMOUNT</u>
TOTAL STATE FEES	\$ 526.00
TOTAL COUNTY FEES	\$ 1,082.25
TOTAL LAW LIBRARY FUND	\$ 90.00
TOTAL DOMESTIC VIOLENCE	\$ 175.00
TOTAL LEGAL AID FUND	\$ 95.00
TOTAL DRUG TEST FEES	\$ 245.00
 TOTAL MONIES COLLECTED FOR	
THE MONTH OF DECEMBER, 2017	\$ 2,213.25




LANDER COUNTY CLERK

Approved by State Board of Accounts for LANDER County - 2017

To Auditor of LANDER County, NEVADA
Collecting for Period: 11/30/2017 thru 12/28/2017

Account	Prior Collections	Collections This Period	Year To Date Collections
6I AA FEE - GENETIC MARKER ANALYSIS	1,122.00	177.00	1,299.00
6I AA FEE - JUSTICE #085-32003	2,618.00	406.00	3,024.00
6I AA FEE - JUVENILE #286-32006	748.00	116.00	864.00
6I AA FEE - STATE (A #090-32005	12,593.00	2,064.00	14,657.00
6I AA FEE - STATE (G #090-000-32013	1,866.00	294.00	2,160.00
6I BAIL FORFEITURES #001-35030	24,836.00	4,590.00	29,426.00
6I BAIL/BOND PROCESSING FEE	37.50	0.00	37.50
6I BOND FILING FEE VICTIMS OF CRIME	50.00	0.00	50.00
6I CIVIL FEES	37.50	0.00	37.50
6I CIVIL FEES - COURT ACCOUNT/	25.00	0.00	25.00
6I COUNTY FINES/FORF #001-35030	995.00	235.00	1,230.00
6I DEPARTMENT OF WILDLIFE - COUNTY	0.00	400.00	400.00
6I DEPARTMENT OF WILDLIFE CIVIL FEES	0.00	720.00	720.00
6I DOMESTIC VIOLENCE FEE	0.00	0.00	0.00
6I DUI SPECIALTY COURT FEE (AOC)	0.00	0.00	0.00
6I EPAYMENT CONVENIENCE FEE	980.57	170.35	1,150.92
6I FACILITY ASSESSME #285-34201	3,769.00	590.00	4,359.00
6I FELONY/GROSS MISD FORF - SPECIALTY CO	0.00	0.00	0.00
6I FELONY/GROSS MISD FORF - VICTIMS OF C	0.00	0.00	0.00
6I FINE - STATE OF N #090-35030	0.00	0.00	0.00
6I FINE -LANDER COUN #090-35030	0.00	0.00	0.00
6I LC98-3 OTHER #01-32009	10.00	0.00	10.00
6I MISCELLANEOUS FEE #001-000-38080	15.00	46.15	61.15
6I NON SUFFICIENT FUNDS	0.00	0.00	0.00
6I NRS 4.065 (SB#62) #090-32015	1.00	0.00	1.00
6I OVERPAYMENTS TO THE COUNTY	0.00	0.00	0.00
6I SPECIALTY COURT F #090-32207	2,635.15	430.85	3,066.00
6I SUBSTANCE ABUSE FEE (CHEMICAL FEE)	0.00	0.00	0.00
Totals:	52,338.72	10,239.35	62,578.07

State of NEVADA LANDER County, SS:

I SWEAR THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF ALL COSTS AND FEES
BELONGING TO THE ABOVE NAMED COUNTY COLLECTED BY ME FOR THE PERIOD SHOWN.

 CLERK OF THE AUSTIN JUSTICE COURT COURT

 2018 JAN -2 AM 10:56
 LANDER COUNTY CLERK
 RECEIVED

JAN 02 2018

LANDER COUNTY CLERK

JUSTICE OF THE PEACE
AUSTIN TOWNSHIP - CRIMINAL ACCOUNT
P.O. BOX 100
AUSTIN, NV 89310

001089
DATE December 2017 94-7074/3212

PAY
TO THE
ORDER OF

Lander County Treasurer

\$ 10,069.00

Ten Thousand Sixty Nine

DOLLARS

WELLS FARGO BANK, N.A.
NEVADA

MEMO December 2017

VOID AFTER 90 DAYS

Donna Sosa

⑈001089⑈ ⑆321270742⑆ 0404029175⑈

JB - 828938

SUPERIOR PRESS • 888-590-7998

FILED

ARGENTA JUSTICE COURT
MONTHLY FINANCIAL STATEMENT
2018 JAN -2 PM 12:02

LANDER COUNTY CLERK

I, Max W. Bunch, JUSTICE OF THE PEACE OF ARGENTA TOWNSHIP, LANDER COUNTY,
NEVADA, DO HEREBY SWEAR, UNDER OATH, THAT THE FOLLOWING IS A TRUE AND
CORRECT ACCOUNTING OF ALL FEES RECEIVED BY ME FOR THE MONTH ENDING
DECEMBER, 2017.

TOTAL

\$ 0



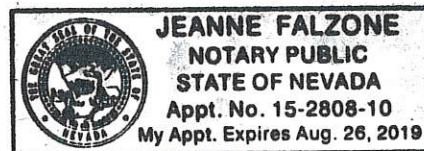
MAX W. BUNCH
JUSTICE OF THE PEACE

State of Nevada
County of Lander

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 2ND, DAY OF January, 2018



NOTARY PUBLIC



Lander County Recorder

Lesley L Bunch
50 State Route 305
Battle Mountain, NV 89820

FILED**2018 JAN -2 AM 8: 33****MONTHLY REPORT****LANDER COUNTY CLERK**

The following fees were collected for the period of December 01, 2017 through December 31, 2017.

<u>ACCOUNT</u>	<u>AMOUNT</u>
RECORDINGS	\$11,885.00
OUTSTANDING RCD	\$0.00
OVERPYMT KEPT	\$3.00
OVERPYMT VOUCHER	\$0.00
AB 6 NOD FORECLOSURE MEDIATION FUND	\$270.00
AB 6 NOD BUDGET SHORTFALL	\$450.00
AB 259 NOD INDIGENT	\$30.00
REAL PROPERTY TRANSFER TAX (General)	\$1,370.05
REAL PROPERTY TRANSFER TAX (State .10)	\$249.10
REAL PROPERTY TRANSFER TAX (State 1.30)	\$3,238.30
COPY WORK	\$502.00
SB 14 DOMESTIC VIOLENCE FUND	\$10.00
TECHNOLOGY FEE	\$5,250.00
FUND TO ASSIST (Previous Foster Care)	\$1,050.00
LEGAL SERVICES FOR INDIGENT	\$3,150.00
COMPENSATION OF INVESTIGATORS APPOINTED BY DISTRICT COURT	\$1,050.00
DEPARTMENT OF MINERALS (State)	\$9,650.00
MAPS	\$14,555.00
TOTAL AMOUNT REMITTED TO TREASURER:	\$52,712.45



Lander County Recorder



BARRICK CORTEZ, INC.
HC 66 Box 1250
Crescent Valley, Nevada
U.S.A.
89821-1250

Tel: (775) 468-4400
Fax: (775) 468-4496

January 22, 2018

CERTIFIED MAIL: 7015 0640 0005 8579 3376
RETURN RECEIPT REQUESTED

County Commissioners
Lander County, Nevada
315 South Humboldt Street
Battle Mountain, NV 989820

Re: Renewal and Major Modification Application for Cortez Hills Project
Water Pollution Control Permit NEV2007106

To the Board:

Barrick Cortez Inc. (Cortez) is submitting a renewal and major modification application for the Cortez Hills Project (Water Pollution Control Permit NEV2007106) to the Nevada Division of Environmental Protection – Bureau of Mining Regulation and Reclamation (NDEP-BMRR). The Water Pollution Control Permit renewal is required by the NDEP-BMRR in order for Cortez to continue with mining activities associated with the Cortez Hills Project.

Notice of this application is provided to you, the Lander County, Nevada County commissioners, as required by the Nevada Administrative code 445A.394.

If you have any questions or comments, please contact Nick Atiemo at 775-468-4278 or Aimee Keys at 775-468-4289.

Respectfully,

Nick A. Atiemo
Environmental Manager

NAA/AMK: mc

Ec: Natasha Zittel, NDEP-BMRR
Curtis Cadwell, BCI
Mark Miller, BCI
Aimee Keys, BCI