

1           The Honorable Board of Lander County Commissioners met in  
2 regular session in the Commission Chambers of the Lander County  
3 Courthouse and Administration Building in Battle Mountain,  
4 Nevada, 50 State Route 305, on May 9, 2019, at 9:00 a.m.  
5 Transcript produced by Tiffany Elkington, C.C.R., #930.  
6

7                   **PRESENT: PATSY WAITS, COMMISSIONER**  
8                   **ART CLARK III, COMMISSIONER**  
9                   **JUDIE ALLAN, COMMISSIONER**  
10                  **BRYAN SPARKS, COMMISSIONER**  
11                  **KATHLEEN ANCHO, COMMISSIONER**  
12                  **KEITH WESTENGARD, COUNTY MANAGER**  
13                  **SADIE SULLIVAN, COUNTY CLERK**  
14                  **THEODORE HERRERA, DISTRICT ATTORNEY**  
15

16  
17           (Let the record reflect the presence of a quorum of five  
18 commissioners. Let the record reflect the presence of Austin  
19 via teleconference.)  
20

21           CHAIRMAN WAITS: We're going to call our meeting to order.  
22 And first off, we ask everyone to please mute their cell phones  
23 or turn them on jiggle or whatever you're comfortable with.

24           We will call to order the Lander County commissioners'  
25 meeting, Town Board of Battle Mountain and Austin, Board of  
26 County Highway Commissioners for May 9th, 2019.

27           Commissioner Clark, would you be kind enough to lead us  
28 in --

29           COMMISSIONER CLARK: Sure.

30           CHAIRMAN WAITS: -- our salute to the flag this morning.  
31

32           (Pledge of Allegiance)  
33

34           CHAIRMAN WAITS: Thank you.

35           And a warm welcome to everyone, my commissioners and our  
36 staff and our guests and our citizens.

37           And if you'll join us all in just a moment of silence,  
38 please.  
39

40           (Moment of silence)

1 CHAIRMAN WAITS: Thank you. Lander County Commissioners  
2 may break for lunch from 12:00 noon to 1:15 p.m. Any agenda  
3 item may be taken out of order, may be combined for  
4 consideration by the public body, and items may be pulled or  
5 removed from the agenda at any time.

6 We begin with our commissioners' reports on meetings,  
7 conferences, and seminars attended.

8  
9  
10 **COMMISSIONER REPORTS**

11  
12 CHAIRMAN WAITS: Judie, can we start with you this  
13 morning?

14 COMMISSIONER ALLAN: Certainly.

15 Okay. So on the 26th of April, I attended the NACo  
16 conference.

17 One thing I want to bring up -- and this is for fellow  
18 commissioners also -- is the national NACo -- NACo conference this  
19 year is going to be in July -- Vegas -- Las Vegas, July 12th  
20 through the 15th.

21 There is going to be a NACo dinner sponsored by --

22  
23 (Microphone feedback.)

24  
25 COMMISSIONER ALLAN: -- NACo and NV Energy for Nevada  
26 commissioners only. That'll be held Sunday, July 14th, but they  
27 would like an RSVP.

28 So then on Monday the 29th, I attended a sagebrush  
29 ecosystem program meeting in Reno.

30 One of the things they had on the agenda was a notice of  
31 intent to act upon regulation, adoption of proposed temporary  
32 mitigation regulations regarding the sage grouse.

33 They did adopt those regulations. NACo had suggested  
34 amendments. They -- they voted to approve the amendments. So  
35 this -- this was su- -- submitted. It is a temporary  
36 regulation. It can't be submitted to the legislature until July  
37 1st. And they have 30 days to act on it. But if nothing is  
38 acted on, it expires on November 1st.

39 So if anyone would like a copy of it, I can get a copy of  
40 that. It's kind of basic.

1 CHAIRMAN WAITS: Now, I'm sorry, is that the rural sage  
2 grouse or the bistate?

3 COMMISSIONER ALLAN: You know --

4 CHAIRMAN WAITS: I think it's the regular, I think; isn't  
5 it?

6 COMMISSIONER ALLAN: I honestly don't know what the  
7 difference is so I can't tell you --

8 CHAIRMAN WAITS: Okay.

9 COMMISSIONER ALLAN: -- that.

10 But one of the other things that was really interesting  
11 that came out of the meeting was they -- this panel is -- is --  
12 board is made up of all sorts of different entities. You know,  
13 you have the BLM. You have NDOW. You've got the Forest  
14 Service.

15 So there was a presentation by the Forest Service and also  
16 BLM speaking about the fires north -- the Sugar Loaf and the  
17 Martin Fire.

18 Actually, the BLM received a substantial amount for  
19 reseeding for the Martin Fire. The Forest Service had  
20 requested, like, 1.9 million for -- they call it BAER, which is  
21 a acronym for, you know, that's their -- kind of their rehab.  
22 The federal government gave them nothing. And I just -- I was  
23 just appalled at that that -- that they just -- absolutely  
24 nothing for reseeding. They gave them, I believe, \$85,000 for  
25 structure rehab, going in and fixing culverts, things like that.  
26 But as far as any rangeland, absolutely nothing.

27 They did get some donations from private entities. But --  
28 but the BLM, they did -- they have some of their own seeding in  
29 stock and on surplus so they're able to seed quite a bit of it.

30 So that's it.

31 CHAIRMAN WAITS: Thank you.

32 Kathy?

33 COMMISSIONER ANCHO: The hospital board. It was fairly  
34 straightforward. They're working on budgets, just like everyone  
35 else. And they're still under construction in the clinic. If  
36 you just want to go into the clinic and try to get to the  
37 hospital, it's amazing to try to get through there.

38 The stuff that they have finished is beautiful. Some of  
39 the office -- you know, the new offices and things that they  
40 have created. So --

1 But they're still under construction.  
2 So other than budget and finishing up the construction,  
3 there's not a lot going on there.  
4 So --  
5 CHAIRMAN WAITS: Thank you.  
6 COMMISSIONER SPARKS: No report.  
7 CHAIRMAN WAITS: Art?  
8 COMMISSIONER CLARK: Oh. No.  
9 CHAIRMAN WAITS: No? Okay.  
10 On April 26th I did attend the -- the NACo meeting. Of  
11 course, there's -- they gave us an update and a checklist on all  
12 the -- the different things going on at the Nevada legislature  
13 and all the things that they are busy representing us on behalf  
14 of all the counties.  
15 On the -- the greater sage grouse -- and I think that's --  
16 that's the one that was having all the meetings. That's the one  
17 that is chaired by J.J. Goicoechea, our commissioner --  
18 KEITH WESTENGARD: Six western --  
19 CHAIRMAN WAITS: -- of Eureka. Yeah.  
20 KEITH WESTENGARD: -- states.  
21 CHAIRMAN WAITS: But we are in a comment period, actually,  
22 for the bistrate one. And that's with the U.S. Fish and Wildlife  
23 Service.  
24 And NACo is submitting comments on that, the rationale  
25 for not listing it.  
26 And -- and the interesting thing is -- is they're really  
27 working on what they call the -- the disturbance cap, because  
28 they have a cap on there that seems to be so high. You could  
29 disturb them if you walked anywhere close to them.  
30 COMMISSIONER ALLAN: If you breathed.  
31 CHAIRMAN WAITS: And so therefore everything disturbs them.  
32 And it's like, wait a minute, this -- and actually, in reality,  
33 it really doesn't. I mean, they -- they aren't disturbed.  
34 They're -- they're apparently, you know, used to a lot of  
35 different kinds of noises and things. So we're working on that.  
36 And hopefully that'll change a little bit to get that under.  
37 The other thing is the PILT, which is the Payment in Lieu  
38 of Taxes, of course.  
39 Right now, there is support for the federal legislation to  
40 actually consider a change in the PILT formula.

1           And what it would do would give additional funds to smaller  
2 counties with 5,000 or less. But it doesn't change any of the  
3 amounts anyone else is getting. So they're -- would be adding  
4 to it a little bit.

5           And we're in support of that. So we'll see how that one  
6 comes out federally.

7           On the 30th, I did attend the school board. The biggest  
8 thing that they were considering, of course, they had decided to  
9 go from a seven-person board to a five-person board.

10          But they were considering how they were going to do that,  
11 whether they're going to do it in districts or just general, who  
12 would be represented and such.

13          So they did decide. And currently they're -- they're right  
14 now making a district north of the 40th parallel for the  
15 southern area and then general for the rest.

16          But that will be finished and come before us to -- to look  
17 at at another time.

18          And the other thing I have is actually going to be on the  
19 agenda.  
20  
21

## 22       STAFF REPORTS

23  
24           CHAIRMAN WAITS: So we'll move directly into our staff  
25 reports of meetings, conferences, and any seminars attended.

26           KEITH WESTENGARD: Okay. So I did attend our appeal at the  
27 tax board meeting. It turned into a rather lengthy discussion  
28 between myself, our tax board person, and the tax board itself.

29           The bottom line, or in a nutshell what it is, is the tax  
30 board thinks that if we lose our waiver that we can re- --  
31 reapply. The -- the Department of Taxation says, no, you can't.

32           So what it's come down to is they're going to get an  
33 attorney general opinion if we can reapply or not. The --

34           What I got out of it is if -- if we're not allowed to  
35 reapply, then they will reverse their decision and we'll get our  
36 waiver back.

37           If we are allowed to reapply to get our -- our SCCRT tax  
38 waiver, if -- if we're allowed to reapply, then they'll probably  
39 take it away for the year.

40           So last year we were entitled to \$5.6 million. We

1 collected 2.3 million. And the balance of the two -- of -- of  
2 that 5.6 million actually goes into a pot that benefits other  
3 counties in the state that have this wai- -- this waiver in  
4 place as well.

5 So we are a benefit to the state and they -- they recognize  
6 that.

7 But once we get the decision back -- the legal opinion back  
8 from the Attorney General's Office, we'll go to another meeting.  
9 It'll be discussed. And I'll have a final update on whether we  
10 keep it or not. So that's where we're at there.

11 Also the Senate Bill 48, which is the rural diesel tax  
12 bill, there -- there seems to be confusion with it. It's -- it  
13 was supported by the county because the -- it gives the  
14 authority back to the county in order for the board to decide if  
15 we're going to raise taxes to do with -- with diesel fuel.

16 There was an earlier bill that would have left it with the  
17 state. And you know how that could go. The state's just going  
18 to dictate. That died.

19 So it looks like Senate Bill 49 -- or I'm sorry -- 48 will  
20 pass. It's going to be voted on next week. And that'll put the  
21 authority back into the -- to the commissioners to decide as far  
22 as any increase in -- in tax -- diesel tax.

23 Probably one of the hotter subjects right now is  
24 mosquitoes in the county. I've had several discussions with  
25 Robin Gray, our mosquito person.

26 And what it's come down to is he is going to start  
27 spraying, aerial spraying. We discussed fog spraying,  
28 ground-type spraying, so forth. He's going to start spraying  
29 Friday -- in Battle Mountain -- Saturday and Sunday. So he'll  
30 do aerial spraying out in the flats and come through town.

31 He is going to post notices in town that says he's doing  
32 this.

33 And Patty's here's for the paper. We'll -- we'll put in  
34 the paper that we continue to work to get the mosquito problem  
35 and the -- the gnat problem taken care of.

36 So if there's any questions on mosquitoes, you can feel to  
37 refer them to me. Or that's where we're at. We're going  
38 to really start hitting them pretty hard.

39 We do have two items we need to discuss in a closed session  
40 after the meeting to do with the union contract and then where

1 we're at with the levee and the Army Corps of Engineers.  
2 We do have -- we have hired a county health nurse, Brandy  
3 Bengoa. And she'll start early June to be our county health  
4 nurse. So we're real happy about that.  
5 Karina Cortes, back here, is new to the administration  
6 office. She's the administrative secretary to me. So  
7 welcome -- welcome to her as well as Brandy.  
8 And I wanted to touch a little bit on -- on what  
9 Commissioner Allan said about the -- the FMAG money, which is  
10 the Fire Management Assistance Grant program.  
11 And it's true; they did not give them any type of  
12 reimbursement. But they are appealing, it is my understanding.  
13 So it is a process they -- to -- to appeal it. And they might  
14 end up getting some money out of that to help with rehab in  
15 the prair- -- or in the -- in the open areas.  
16 And other than that, everything else I think we're going to  
17 talk about.  
18 Oh. I al- -- I have the -- the resolutions here that I'd  
19 like everybody to sign. This one here is on nice paper, which  
20 will be signed and then we're going to frame it and mount it.  
21 And then the white paper one is one that will be recorded and --  
22 and filed.  
23 I did get a call yesterday. Washoe County is very interested  
24 in this resolution that this board approved.  
25 COMMISSIONER SPARKS: Nice.  
26 COMMISSIONER CLARK: Did you --  
27 KEITH WESTENGARD: So --  
28 COMMISSIONER CLARK: -- did you send it to them?  
29 KEITH WESTENGARD: No. I wanted it to be -- to get it  
30 signed.  
31 COMMISSIONER CLARK: Oh. Okay.  
32 KEITH WESTENGARD: As soon as it gets signed, --  
33 COMMISSIONER CLARK: Make sure it's signed.  
34 KEITH WESTENGARD: -- it'll get sent.  
35 And it -- there's the change- -- it has the changes that --  
36 that the commission directed to have put in.  
37 So once this is done, we'll get this scanned and sent to  
38 Washoe. And it might be on the -- their agenda soon.  
39 CHAIRMAN WAITS: I signed the wrong place.  
40 KEITH WESTENGARD: (Indiscernible.)

1 CHAIRMAN WAITS: Make another one.  
2 KEITH WESTENGARD: Okay. All right.  
3 CHAIRMAN WAITS: I'm going, look at those all these  
4 commissioners' signatures.  
5 KEITH WESTENGARD: Okay.  
6 CHAIRMAN WAITS: I didn't do it on the bad one.  
7 KEITH WESTENGARD: Okay.  
8 CHAIRMAN WAITS: I mean the good one.  
9 KEITH WESTENGARD: That's all right. We're getting all of  
10 them made up.  
11 CHAIRMAN WAITS: Thank you.  
12 KEITH WESTENGARD: No. You're okay, Patsy.  
13 CHAIRMAN WAITS: No, I did. You voted aye -- or aye.  
14 COMMISSIONER ALLAN: May I borrow your pen?  
15 COMMISSIONER SPARKS: You already signed?  
16 CHAIRMAN WAITS: Oh, and then I signed as this.  
17 KATHY ANCHO: I understand.  
18 KEITH WESTENGARD: Yeah. And then you'll have to do it as  
19 the chair as well.  
20 CHAIRMAN WAITS: Oh. I have to sign --  
21 COMMISSIONER ALLAN: No. I want --  
22 CHAIRMAN WAITS: -- it twice.  
23 COMMISSIONER ALLAN: -- a nice pen.  
24 CHAIRMAN WAITS: Oh. Great.  
25 COMMISSIONER ALLAN: Thank you.  
26 CHAIRMAN WAITS: Do I have to sign that one again, then?  
27 KEITH WESTENGARD: Yeah. You'll have to sign as the chair.  
28 CHAIRMAN WAITS: Okay.

29  
30  
31 **PUBLIC COMMENT**

32  
33 CHAIRMAN WAITS: Okay. We'll move on to public comment.  
34 This is -- this time is for nonagendized items only.  
35 Persons are invited to submit comments in writing and/or  
36 attend and make comments on any nonagenda item at the board  
37 meeting if any and discussion of those comments at the  
38 discretion of the board. All -- all public comment may be  
39 limited to three minutes per person again at the discretion of  
40 the board. Reasonable restrictions may be placed on public



1 comments based upon time, place, and manner, but public comment  
2 based upon viewpoint may not be restricted.

3 (No comment.)  
4  
5

6 **CONSENT AGENDA**  
7

8 CHAIRMAN WAITS: Moving on to our consent agenda. All  
9 matters listed under the consent agenda are considered routine.  
10 They may be acted upon by the Board of County Commissioners with  
11 one action without extensive discussion. Any member of the  
12 board or any citizen may request that an item be taken from the  
13 consent agenda, discussed, and acted upon separately during this  
14 meeting. Consent agenda materials are available at the Lander  
15 County Clerk's Office for viewing and copies are available for a  
16 nominal charge.

17 Number 1, approval of May 9th, 2019, agenda notice; Number  
18 2, approval of March 18 through 19, 2019, Special Meeting Budget  
19 Workshop Minutes; Number 3, approval of March 28th, 2019,  
20 meeting minutes; Number 4, approval of April 1st, 2019, special  
21 meeting budget workshop minutes; Number 5 approval of April 11,  
22 2019, meeting minutes; Number 6 approval of April 25th, 2019,  
23 meeting minutes; and Number 7, approv- -- approval of the  
24 payment of bills.

25 And we have not received any of our minutes. I hope they  
26 come in soon because it's going to take us a long time to go  
27 over all of these.

28 So with this one, we will pull everything, actually, except  
29 the agenda because I do need to pull Number 7, the approval of  
30 payment of bills. And we'll act on that separately.

31 COMMISSIONER ALLAN: Make a motion to approve the agenda  
32 notice of May 9th, 2019.

33 COMMISSIONER ANCHO: Second.

34 CHAIRMAN WAITS: Thank you. Motion made by Kathy.  
35 Seconded --

36 Motion made by Judie, seconded by Kathy.

37 Any other discussion?

38 (No comment.)

39 CHAIRMAN WAITS: Public comment?

40 (No comment.)

1 CHAIRMAN WAITS: All in favor?  
2 COMMISSIONER ALLAN: Aye.  
3 COMMISSIONER SPARKS: Aye.  
4 COMMISSIONER ANCHO: Aye.  
5 CHAIRMAN WAITS: Aye. Thank --  
6 COMMISSIONER CLARK: Aye.  
7 CHAIRMAN WAITS: -- you.  
8 Okay. Number 7. We need to pull out Check #202970.  
9 And --  
10 COMMISSIONER SPARKS: That's a check made to my employer.  
11 CHAIRMAN WAITS: Thank you. For Commissioner Sparks.  
12 And so we'll have a motion to approve all of the other  
13 payment of bills?  
14 COMMISSIONER ANCHO: So moved.  
15 COMMISSIONER ALLAN: Second.  
16 CHAIRMAN WAITS: Thank you. Motion -- motion made by Kathy  
17 and seconded by Judie.  
18 Any other discussion?  
19 (No comment.)  
20 CHAIRMAN WAITS: All in favor?  
21 COMMISSIONER ALLAN: Aye.  
22 COMMISSIONER ANCHO: Aye.  
23 CHAIRMAN WAITS: Aye.  
24 COMMISSIONER CLARK: Aye.  
25 COMMISSIONER SPARKS: Aye.  
26 CHAIRMAN WAITS: Thank you. And that passes.  
27 Okay. The next motion we need is for approval of Check  
28 #202970.  
29 COMMISSIONER ALLAN: So moved.  
30 COMMISSIONER ANCHO: Second.  
31 CHAIRMAN WAITS: Moved by Judie. Seconded by Kathy.  
32 All in favor?  
33 COMMISSIONER ANCHO: Aye.  
34 COMMISSIONER ALLAN: Aye.  
35 CHAIRMAN WAITS: Aye.  
36 COMMISSIONER CLARK: Aye.  
37 CHAIRMAN WAITS: And --  
38 COMMISSIONER SPARKS: And I'll abstain -- abstain from it.  
39 CHAIRMAN WAITS: Thank you. And so noted that Commissioner  
40 Sparks is recusing.

1 Any other discussion?  
2 (No comment.)  
3 CHAIRMAN WAITS: Public comment?  
4 (No comment.)  
5 CHAIRMAN WAITS: All in favor?  
6 COMMISSIONER ALLAN: Aye.  
7 COMMISSIONER SPARKS: Aye.  
8 COMMISSIONER ANCHO: Aye.  
9 CHAIRMAN WAITS: Aye.  
10 COMMISSIONER CLARK: Aye.  
11 CHAIRMAN WAITS: Thank you.  
12  
13

14 **COMMISSIONERS**

- 15  
16 1) **Discussion and possible action to approve/disapprove use of**  
17 **the Battle Mountain motocross track to host the final round**  
18 **of the 2019 I-80 Challenge Series on August 24, 2019, for**  
19 **Robert Demars, and all other matters properly related**  
20 **thereto.**  
21

22 CHAIRMAN WAITS: Okay. Number 1 on the agenda.  
23 Commissioners.

24 Discussion and possible action to approve or disapprove use  
25 of the Battle Mountain motocross track to host the final round  
26 of the 2019 I-80 Challenge Series on August 24, 2019, for Robert  
27 Demars, and all other matters properly related thereto.

28 Good morning.

29 ROBERT DEMARS: Good morning.

30 Thanks for considering this.

31 Robert Demars, for the record. And I represent Gold Rush  
32 MX Park and the I-80 Challenge.

33 It's a series that I created. And it started last year.  
34 And if you're wondering why I'm here, last year Lander County --  
35 y'all had a club at the Battle Mountain racetrack. And we did  
36 have the final round in Battle Mountain at -- of the I-80  
37 Challenge 2018.

38 When that happened, just went to the club members and  
39 basically brought my equipment over, my water truck, my dozer,  
40 and my things like that. And the whole club came here. And --

1 and we had that final round. It was a night race.  
2 And at that time this didn't have to happen because there  
3 was a club this place. And maybe it did have to happen, but I  
4 didn't know.  
5 So here it is now.  
6 I've created this series. And I -- I hope you all have the  
7 flyer that --  
8 CHAIRMAN WAITS: We do.  
9 ROBERT DEMARS: Okay. So it's already started.  
10 Winnemucca was round one. Goes to Wells, which I take my  
11 equipment to. And that's June 30th. And then it goes to  
12 Carlin, which is my track. And then it comes here, hopefully.  
13 But the series has already started. Flyer's out there.  
14 I got word less than a month ago that the club and the  
15 contract had been demolished.  
16 So it was brought to my attention that I can't do that. I  
17 can't hold my final round in Battle Mountain.  
18 That's why I'm here is to ask you permission to -- to  
19 continue to -- I can change that last date. I don't have a  
20 problem with that. But I'd rather just keep it the way it is.  
21 COMMISSIONER ALLAN: Mr Demars, you actually did answer one  
22 of my questions that you do bring your own equipment in.  
23 ROBERT DEMARS: Yeah.  
24 COMMISSIONER ALLAN: Is there quite a bit of maintenance  
25 that needs to be done on the track to get it in shape?  
26 ROBERT DEMARS: Yes, there is. I --  
27 So what -- what I would ask is August 21st, 22nd, and  
28 23rd. That's when I would start.  
29 And so basically what happens is you -- of course in the heat  
30 of the summer, those -- those days are really hot. And so we go  
31 in and we rip the ground up a little bit with a dozer and we water  
32 it. And it takes a lot of water.  
33 Those are one of my questions is coming up here.  
34 But, yeah, I do -- there's about three days of prep to get  
35 ready for this. And then all day Saturday, of course.  
36 COMMISSIONER ALLAN: Right.  
37 ROBERT DEMARS: So there -- there's four -- and then Sunday  
38 what we do is after the race is all done, we get -- we typically  
39 get done on the night race at 10:00, 11:00 o'clock p.m. And  
40 then we'll go in the next morning and -- and clean up things.

1 So Sunday is a clean-up day.

2 COMMISSIONER ALLAN: So this is a question for Keith. Is  
3 that track locked? Or is it part of -- do you know what --

4 KEITH WESTENGARD: So I -- I haven't received anything from  
5 the dissolved board as far as gate or locks or access codes or  
6 anything.

7 COMMISSIONER ALLAN: Okay.

8 KEITH WESTENGARD: That a letter was sent out to the past  
9 board chairman, Brian Garner. And I'm guessing I'll hear from  
10 him soon and -- and get keys or entrance codes or whatever we  
11 need.

12 COMMISSIONER ALLAN: Okay.

13 CHAIRMAN WAITS: Mr. Demars, my question is on the  
14 insurance because I'm sure that you certainly carry it. So then  
15 Lander County would need to be named as an additional  
16 insured, --

17 ROBERT DEMARS: Yes. Okay.

18 CHAIRMAN WAITS: -- if you can take care of that for us.

19 ROBERT DEMARS: Yep. I do -- one of the questions was --  
20 so I have -- I brought the insurance that I carry.

21 The City of Carlin is where the Gold Rush MX Park's located  
22 in.

23 And when I started that in 2009, I took 80 acres and  
24 basically built this motorsports facility. And they did require  
25 the 24-hour-a-day, 365-day insurance to cover because it in --  
26 in the city limits. And so I've c- -- I've carried that  
27 insurance every year.

28 And so, like, when we go to Wells, Wells is -- I just take  
29 out a policy with the City of Wells. It costs me 500 bucks.

30 This is a \$5,000 a year policy that I carry for my own  
31 self.

32 Winnemucca? They've got Winnemucca -- county that takes  
33 care of their insurance. And so we don't have to do that.

34 And then so when we came here last year, it was the county  
35 insurance -- which Brian Garner said, it's covered.

36 I don't know the logistics and the -- what -- what happens  
37 with whatever happened.

38 So I do have the insurance. And all I ask is that -- so I  
39 have a \$2 million aggregate and a million dollar each  
40 occurrence.

1 CHAIRMAN WAITS: Okay. What -- what you do, you contact  
2 your insurance company, tell them you're doing this series and  
3 that Lander County wants to be named as an --  
4 ROBERT DEMARS: Oh, yeah.  
5 CHAIRMAN WAITS: -- additional insured. That's all. And  
6 they send us out the paperwork.  
7 ROBERT DEMARS: I've already got the quote for additional  
8 insured. It's 130 bucks to put --  
9 CHAIRMAN WAITS: Yeah.  
10 ROBERT DEMARS: -- Lander County on it. It's not a big --  
11 CHAIRMAN WAITS: It's --  
12 ROBERT DEMARS: -- deal.  
13 CHAIRMAN WAITS: -- it's just paperwork usually.  
14 ROBERT DEMARS: It is.  
15 CHAIRMAN WAITS: So --  
16 Uh-huh.  
17 ROBERT DEMARS: I'm already over that. But, yeah, not a  
18 problem if this happens.  
19 COMMISSIONER ALLAN: So out of curiosity, how  
20 many participants do you usually have in --  
21 ROBERT DEMARS: So --  
22 COMMISSIONER ALLAN: -- these?  
23 ROBERT DEMARS: -- round one in Winnemucca, we had 180  
24 entries for a single-day event.  
25 COMMISSIONER ALLAN: Wow.  
26 ROBERT DEMARS: I'm going to say 20 to 30 campers will stay  
27 the night.  
28 So I don't know how that affects what's going to happen  
29 here. Do I -- I mean, I don't -- there's a lot of questions I  
30 have about the camping and things like that.  
31 But they're -- we -- we did get a pretty decent turnout.  
32 And everybody likes the night races. Because the Battle  
33 Mountain race that we did last year --  
34 In 2017, I put on a race September 20th of 2017. And I was  
35 working in conjunction with Brian Garner to do that. And it was  
36 a night race. And everybody likes to race at night in the heat  
37 of the summer.  
38 So typically, we'll get a better turnout here.  
39 COMMISSIONER ALLAN: But we've --  
40 ROBIN YORK: So --

1 COMMISSIONER ALLAN: -- got nice lights.  
2 ROBERT DEMARS: Yeah. Yeah. You do. It -- it's a nice  
3 facility. And I hate to see what's happened to it.  
4 COMMISSIONER ALLAN: I think what I've seen in the past --  
5 and I don't know as far as any -- if there's ever been any  
6 question on regulations or whatnot.  
7 The same thing with the -- with the stock car track is, you  
8 know, they camp overnight.  
9 I don't know if they have bathroom facilities at the  
10 motocross track or if you just get the Porta-Potties.  
11 But I think that usually the trailers come in and they'll  
12 just stay overnight. That's always seemed to be the case.  
13 I don't know as far as anybody's really ever asked what the  
14 legalities behind it were. Or --  
15 I guess, you -- I don't think it's ever really been much of  
16 an issue.  
17 ROBERT DEMARS: As far as the restrooms go, last year at  
18 the I-80, there was a conflict with the stock car folks, Angie  
19 and them, I guess. Because when the water tank is being filled  
20 at the stock car track, the restrooms overflow or something.  
21 There's something going on there.  
22 So you have to shut the water off to the restrooms while  
23 you're filling the tank at the stock car track.  
24 KEITH WESTENGARD: Yeah. I don't think that they -- I  
25 think there's just not enough pressure to flush or -- or do  
26 anything.  
27 ROBERT DEMARS: Okay.  
28 KEITH WESTENGARD: But, yeah. And we -- we're working  
29 on --  
30 ROBERT DEMARS: Yeah.  
31 KEITH WESTENGARD: -- getting a water line.  
32 ROBIN YORK: So what I did was I told Brian, I don't even  
33 want to use them.  
34 The -- the portable restrooms that are there now, those  
35 are -- I rented those.  
36 I put on a practice about two months ago. And I had no  
37 idea this was coming.  
38 And I don't know if any of y'all seen that, but I brought a  
39 bunch of people over. We advertised it on our Facebook and our  
40 Instagram and everything.

1 And I came over and I prepped the track, brought all my  
2 equipment over. And I rented the restrooms. And I had Desert  
3 Disposal do the garbages. And it's all mine. That's all mine  
4 out there. But I'm -- that's beside the point.

5 But as far as the restrooms go, I'd just rather leave the  
6 ones that are there. The permanent ones? I just don't even  
7 want to use them. I don't want the headache.

8 So --

9 CHAIRMAN WAITS: Well, we shouldn't have to close them  
10 anyway.

11 But I do know that people come and -- and stay in some of  
12 the h- -- the motels.

13 ROBERT DEMARS: Oh, yeah.

14 CHAIRMAN WAITS: I do know that. Yeah. They -- they  
15 aren't all just sleeping --

16 ROBIN YORK: No.

17 CHAIRMAN WAITS: -- in -- in their --

18 COMMISSIONER ALLAN: Yeah.

19 CHAIRMAN WAITS: -- in their trucks. Yeah.

20 ROBERT DEMARS: You know, back --

21 CHAIRMAN WAITS: So --

22 ROBERT DEMARS: -- to that question, it was like, you get  
23 180 entries, that's 180 single people. I mean, they've got moms  
24 or dads or sisters or brothers or friends.

25 COMMISSIONER ALLAN: Yeah.

26 ROBERT DEMARS: There's -- there's 500 people that went to  
27 Winnemucca in one day.

28 COMMISSIONER ALLAN: Oh, no.

29 ROBERT DEMARS: Run through the gate.

30 COMMISSIONER ALLAN: I agree. I think it's --

31 ROBERT DEMARS: So --

32 COMMISSIONER ALLAN: Well, I will make a motion that we  
33 approve the use of the Battle Mountain motocross track to host  
34 the final round of the 2019 I-80 Challenge Series on  
35 October 24th and allow Mr. Demars entry prior to the race to  
36 address the track, any issues regarding the track.

37 ROBERT DEMARS: Where --

38 Can I interrupt?

39 COMMISSIONER ALLAN: Of course.

40 ROBERT DEMARS: There's -- there's a lot of things --



1           So do I -- if this is approved today, who do I go to for  
2 questions on how do I get water? How do I -- what about the EMT  
3 services? Is the county going to help me with that?  
4           CHAIRMAN WAITS: Everything goes directly through our  
5 county manager. And he will refer you to the people that are --  
6           ROBERT DEMARS: Okay.  
7           CHAIRMAN WAITS: -- specialists in those areas.  
8           ROBERT DEMARS: Okay.  
9           KEITH WESTENGARD: I'll give you a call. Or we can meet  
10 sometime and go over this --  
11           ROBERT DEMARS: Okay.  
12           KEITH WESTENGARD: -- real soon. And -- and we'll get  
13 everything set up, --  
14           ROBERT DEMARS: All right.  
15           KEITH WESTENGARD: -- what you need.  
16           ROBERT DEMARS: All right.  
17           KEITH WESTENGARD: Okay?  
18           ROBERT DEMARS: Cool. I'm sorry.  
19           COMMISSIONER ANCHO: I'll second.  
20           CHAIRMAN WAITS: Okay. Judie made the motion. Kathy made  
21 the second.  
22           Any other discussion by the board?  
23           (No comment.)  
24           CHAIRMAN WAITS: Public comment?  
25           (No comment.)  
26           CHAIRMAN WAITS: All those in favor?  
27           COMMISSIONER ALLAN: Aye.  
28           COMMISSIONER SPARKS: Aye.  
29           CHAIRMAN WAITS: Aye.  
30           COMMISSIONER CLARK: Aye.  
31           CHAIRMAN WAITS: Any opposed?  
32           Okay. That does pass for you.  
33           And is there any other legal issues we need to look at for  
34 a condition?  
35           DISTRICT ATTORNEY HERRERA: No. We -- we -- I took care of  
36 those. I -- I did at the letter that I had Keith send to notify  
37 the --  
38           CHAIRMAN WAITS: Okay.  
39           DISTRICT ATTORNEY HERRERA: -- organization that since  
40 their organization is invalid, the -- the contract has been

1 breached and it's invalid. And --  
2 CHAIRMAN WAITS: Okay.  
3 DISTRICT ATTORNEY HERRERA: -- and, you know, things of  
4 those lines.  
5 And that's all that we needed. You guys have taken care of  
6 the rest.  
7 CHAIRMAN WAITS: Okay.  
8 COMMISSIONER ALLAN: Well, thank you, Mr. Demars, for  
9 bringing that to Battle Mountain.  
10 CHAIRMAN WAITS: Thank you. Good luck.  
11 ROBERT DEMARS: I appreciate --  
12 COMMISSIONER ANCHO: Thanks, --  
13 ROBERT DEMARS: -- all --  
14 COMMISSIONER ANCHO: -- (indiscernible).  
15 ROBERT DEMARS: -- your time.  
16 UNIDENTIFIED PARTICIPANT: You have --

17  
18 **2) Discussion and possible action to approve/disapprove renewal**  
19 **of the contract between Lander County and the State of Nevada**  
20 **Department of Administration Public Works Division for the**  
21 **Nevada Highway Patrol lease of office space located at 50**  
22 **State Route 305, Battle Mountain, Nevada, and all other**  
23 **matters properly related thereto.**  
24

25 CHAIRMAN WAITS: Number 2.

26 UNIDENTIFIED PARTICIPANT: -- three days.

27 CHAIRMAN WAITS: Discussion and possible action to approve  
28 or disapprove renewal of the contract between Lander County and  
29 the State of Nevada Department of Administration Public Works  
30 Division for the Nevada Highway Patrol lease of the office space  
31 located at 50 State Route 305, Battle Mountain, Nevada, and all  
32 other matters properly related thereto.

33 KEITH WESTENGARD: This is the annual renewal for the NHP  
34 office upstairs. And it's been reviewed in the DA's Office.  
35 And there are no changes to it. And --

36 DISTRICT ATTORNEY HERRERA: No, there -- there's --

37 KEITH WESTENGARD: Oh.

38 DISTRICT ATTORNEY HERRERA: -- one change.

39 CHAIRMAN WAITS: One change is the length.

40 DISTRICT ATTORNEY HERRERA: The -- the length. Exactly.

1 They want five years.  
2 KEITH WESTENGARD: Oh. That's right.  
3 CHAIRMAN WAITS: Okay. So my --  
4 KEITH WESTENGARD: I did about --  
5 CHAIRMAN WAITS: -- other question is, then, are we okay  
6 with the fair market value?  
7 They have a very small portion. I know a hundred -- 400  
8 square feet. So we're okay with -- with the amount?  
9 KEITH WESTENGARD: I think so.  
10 DISTRICT ATTORNEY HERRERA: Yeah.  
11 KEITH WESTENGARD: Yeah. I -- I think it's --  
12 CHAIRMAN WAITS: Okay.  
13 KEITH WESTENGARD: -- fair.  
14 CHAIRMAN WAITS: Because we do have to look at the fair  
15 market value. So I --  
16 DISTRICT ATTORNEY HERRERA: Right.  
17 CHAIRMAN WAITS: -- wanted to --  
18 KEITH WESTENGARD: Right.  
19 CHAIRMAN WAITS: -- be sure that one was okay.  
20 Okay. Then I do have just a quick clarification. This  
21 comes in on September 1; right?  
22 KEITH WESTENGARD: Yes.  
23 CHAIRMAN WAITS: Okay. Let me look here.  
24 I have down Number 24. I just wanted clarification from  
25 our district attorney.  
26 It talks about prior termination. And it's on page 15,  
27 actually.  
28 So if something should happen that, heaven forbid, let's  
29 say this building was hit by a tornado, we no longer have this  
30 building, then that prior termination clause means we are not  
31 responsible of putting them up anywhere. And it terminates if  
32 we have something happen that's -- we can no longer provide that  
33 rental space. Is that --  
34 It's number 24 on page --  
35 DISTRICT ATTORNEY HERRERA: Right.  
36 CHAIRMAN WAITS: -- 15. Uh-huh.  
37 DISTRICT ATTORNEY HERRERA: I didn't -- no, I've got it.  
38 I'm --  
39 CHAIRMAN WAITS: Oh.  
40 DISTRICT ATTORNEY HERRERA: -- just --

1 CHAIRMAN WAITS: Okay.  
2 DISTRICT ATTORNEY HERRERA: -- haven't -- we were just  
3 reading it, --  
4 CHAIRMAN WAITS: Okay.  
5 DISTRICT ATTORNEY HERRERA: -- Commissioner.  
6 CHAIRMAN WAITS: Thank you.  
7 I thought you were still looking. I'm sorry.  
8 DISTRICT ATTORNEY HERRERA: No.  
9 Yeah. That -- that -- that means that --  
10 CHAIRMAN WAITS: We have no liability if something --  
11 DISTRICT ATTORNEY HERRERA: Right.  
12 CHAIRMAN WAITS: -- should --  
13 DISTRICT ATTORNEY HERRERA: Right.  
14 CHAIRMAN WAITS: -- happen that we no longer --  
15 DISTRICT ATTORNEY HERRERA: (Indiscernible.)  
16 CHAIRMAN WAITS: -- have that rental space available?  
17 DISTRICT ATTORNEY HERRERA: Right. And it's --  
18 CHAIRMAN WAITS: Okay.  
19 DISTRICT ATTORNEY HERRERA: -- if we don't have it  
20 available, then -- then the -- the lease is terminated, --  
21 CHAIRMAN WAITS: Okay.  
22 DISTRICT ATTORNEY HERRERA: -- basically.  
23 CHAIRMAN WAITS: Thank you.  
24 DISTRICT ATTORNEY HERRERA: Without penalty, --  
25 CHAIRMAN WAITS: Right.  
26 DISTRICT ATTORNEY HERRERA: -- which is the important part.  
27 CHAIRMAN WAITS: Right.  
28 COMMISSIONER ALLAN: I'll make a motion to approve the  
29 renewal of the contract between the Lander County and the state  
30 of Neva- -- Nevada Department of Admin- -- Administration Public  
31 Works Division for the Nevada Highway Patrol for the space  
32 located at 50 State Route 305, Battle Mountain, Nevada.  
33 COMMISSIONER SPARKS: I'll second.  
34 CHAIRMAN WAITS: Thank you. Judie made the motion. Bryan  
35 seconded.  
36 Any other discussion?  
37 COMMISSIONER ALLAN: Do -- who needs --  
38 CHAIRMAN WAITS: Pardon?  
39 COMMISSIONER ANCHO: Patsy needs to sign.  
40 COMMISSIONER ALLAN: And approve the chair to sign.

1 COMMISSIONER SPARKS: Second --  
2 CHAIRMAN WAITS: Okay.  
3 COMMISSIONER SPARKS: -- that. Yeah.  
4 CHAIRMAN WAITS: Thank you.  
5 Any public comment?  
6 (No comment.)  
7 CHAIRMAN WAITS: All those in favor?  
8 COMMISSIONER SPARKS: Aye.  
9 COMMISSIONER ANCHO: Aye.  
10 COMMISSIONER ALLAN: Aye.  
11 COMMISSIONER CLARK: Aye.  
12 CHAIRMAN WAITS: Aye.  
13 Thank you and that passes unanimously.  
14

15 3) **Discussion and possible action to approve/disapprove renewal**  
16 **of the contract between Lander County and CC Communications**  
17 **for television service and maintenance in southern Lander**  
18 **County, and all other matters properly related thereto.**  
19

20 CHAIRMAN WAITS: Number 3, discussion and possible action  
21 to approve or disapprove renewal of the contract between Lander  
22 County and the CC Communications for television and service and  
23 maintenance in southern Lander County, and all other matters  
24 properly related thereto.

25 KEITH WESTENGARD: This is a -- once again -- a renewal.  
26 And as far as I know, they're doing us a real good job in the  
27 south.

28 I -- they jump right on any issues that come up, un- --  
29 unless I'm not hearing that there's any problems. I think  
30 they're doing a good job for us.

31 CHAIRMAN WAITS: And it's a --

32 DISTRICT ATTORNEY HERRERA: Two-year contract.

33 CHAIRMAN WAITS: -- two-year renewal.

34 KEITH WESTENGARD: Yes. It is a --

35 CHAIRMAN WAITS: Uh-huh.

36 KEITH WESTENGARD: -- two-year contract.

37 CHAIRMAN WAITS: I know we had a lot of new things we had  
38 to catch up on, --

39 KEITH WESTENGARD: Yes.

40 CHAIRMAN WAITS: -- a lot of changes --

1 DISTRICT ATTORNEY HERRERA: Oh, yeah. Uh-huh.  
2 CHAIRMAN WAITS: -- with the FCC -- and certainly. So --  
3 I mean, we've been very pleased.  
4 KEITH WESTENGARD: Okay.  
5 COMMISSIONER ANCHO: I'll make a motion that we renew the  
6 contract between Lander County and CC Communications for  
7 television service and maintenance in southern Lander County and  
8 all other matters properly related thereto.  
9 COMMISSIONER ALLAN: And authorize.  
10 COMMISSIONER ANCHO: And authorize the chair to sign.  
11 COMMISSIONER ALLAN: I --  
12 COMMISSIONER SPARKS: I'll --  
13 COMMISSIONER ALLAN: -- will --  
14 COMMISSIONER SPARKS: -- second that.  
15 CHAIRMAN WAITS: Thank you. Kathy made the motion. And  
16 Judie seconded that.  
17 Any other discussion here?  
18 (No comment.)  
19 CHAIRMAN WAITS: Any public comment?  
20 (No comment.)  
21 CHAIRMAN WAITS: Austin, any public comment down there?  
22 MITESHELL LANHAM: No.  
23 FRANK WHITMAN: No.  
24 KIM SCHACHT: No, thank you.  
25 CHAIRMAN WAITS: Okay. All in favor?  
26 COMMISSIONER ALLAN: Aye.  
27 COMMISSIONER ANCHO: Aye.  
28 COMMISSIONER SPARKS: Aye.  
29 COMMISSIONER CLARK: Aye.  
30 CHAIRMAN WAITS: Aye.  
31 And that passes unanimously. Thank you.  
32

33 **4) Discussion and possible action to ask or appoint an**  
34 **individual or group to represent Lander County on October 25,**  
35 **2019, for the annual statewide Nevada Day Parade, and all**  
36 **other matters properly related thereto.**  
37

38 CHAIRMAN WAITS: Number 4. Discussion and possible action  
39 to ask or a- -- appoint an individual or group to represent  
40 Lander County on October 25th, 2019, for the annual statewide

1 Nevada Day parade, and all other matters properly related  
2 thereto.

3 And the invitation actually is in your book.

4 There's a couple things that go with this. I had mentioned  
5 in my report last time that the fact that Nevada Day will be  
6 having a -- a celebration and theme of "Nevada Counties: 100  
7 years." So they asked all counties to take place.

8 So that will be one thing, if we would like to have --  
9 something being entered in the parade.

10 And number two, for us to set a -- a representative that  
11 might sit on the committee.

12 So it's two different things here.

13 So Keith, have you thought out any information for us at  
14 all?

15 KEITH WESTENGARD: Well, I was waiting to see, you know, of  
16 course, if the board wanted to do this or not.

17 My plan is to get ahold of Mr. Klein -- Russ Klein at  
18 the -- superintendent of the school and see if he might be  
19 interested in having the school band be part of the parade.

20 And then, like I say, once -- once I know that it's  
21 supported by the commission, I'll look into some other things as  
22 well.

23 CHAIRMAN WAITS: I guess my concern is what else would we  
24 do?

25 We could -- we could have a float or we could send --

26 KEITH WESTENGARD: Yeah.

27 CHAIRMAN WAITS: -- some of our -- our school band members,  
28 which would be a real experience for them too, I'm sure.

29 So if they would do that and you could take a look at it  
30 and maybe find out what the cost and what we're dealing with,  
31 because we'd be overnighting and -- and --

32 KEITH WESTENGARD: Right.

33 CHAIRMAN WAITS: -- everything with the transportation, and  
34 then come back.

35 But in the interim too, I'd like to see if we can set  
36 them -- a person that would sit on the committee to help.

37 But I think that's wonderful if we can do something and put  
38 it in the parade this year.

39 So what are your thoughts?

40 COMMISSIONER ALLAN: I nominate Kathy to sit on --

1 COMMISSIONER ANCHO: Oh.  
2 COMMISSIONER ALLAN: -- the committee.  
3 COMMISSIONER ANCHO: Well, it'd have to be -- figure out  
4 how often they meet before I could --  
5 DISTRICT ATTORNEY HERRERA: You -- they -- it would depend  
6 on you if -- if you're the head of the committee.  
7 COMMISSIONER ANCHO: I'm not going to be the head of the --  
8 DISTRICT ATTORNEY HERRERA: Could --  
9 COMMISSIONER ANCHO: -- committee.  
10 DISTRICT ATTORNEY HERRERA: -- be -- if you were appointed,  
11 you will be the head of the committee.  
12 COMMISSIONER ANCHO: The -- appointed for the head of  
13 committee for Lander County?  
14 DISTRICT ATTORNEY HERRERA: Yeah.  
15 COMMISSIONER ANCHO: (Non-word utterance.)  
16 COMMISSIONER ALLAN: You just have lots of good ideas,  
17 Kathy.  
18 COMMISSIONER ANCHO: Oh, yeah. Nice try.  
19 CHAIRMAN WAITS: Well, we also have --  
20 COMMISSIONER ALLAN: Hey --  
21 UNIDENTIFIED PARTICIPANT: It says it right here.  
22 COMMISSIONER ANCHO: I don't --  
23 CHAIRMAN WAITS: Well --  
24 COMMISSIONER ANCHO: -- mind doing that because I've done  
25 that kind of stuff with the schools before.  
26 I just -- I would like to know what -- what I'm jumping  
27 into first.  
28 KEITH WESTENGARD: Okay.  
29 Well, if it -- if -- if it is supported by the commission,  
30 I -- I'll be happy to get -- I didn't want to go out and get a  
31 whole bunch of information and then -- I didn't -- I -- there  
32 was -- I didn't think you would not support it. But I didn't  
33 want to go out and do a bunch of homework and -- if you didn't  
34 support it.  
35 So if -- if it's supported, I can give you a whole lot of  
36 information --  
37 COMMISSIONER ANCHO: Okay. We can --  
38 KEITH WESTENGARD: -- on what we can do.  
39 COMMISSIONER ANCHO: Because our high school band is  
40 phenomenal. And I would think that they've done an excellent



1 job. And I wouldn't mind them representing us. But I want --  
2 like I said, I would like to know what I'm jumping into.

3 DISTRICT ATTORNEY HERRERA: I -- I think -- I think the --  
4 the point person from the county, the -- the one appointed, and  
5 if it's you, Kathy -- I -- I believe that you -- they would give  
6 you the proper authorization to decide those or make those  
7 decisions.

8 COMMISSIONER ANCHO: Okay.

9 DISTRICT ATTORNEY HERRERA: Because they haven't been made  
10 yet, unless you guys wanted to make them right now.

11 CHAIRMAN WAITS: Actually, I don't know why we couldn't  
12 have two. We could have someone sit on the committee and report  
13 back, if Kathy didn't want to go -- go that far. Because the  
14 first meeting is in Carson City. I know that. And it's the  
15 night before our NACo meeting. So it would be fairly easy to  
16 sit on the committee and for -- for, you know, Judie perhaps.  
17 And then we could also ask Paula for Convention & Tourism  
18 too, --

19 DISTRICT ATTORNEY HERRERA: Yeah.

20 CHAIRMAN WAITS: -- you know, to do that. Or you could  
21 work with here. So --

22 COMMISSIONER ANCHO: Yeah. I would drive over --

23 CHAIRMAN WAITS: -- we don't have to --

24 COMMISSIONER ANCHO: -- probably.

25 CHAIRMAN WAITS: -- say, "You're it for absolutely --

26 COMMISSIONER ANCHO: Okay.

27 CHAIRMAN WAITS: -- everything" is --

28 DISTRICT ATTORNEY HERRERA: Right.

29 CHAIRMAN WAITS: -- what I'm --

30 COMMISSIONER ANCHO: So that's --

31 CHAIRMAN WAITS: -- saying.

32 COMMISSIONER ANCHO: -- that's fine with me. I mean, --

33 CHAIRMAN WAITS: Yeah.

34 COMMISSIONER ANCHO: -- to do that would be fine, to work  
35 with her. Just as long as I'm -- like I said -- not the sole  
36 one to --

37 CHAIRMAN WAITS: No, I understand.

38 COMMISSIONER ANCHO: -- (indiscernible).

39 CHAIRMAN WAITS: It gets overwhelming too.

40 So I thought --

1 We can do that. We can use --  
2 COMMISSIONER ANCHO: Okay.  
3 CHAIRMAN WAITS: -- two or --  
4 COMMISSIONER ANCHO: That sounds --  
5 CHAIRMAN WAITS: -- three people or something.  
6 So is there any other public comment on this item?  
7 (No comment.)  
8 CHAIRMAN WAITS: Okay. Then let's -- let's have you do  
9 some research and talk with some other people and bring it back.  
10 And we'll do some motions of what we'd like to do.  
11 Is everybody comfortable with that?  
12 COMMISSIONER ANCHO: Uh-huh.  
13 COMMISSIONER ALLAN: Do you want a motion to move forward  
14 on it? Or just --  
15 CHAIRMAN WAITS: Don't need a motion to move forward. We  
16 know the -- I mean, we'll do it next time when it --  
17 DISTRICT ATTORNEY HERRERA: Yeah. If it's coming back. We  
18 don't need a --  
19 CHAIRMAN WAITS: Yeah.  
20 COMMISSIONER ALLAN: Yeah.  
21 DISTRICT ATTORNEY HERRERA: -- motion today.  
22 COMMISSIONER ALLAN: Okay.  
23 CHAIRMAN WAITS: Great.  
24 DISTRICT ATTORNEY HERRERA: If it's not coming back, we do.  
25 COMMISSIONER ALLAN: Yeah.  
26 CHAIRMAN WAITS: Yeah. The record will reflect our  
27 support.  
28 Everybody's okay with that?  
29 Okay.  
30 COMMISSIONER SPARKS: Can we take a five-minute break?  
31 KEITH WESTENGARD: Five-minute break?  
32 CHAIRMAN WAITS: We're going to go ahead and take a  
33 five-minute break. Austin?  
34 MITESHELL LANHAM: Okay.  
35 CHAIRMAN WAITS: Quick five-minute break and we'll be right  
36 back.  
37  
38 (Break taken between 9:37 a.m. and 9:44 a.m.)  
39  
40 CHAIRMAN WAITS: -- to order.

1 COMMISSIONER ANCHO: Yes.

2

3 **5) Discussion and possible action regarding speed limits in**  
4 **Lander County, and all other matters properly related**  
5 **thereto.**

6

7 CHAIRMAN WAITS: And we left off at Number 5. Discussion  
8 and possible action regarding speed limits in Lander County, and  
9 all other matters properly related thereto.

10 And we had directed the -- the DA to look forward to some  
11 things on us. And --

12 KEITH WESTENGARD: So I -- I just --

13 CHAIRMAN WAITS: -- here we are.

14 KEITH WESTENGARD: -- wanted to go over a few things, give  
15 you -- you an update.

16 COMMISSIONER CLARK: Yeah. I asked for this to be back  
17 on --

18 COMMISSIONER ALLAN: Here.

19 COMMISSIONER CLARK: -- because what I heard at our last  
20 meeting was totally unacceptable. I wouldn't have been able to  
21 sleep if we had 20 kids in jeopardy morning and afternoon.

22 So I asked Keith to take a ride out to the bus stop area.  
23 We went down Presidential. And there's a bunch of dead-end  
24 roads there. And there's no speed limit signs on Presidential.

25 Then we made a left on James Monroe and went down to the  
26 dead-end. And there's a turnaround.

27 And as we did this, I realized this is a school district  
28 issue because these are students within the school day. And  
29 this needs to go to the -- to the school district.

30 Doing a little research I found out that back in the day  
31 when we first started to settle out in the Hill Top area, Darden  
32 Chatelle was the bus driver. He was a coach and a  
33 teacher too. And he drove down to the end through the  
34 turnaround and then back to James Monroe. And Mrs. Broadway did  
35 the same thing.

36 After I realized that it was school district related, we  
37 contacted -- I asked Bert -- or I asked Keith to contact the  
38 school district. Contacted the school district. There are  
39 eight students in this area that sometimes, but seldom, use the  
40 bus stop.

1           And the bus doesn't go down to the turnaround anymore  
2 because the kids don't use it most of the time. And there's  
3 eight kids. The five kids that are at the babysitter's house  
4 are driven to and from school.

5           There's no race cars on that street anymore. I checked  
6 into that. And, you know, I've been out there 15 of the last 17  
7 Christmas Eves and just the 20 kids just didn't make sense to  
8 me.

9           So with this information, I don't know that there's a  
10 crisis there.

11          KEITH WESTENGARD: One of the things that I -- I wanted to  
12 make clear -- and I -- I did talk with Robin about it this  
13 morning -- it is that the -- the residence out there was  
14 referred to as a day care.

15          And I just want to make it clear that we did look into it  
16 and I did talk with Robin. It's not a day care.

17          So it -- it's -- it's just a place where people drop -- you  
18 want to explain it, Robin?

19          ROBIN YORK: Robin York, for the record.

20          It's where they drop the kids off in the morning to catch  
21 the bus. And then they go there after school.

22          So she doesn't have them all day long. So it's not a day  
23 care center.

24          But between all of the families, and not just the kids that  
25 go to school, there are 20 kids that live in that area.

26          COMMISSIONER CLARK: Not according to the school district,  
27 Robin.

28          ROBIN YORK: No.

29          COMMISSIONER CLARK: We got a list of each --

30          ROBIN YORK: Kids.

31          COMMISSIONER CLARK: -- student.

32          ROBIN YORK: Not -- they don't have to go to school.  
33 There's children out there. And this --

34          COMMISSIONER CLARK: But we were --

35          ROBIN YORK: -- is what we're --

36          COMMISSIONER CLARK: -- talking about --

37          ROBIN YORK: -- talking about.

38          COMMISSIONER CLARK: -- the school, the bus stop.

39          ROBIN YORK: And we're worried -- yeah. The bus stop does  
40 stop at the end. But it's not just the children that go to

1 school that we're worried about.  
2 The little kids ride their bikes. You know, they play  
3 basketball. They -- they're out -- out and about. It's not  
4 just school children that we're worried about.  
5 CHAIRMAN WAITS: Preschool --  
6 COMMISSIONER CLARK: Oh.  
7 CHAIRMAN WAITS: -- children.  
8 ROBIN YORK: Yes.  
9 COMMISSIONER CLARK: So if we do a study and we find out  
10 how many cars go up and down 1800, then we'll have a baseline.  
11 ROBIN YORK: Okay. And where you're saying that there's no  
12 race cars out there anymore, Villanueva was racing his car the  
13 other night up and down it.  
14 COMMISSIONER CLARK: Well, I didn't see it.  
15 ROBIN YORK: So --  
16 COMMISSIONER CLARK: I would suggest you get a video.  
17 Because when I looked into it, I was told that he does not have  
18 any more race cars out there. He sold them and they're in  
19 Winnemucca. So --  
20 ROBIN YORK: They were racing the other night. So --  
21 COMMISSIONER CLARK: Oh.  
22 ROBIN YORK: I will --  
23 COMMISSIONER CLARK: Get a video.  
24 ROBIN YORK: -- figure out what I have to do.  
25 COMMISSIONER CLARK: Because that's not acceptable.  
26 ROBIN YORK: No, it's not.  
27 COMMISSIONER SPARKS: But it -- that's a whole -- that's a  
28 completely different issue. If that's going on, that's an  
29 enforceable thing, is it not? Running --  
30 COMMISSIONER CLARK: Yeah.  
31 COMMISSIONER SPARKS: -- a race car up and down the street?  
32 DISTRICT ATTORNEY HERRERA: It -- it --  
33 COMMISSIONER ANCHO: Because I'm --  
34 COMMISSIONER CLARK: It's not --  
35 ROBIN YORK: Surely --  
36 COMMISSIONER ANCHO: -- sure --  
37 ROBIN YORK: -- not.  
38 COMMISSIONER CLARK: -- registered.  
39 ROBIN YORK: It's not.  
40 COMMISSIONER SPARKS: Right. Exactly. I -- yeah -- so --

1 ROBIN YORK: But when you turn it in, they -- they don't do  
2 nothing anyway. So this is why we're trying to get -- just to  
3 get it lowered and get a sign up.  
4 CHAIRMAN WAITS: Thank you.  
5 ROBIN YORK: Okay.  
6 CHAIRMAN WAITS: So what's the pleasure of the board?  
7 How do you want to continue with this?  
8 COMMISSIONER ANCHO: Also --  
9 COMMISSIONER ALLAN: I'm --  
10 COMMISSIONER ANCHO: Oh, I'm sorry. I'm sorry. For one,  
11 why can't we get speed limit signs out there to begin with to  
12 start with?  
13 I mean, if he said --  
14 CHAIRMAN WAITS: Okay.  
15 COMMISSIONER ANCHO: -- there's no --  
16 CHAIRMAN WAITS: We gave --  
17 COMMISSIONER ANCHO: -- speed --  
18 CHAIRMAN WAITS: -- we gave the direction --  
19 COMMISSIONER ANCHO: -- limit signs --  
20 CHAIRMAN WAITS: -- to the DA to look into it and see if we  
21 needed -- if we could do any emergency signs if it was a  
22 critical situation.  
23 And then he's looking at the rest.  
24 So do you want our -- our Road and Bridge people --  
25 COMMISSIONER ANCHO: Well, --  
26 CHAIRMAN WAITS: -- Public --  
27 COMMISSIONER ANCHO: -- whatever --  
28 CHAIRMAN WAITS: -- Works --  
29 COMMISSIONER ANCHO: -- there's --  
30 CHAIRMAN WAITS: -- to go out --  
31 COMMISSIONER ANCHO: -- the actual speed limit is, there --  
32 shouldn't we have speed limit signs out there anyway on the  
33 road?  
34 COMMISSIONER ALLAN: No. Not necessarily.  
35 DISTRICT ATTORNEY HERRERA: That --  
36 COMMISSIONER ALLAN: The --  
37 DISTRICT ATTORNEY HERRERA: No. That -- that's policy. I  
38 mean, if you guys decide --  
39 COMMISSIONER ANCHO: Oh, I'm -- I was always under the  
40 assumption we had a road, you had a speed limit so people would

1 know what they're --  
2 DISTRICT ATTORNEY HERRERA: Well, there -- there are speed  
3 limit signs on some places.  
4 COMMISSIONER ALLAN: The roads, unless it's marked,  
5 specifically marked, the roads in Lander County are 55 miles  
6 an --  
7 DISTRICT ATTORNEY HERRERA: Right.  
8 COMMISSIONER ALLAN: -- hour unless --  
9 DISTRICT ATTORNEY HERRERA: In that area.  
10 COMMISSIONER ALLAN: -- unless it's --  
11 COMMISSIONER ANCHO: Oh. Well --  
12 COMMISSIONER ALLAN: -- specifically marked.  
13 My opinion is that -- I know I stated this the last  
14 meeting -- I think that it's ridiculous to have certain zones --  
15 like certain areas like this that people are allowed to go 55  
16 miles an hour.  
17 You are in a residential area to some degree. Why can't we  
18 change those speed limits? Why can't we post it? All we need is  
19 an ordinance to state which roads we want posted at a reasonable  
20 limit.  
21 Whether we do a study or not, it's for the safety of our  
22 citizens. How much is it really going to cost? A few speed limit  
23 signs?  
24 It's ridiculous to let traffic on these roads like this at 55  
25 miles an hour.  
26 And -- and it's not just 1800. There were people in the  
27 audience before, afterwards saying, Well, yeah. People go do fast  
28 down my road.  
29 Is it really asking that much to have an ordinance that  
30 limits the speed limits on certain roads?  
31 DISTRICT ATTORNEY HERRERA: No. That's why a speed study  
32 should be done. I agree with you.  
33 COMMISSIONER ALLAN: Well, why do we --  
34 DISTRICT ATTORNEY HERRERA: (Indiscernible.)  
35 COMMISSIONER ALLAN: -- even need to do the study?  
36 DISTRICT ATTORNEY HERRERA: Because that's what every --  
37 Every responsible jurisdiction in this country does it that  
38 way. Every one.  
39 They get a petition --  
40 They don't have one person come up and -- and have a

1 grievance. They usually have a petition with hundreds or  
2 thousands of people. And -- and based on that, they do a speed  
3 study and then change the ordinance if the speed study  
4 recommends it. That's how -- the process.

5 COMMISSIONER ALLAN: So I'm just curious.

6 DISTRICT ATTORNEY HERRERA: Now if you want to do your own  
7 process, that's fine.

8 But you're asking me how it's done. And --

9 COMMISSIONER ALLAN: No. No.

10 DISTRICT ATTORNEY HERRERA: -- that's what my research  
11 indicates.

12 I'm not trying to argue with you, Commissioner.

13 COMMISSIONER ALLAN: I'm not trying to argue with you  
14 either, Counselor.

15 Is --

16 Okay. How -- how do you go about doing a speed study? You  
17 sit there and watch traffic? Or --

18 CHAIRMAN WAITS: Good morning.

19 UNDERSHERIFF ROBERT QUICK: Robert Quick, for the Sheriff's  
20 Office.

21 For the -- lack of sticking my foot in my mouth, this --  
22 this really is boiling down to a public safety issue.

23 And I think the Sheriff's Office would like to kind of lead  
24 the charge on this and coordinate with some of the other offices  
25 in the county and come back to the commission with a  
26 recommendation --

27 COMMISSIONER ALLAN: Sounds --

28 UNDERSHERIFF ROBERT QUICK: -- of what we --

29 COMMISSIONER ALLAN: -- good.

30 UNDERSHERIFF ROBERT QUICK: -- need to --

31 COMMISSIONER ALLAN: That --

32 COMMISSIONER ANCHO: That's what --

33 COMMISSIONER ALLAN: -- sounds --

34 UNDERSHERIFF ROBERT QUICK: -- move forward.

35 COMMISSIONER ANCHO: -- we need.

36 COMMISSIONER ALLAN: -- very good. Thank --

37 CHAIRMAN WAITS: We would --

38 COMMISSIONER ALLAN: -- you.

39 CHAIRMAN WAITS: -- love it. Thank you.

40 KEITH WESTENGARD: Thanks, Robert.



1 COMMISSIONER ANCHO: Ta-da.  
2 COMMISSIONER ALLAN: I still don't know how you do a speed  
3 study, though.  
4 DISTRICT ATTORNEY HERRERA: Department --  
5 CHAIRMAN WAITS: Is that --  
6 DISTRICT ATTORNEY HERRERA: -- of Trans --  
7 CHAIRMAN WAITS: -- when they put --  
8 UNIDENTIFIED PARTICIPANT: You use them --  
9 CHAIRMAN WAITS: -- the -- the --  
10 UNIDENTIFIED PARTICIPANT: -- and watch --  
11 DISTRICT ATTORNEY HERRERA: -- Department of  
12 Transportation.  
13 COMMISSIONER ALLAN: How?  
14 DISTRICT ATTORNEY HERRERA: They do them all the time.  
15 KEITH WESTENGARD: They have an electronic car counter.  
16 And then they -- they have a couple different ways they can  
17 actually have -- they'll have people sit out there. We had them  
18 sitting at the -- out by The Owl -- or the Bakker Brew -- Brew  
19 there, that corner. They were out there two -- two or three  
20 weeks ago counting.  
21 COMMISSIONER ALLAN: Well, I know. That's --  
22 KEITH WESTENGARD: So --  
23 COMMISSIONER ALLAN: I know how you --  
24 KEITH WESTENGARD: Yeah.  
25 COMMISSIONER ALLAN: -- can -- you know, counting cars.  
26 But -- but that doesn't tell you how fast those cars are going  
27 on that road.  
28 KEITH WESTENGARD: They have a -- they have other --  
29 COMMISSIONER ANCHO: They have --  
30 KEITH WESTENGARD: -- other --  
31 DISTRICT ATTORNEY HERRERA: A strip.  
32 KEITH WESTENGARD: -- devices.  
33 DISTRICT ATTORNEY HERRERA: They have a speed strip.  
34 COMMISSIONER ALLAN: Oh, they do? Oh. Okay.  
35 KEITH WESTENGARD: There's other devices that they --  
36 DISTRICT ATTORNEY HERRERA: You know those little --  
37 KEITH WESTENGARD: -- can use.  
38 DISTRICT ATTORNEY HERRERA: -- rubber, round --  
39 COMMISSIONER ALLAN: Yeah. I thought that just counted  
40 them.

1 DISTRICT ATTORNEY HERRERA: Well, they say that they can  
2 determine their speed too.  
3 COMMISSIONER ALLAN: Oh. Okay.  
4 DISTRICT ATTORNEY HERRERA: That's what the information  
5 that we read says.  
6 COMMISSIONER ALLAN: All right. Well, that was --  
7 I was just kind of curious. I know you can count them. I  
8 didn't know if -- how you could --  
9 DISTRICT ATTORNEY HERRERA: We're --  
10 COMMISSIONER ALLAN: Unless you sit --  
11 DISTRICT ATTORNEY HERRERA: -- we're just -- we're relying  
12 on our -- on -- on our research.  
13 And until we got permission to call the Department of  
14 Transportation, I can't answer the specific questions.  
15 COMMISSIONER ALLAN: So do we want a motion to request the  
16 Sheriff's Office to --  
17 COMMISSIONER SPARKS: I don't think we need one, do we?  
18 DISTRICT ATTORNEY HERRERA: And Keith and I will cooperate  
19 with them.  
20 COMMISSIONER ALLAN: So we don't need any motion on  
21 anything?  
22 DISTRICT ATTORNEY HERRERA: No.  
23 CHAIRMAN WAITS: I -- I don't think we need a motion on it.  
24 They volunteered to do it. And so we're -- we're certainly all  
25 in agreement to start there.  
26 DISTRICT ATTORNEY HERRERA: Right.  
27 COMMISSIONER ANCHO: Yeah.  
28 DISTRICT ATTORNEY HERRERA: And --  
29 CHAIRMAN WAITS: Absolutely.  
30 DISTRICT ATTORNEY HERRERA: -- it -- it was put on the  
31 agenda, as Art points out. He asked to put it on because he had  
32 some information to provide.  
33 CHAIRMAN WAITS: Right.  
34 So we're okay with that? And then --  
35 COMMISSIONER ANCHO: I am.  
36 CHAIRMAN WAITS: -- what kind of a time frame do you think  
37 we're looking at before you re- -- report back to us? A month?  
38 Two weeks? Somewhere in that?  
39 Okay. That would be great.  
40 COMMISSIONER ALLAN: And I do have to comment.

1 I mean, I understand that we put speed limits on these  
2 streets, it will give our deputies, you know, more  
3 responsibility to be patrolling that area and whatnot.

4 But I -- I just still believe it's -- it's just reasonable  
5 to slow people down in residential areas.

6 That's why it's 25 in town.

7 DISTRICT ATTORNEY HERRERA: And -- and --

8 CHAIRMAN WAITS: Okay.

9 DISTRICT ATTORNEY HERRERA: -- that's another one of the  
10 problems, Judie, is that on our master plan, those aren't  
11 considered residential areas.

12 COMMISSIONER ALLAN: I understand that. I -- I know.

13 DISTRICT ATTORNEY HERRERA: I mean, that's the problem that  
14 we have to correct -- to -- to fix.

15 COMMISSIONER ALLAN: Right. Yeah.

16 DISTRICT ATTORNEY HERRERA: It's part of the fix.

17 COMMISSIONER ALLAN: But then I was told I live in a  
18 residential area. So --

19 In the middle of 550 acres.

20 DISTRICT ATTORNEY HERRERA: Yeah.

21 CHAIRMAN WAITS: Any public comment on this issue?

22 (No comment.)

23 CHAIRMAN WAITS: Okay. Further discussion?

24 (No comment.)

25 CHAIRMAN WAITS: Okay. We'll move on to Number 6, under  
26 Building.

27 And thank you to our Lander County finest for looking into  
28 that for us. It is a -- a very concerning issue to all of us.

29  
30  
31 **BUILDING DEPARTMENT**

- 32  
33 6) **Update and information regarding the Austin Youth Center**  
34 **structural observation performed by Lostra Engineering,**  
35 **presented by Anna Penola, Lander County building official,**  
36 **and all other matters properly related thereto.**

37  
38 CHAIRMAN WAITS: Building. Number 6.

39 Update and information regarding the Austin Youth Center  
40 structural observation performed by Lostra Engineering,

1 presented by Anna Penola, Lander County building official, and  
2 all other matters --  
3 COMMISSIONER ALLAN: Thank you.  
4 CHAIRMAN WAITS: -- properly related thereto.  
5 Good morning.  
6 ANNA PENOLA: Good morning. Anna Penola with the Building  
7 Department.  
8 TOM HAWKINS: Tom Hawkins with Lostra Engineering.  
9 COMMISSIONER SPARKS: Good morning, guys.  
10 ANNA PENOLA: Good morning.  
11 CHAIRMAN WAITS: I'm -- I'm sorry. You're -- you're not  
12 the one that wrote the letter; right?  
13 TOM HAWKINS: I am the one that wrote --  
14 CHAIRMAN WAITS: Oh, you --  
15 TOM HAWKINS: -- the letter.  
16 CHAIRMAN WAITS: -- are the one that wrote the --  
17 TOM HAWKINS: Walked --  
18 CHAIRMAN WAITS: -- letter.  
19 TOM HAWKINS: -- through the --  
20 CHAIRMAN WAITS: Okay.  
21 TOM HAWKINS: -- building, did the --  
22 CHAIRMAN WAITS: Okay.  
23 TOM HAWKINS: -- report. Yes, ma'am.  
24 CHAIRMAN WAITS: Thomas Hawkins. Okay. There. I got it.  
25 TOM HAWKINS: Yep.  
26 CHAIRMAN WAITS: Thank you. I -- I don't know why I was  
27 expecting another name on there. I guess Michael Lostra is what  
28 I was looking for, but thank you.  
29 TOM HAWKINS: We could drag him in here if you'd like.  
30 CHAIRMAN WAITS: Got it. Okay. Thank you.  
31 Well, I guess first off, I'm just -- I'm going to comment.  
32 I thought the first thing was the safety issue. So we are  
33 handling that right up front, saying, "This is dangerous. We  
34 don't want anybody in there right now." Right? So it is  
35 closed. You put a sign on the door?  
36 ANNA PENOLA: It's red-taped.  
37 CHAIRMAN WAITS: Oh, okay. So that's -- that's the first  
38 thing. And we need to address that.  
39 And the other thing is I'm -- I'm really concerned about  
40 your -- your letter.

1           So I guess my question is I was looking for some other  
2 options and there didn't seem to be one. So are you used to --  
3 first of all, let me ask how long you've been with Lostra  
4 Engineering.

5           TOM HAWKINS: I've been with Lostra Engineering for  
6 almost five years now.

7           CHAIRMAN WAITS: Thank you.

8           TOM HAWKINS: I've been a structural engineer for over 20  
9 years.

10          CHAIRMAN WAITS: Thank you.

11          I know we've had some dealings, I think, with Michael's  
12 dad.

13          TOM HAWKINS: George.

14          CHAIRMAN WAITS: I -- I know prior to that. And -- and he  
15 was so good about saving old buildings, things that you never  
16 ever thought could be saved. And he would step in and say, you  
17 know what? If we did this, this, and this, we can actually in-  
18 -- we can do it for you.

19          So I -- I guess I -- I was looking for something with  
20 another option somewhere.

21          And I'm going, how many old buildings have you actually  
22 been able to save yourself or recommended?

23          TOM HAWKINS: Let's see. Fallon courthouse, Fernley train  
24 depot, a number of historic houses and other structures as well.  
25 So I'm familiar with the state and its historic buildings.

26          And --

27          CHAIRMAN WAITS: Okay.

28          TOM HAWKINS: -- these are different types of structures.

29          What you have here with the Austin Youth Center is probably  
30 the worst type of construction you can have. It's a rock pile  
31 wall.

32          CHAIRMAN WAITS: For the --

33          TOM HAWKINS: There's not --

34          CHAIRMAN WAITS: -- 1800s.

35          TOM HAWKINS: -- a lot you can do with that.

36          CHAIRMAN WAITS: Right.

37          Of course, the -- the big concern from the -- the Austin  
38 residents has been -- that's one of our pluses. It's probably  
39 the only thing Austin has is the fact that it's old and people  
40 love to come see it.

1 And so my understanding from the citizens is that we just  
2 don't want to lose anything if there's any hope at all.

3 And -- and -- and I'm -- hopefully there's somebody in  
4 Austin that wants to address that.

5 But -- but first of all let's discuss it with the  
6 commission. You read the letter. Okay. And so what are your  
7 feelings, first of all?

8 COMMISSIONER ANCHO: My vote -- I'm going to speak up  
9 first. I'm -- I respect the fact that it's the -- an old  
10 building. But I also respect the fact you get someone in there  
11 that gets hurt. A life is more important --

12 CHAIRMAN WAITS: Well, that's the safety --

13 COMMISSIONER ANCHO: -- of --

14 CHAIRMAN WAITS: -- issue first.

15 COMMISSIONER ANCHO: You know, that's --

16 CHAIRMAN WAITS: Yes.

17 COMMISSIONER ANCHO: -- just -- ov- -- that's the bottom  
18 line is the safety issue. And if it's not structurally sound,  
19 it's not structurally sound.

20 And it kind of -- I don't know beyond that where you can  
21 go. The building is not structurally sound.

22 And it's -- and with the bell tower, the chance of that  
23 tower coming down and, you know, killing someone, it's just --

24 And I, like I said, I respect the fact that it's their  
25 building and they -- it's old. But also, the -- the human life  
26 factor for me is going to come first.

27 COMMISSIONER SPARKS: That's my thoughts too.

28 ANNA PENOLA: I'd like to -- to --

29 CHAIRMAN WAITS: Well --

30 ANNA PENOLA: -- clarify. It's not their building. It's  
31 the county's building.

32 COMMISSIONER ANCHO: Well, no, I know. But they -- the --  
33 the youths have -- to be able to utilize it. And, well, and  
34 it's not their building, but it's their building. You know,  
35 it's part of their history, so to speak, there. So -- and I  
36 respect that. But it's --

37 COMMISSIONER ALLAN: So I have a question's, a thought.

38 Is I think -- I think we all understand that this building  
39 is -- probably needs to be tore down, unfortunately.

40 Patsy, do you know wh- -- when it was built?

1 CHAIRMAN WAITS: I don't have the information handy. Maybe  
2 somebody in Austin does. Eighteen --  
3 ANNA PENOLA: Eight- -- mid-1800s, early- --  
4 CHAIRMAN WAITS: Yeah.  
5 ANNA PENOLA: -- -1800s.  
6 COMMISSIONER ALLAN: Early --  
7 CHAIRMAN WAITS: Somewhere --  
8 COMMISSIONER ALLAN: -- 1800s.  
9 CHAIRMAN WAITS: Because the bell -- the bell tower -- the  
10 bell is actually the old -- from the old fire department.  
11 COMMISSIONER ALLAN: So here's -- here's my thought. It's  
12 not a very big building. Right?  
13 I -- I know it's not an expense that we, you know, budgeted  
14 for. But I guess maybe thought process is it's going to have to  
15 come down. It is such a safety hazard.  
16 Can we rebuild a replica? You can still utilize the bell.  
17 I know that -- that you're using it as a -- a youth center or  
18 were, which my understanding is -- is -- is that was just  
19 because that's, you know, the location, that you don't really  
20 care where the youth center is. You want to save the building.  
21 But we can't save the building.  
22 But in the theme of Austin, would it be feasible to try and  
23 maybe build something, a -- an entire replica of it?  
24 It's not going to have the history. It's not going to have  
25 the -- anything, but it will still maintain the integrity of -- of  
26 the town of Austin.  
27 CHAIRMAN WAITS: Well, it's certainly a consideration that  
28 we can all, you know, make as another option.  
29 Or you can update everything in the middle and just use the  
30 old facade. And, you know, still do the bell tower and the  
31 structure and get that, you know, all -- all --  
32 COMMISSIONER ALLAN: Would that be feasible?  
33 CHAIRMAN WAITS: So --  
34 TOM HAWKINS: It's a problem from top to bottom.  
35 The roof itself is completely gone. It's not salvageable.  
36 So the entire roof structure needs to be removed.  
37 The bell --  
38 COMMISSIONER ALLAN: But, I mean, --  
39 TOM HAWKINS: -- tower --  
40 COMMISSIONER ALLAN: -- if you just, like, I mean, could

1 almost, like, cut off the front and save it and -- and, you  
2 know, redo the building in the back and everything and make it  
3 current and -- and still --

4 TOM HAWKINS: I mean --

5 COMMISSIONER ALLAN: -- somehow or other maintain the  
6 front.

7 TOM HAWKINS: The majority of the structure itself, the  
8 walls and the lateral resisting elements are a rock pile. What  
9 they did is they basically took a bunch of rocks, mortared them  
10 together, stacked them on top of each other. Okay?

11 It is literally the worst system you can have as far as a  
12 building goes, not only from an age and deterioration  
13 standpoint, but also from a seismic standpoint. Okay?

14 We are in a seismic area. You get a tremble, that  
15 building's coming down.

16 That's -- there's --

17 COMMISSIONER CLARK: I'll quote --

18 TOM HAWKINS: -- nothing you can -- I know you're looking  
19 to try to rehab this.

20 COMMISSIONER ALLAN: No, no, no.

21 TOM HAWKINS: The only --

22 COMMISSIONER ALLAN: I'm not talking --

23 TOM HAWKINS: Or --

24 COMMISSIONER ALLAN: -- about rehab.

25 TOM HAWKINS: -- rebuild, but --

26 COMMISSIONER CLARK: Make a -- make a replica.

27 TOM HAWKINS: If you want to make a replica, that's fine.  
28 I would do it out of wood frame walls and do something that  
29 looks similar because --

30 COMMISSIONER ALLAN: Well, you can -- and as far as the  
31 stacked rocks, I mean, there's forms that you can make.

32 TOM HAWKINS: Well, if you --

33 COMMISSIONER ALLAN: -- walls that look like rocks and you  
34 paint them and they actually look like old rocks and -- and  
35 whatnot. Or even --

36 TOM HAWKINS: You're looking --

37 COMMISSIONER ALLAN: -- if --

38 TOM HAWKINS: -- for a fake stone veneer. Yeah. That's  
39 fine.

40 COMMISSIONER ALLAN: Yeah.



1 TOM HAWKINS: You can -- you can do something to that  
2 effect.

3 COMMISSIONER ALLAN: Or -- or if there's even some of the  
4 rocks that are usable that you could almost do a facade on the  
5 front as, you know --

6 COMMISSIONER SPARKS: Use part of the old building into --

7 COMMISSIONER ALLAN: Yeah.

8 COMMISSIONER SPARKS: -- the new. Well, they do it all  
9 around the world with all these -- this old arch- --  
10 architecture.

11 COMMISSIONER ALLAN: Yeah.

12 COMMISSIONER SPARKS: You go in and they actually pin it.  
13 This is the original. And they build around it to restore some  
14 of -- you know, to acknowledge the history of the building.

15 COMMISSIONER ALLAN: Exactly.

16 COMMISSIONER SPARKS: Right.

17 COMMISSIONER CLARK: I have a question.

18 TOM HAWKINS: Yes, sir.

19 COMMISSIONER CLARK: We just had a car show down in Austin.  
20 You're saying that it's inevitable that the bell tower is going  
21 to fall?

22 TOM HAWKINS: Correct.

23 COMMISSIONER CLARK: Okay. Can you predict which way it's  
24 going to fall?

25 Because if we have a gathering there in Austin and it falls  
26 on the sidewalk, we're in trouble.

27 TOM HAWKINS: Yes. You are. And, no, I can't.  
28 I can predict that at some point in the future, and most  
29 likely in the near future, it will come down.

30 COMMISSIONER CLARK: Can you take the rock and reuse it to  
31 build a wall? Or is -- isn't that --

32 TOM HAWKINS: If you wanted --

33 COMMISSIONER CLARK: -- covered?

34 TOM HAWKINS: -- to do something with the rock and the  
35 facade, I'm sure that's something you can deal with.  
36 The building's facade now, the majority of it is not rock.  
37 It's been plastered over. It doesn't look like rock.  
38 There's various parts of it that are siding -- wood siding,  
39 siding that's deteriorated.

40 COMMISSIONER CLARK: Yeah. I see that --

1 TOM HAWKINS: How much of that you actually want to  
2 salvage, I don't know.

3 But, you know, as far as the overall look, again, if you  
4 build this out of a normal stick-built wood structure that meets  
5 code, it's going to look very much like the original building.

6 COMMISSIONER ALLAN: Well, and I think I'm sure that --  
7 well, there's -- there's got to be pictures of -- of the old  
8 building before it was kind of refaced, like you said, stuccoed  
9 over. Or --

10 TOM HAWKINS: Well, it looks like it's been built in  
11 phases. I mean, --

12 DEE HELMING: Excuse me.

13 TOM HAWKINS: -- the original --

14 DEE HELMING: May I interject?

15 TOM HAWKINS: -- building may have been --

16 COMMISSIONER SPARKS: There's somebody talking. Hold on.

17 CHAIRMAN WAITS: Just a minute, please.

18 TOM HAWKINS: The original building may have built -- may  
19 have been built in the mid-1800s. But it has obviously gone  
20 through many changes over the years where it's been added onto  
21 and remodeled and cut and added onto some more. And, I mean, --

22 COMMISSIONER ALLAN: And that's --

23 TOM HAWKINS: -- this is --

24 COMMISSIONER ALLAN: -- what they did.

25 TOM HAWKINS: It -- yeah. It -- and it happens a lot with  
26 these old buildings. You get into them and, you know --

27 CHAIRMAN WAITS: Thank you.

28 COMMISSIONER ANCHO: So --

29 CHAIRMAN WAITS: I'll go ahead and open it up for public  
30 comment.

31 Dee, you had something you wanted to give the board?

32 DEE HELMING: Yes. This is Dee Helming. I'm the treasurer  
33 of the youth board.

34 And we had a meeting the other night. And we had a  
35 discussion about the youth center and our recommendations for  
36 it.

37 And what the board had felt would be the best option was to  
38 preserve -- is to preserve the facade, put it back to the  
39 original. And, yes, we do have old pictures of it from the  
40 1880s and from about 1910 when the fire truck was coming out of

1 it. And we would like to see the bell tower replaced and put  
2 back on where -- and maybe actually make it so that it's a  
3 little easier to ring the bell or whatever, instead of, you  
4 know, the issues they have now.

5 And our other question is: If we're going to have to go  
6 through all of this, is there a recommendation of somewhere that  
7 we could store all the stuff temporarily until this is completed?

8 COMMISSIONER ANCHO: Store the stuff in regards to what  
9 stuff?

10 DEE HELMING: The pool table, the foosball tables, the TVs,  
11 the -- everything that's inside the youth center currently.

12 COMMISSIONER ANCHO: I would say because you're a private  
13 organization that would have to be something that your  
14 organization would have to figure out.

15 DEE HELMING: Oh. Even though we're using a county  
16 building?

17 COMMISSIONER ANCHO: You're -- yeah. It's yours. Go  
18 ahead, Keith --

19 KEITH WESTENGARD: I --

20 COMMISSIONER ANCHO: -- Westengard --

21 KEITH WESTENGARD: -- I was --

22 COMMISSIONER ANCHO: -- has --

23 KEITH WESTENGARD: -- I was just --

24 COMMISSIONER ANCHO: -- something to --

25 KEITH WESTENGARD: -- going to --

26 COMMISSIONER ANCHO: -- say.

27 KEITH WESTENGARD: -- say, last year it was made pretty  
28 clear they needed to get their 501(c)(3) in place and then we  
29 could work with them more.

30 And I don't know, Dee, did you ever get your (c) -- 501(c)(3)  
31 in place?

32 DEE HELMING: No. Because there's been too many issues  
33 over the whole thing. And -- it's a -- a volunteer thing.

34 CHAIRMAN WAITS: Okay. So -- so we -- we have -- we don't  
35 have that option to really, as a county --

36 DEE HELMING: Okay. So if we move out of the building,  
37 then, does that mean we're not going to be able to move back in?

38 KEITH WESTENGARD: Not -- may I? Or --

39 Not -- not until the building is deemed safe for entry,  
40 which would be -- sounds like a rebuild or reconstruct.

1 DEE HELMING: Right.

2 KEITH WESTENGARD: That -- that's --

3 DEE HELMING: And if --

4 KEITH WESTENGARD: -- why --

5 DEE HELMING: -- after you finish the building is the youth  
6 center going to be able to -- the youth center board going to be  
7 able to utilize it again? Or what's going to be the status?

8 KEITH WESTENGARD: Well, --

9 COMMISSIONER ANCHO: Isn't --

10 KEITH WESTENGARD: -- you -- you would have --

11 Oh, I'm sorry.

12 COMMISSIONER ANCHO: I'm sorry. As long as it's being used  
13 as a youth center and we, like -- like -- and there's -- because  
14 I know there's not a ton of children in Austin right now. So is  
15 it actually being used as a youth center or is it used as a  
16 common place of meeting for different things going on within the  
17 community? So --

18 DEE HELMING: No. We use it for the youth center. We use  
19 it for birthday parties. We've done baby showers.

20 But really that's about it.

21 Most of the stuff that goes on there is youth oriented.

22 COMMISSIONER ANCHO: Well -- okay.

23 COMMISSIONER ALLAN: So, Dee, this is Judie.

24 DEE HELMING: Yes.

25 COMMISSIONER ALLAN: Square footage-wise, would you use the  
26 entire building?

27 DEE HELMING: We do currently. Yes. We have a pool table,  
28 two foosball tables, --

29 DISTRICT ATTORNEY HERRERA: (To Jeanne Falzone.) I know.

30 DEE HELMING: -- an air hockey table.

31 We have -- and then in the back room where the kitchen is,  
32 we have couches and a big TV. And we do movies and -- movie  
33 nights and stuff back there in the back.

34 And the front area is set up. We had A Wii and, you know,  
35 different video games that hooked into the TVs. And then there  
36 was an area where we did art. And then we had computer desks  
37 also.

38 COMMISSIONER ALLAN: Okay. Thank you.

39 COMMISSIONER ANCHO: So is there somewhere else within the  
40 community that can be utilized as a youth center?

1           Because how many -- how much money is this going to cost to  
2 do this project for this building to be used as a -- as a youth  
3 center --

4           DEE HELMING: Well, --

5           COMMISSIONER ANCHO: -- where it can be --

6           DEE HELMING: -- the fact that it's --

7           COMMISSIONER ANCHO: -- utilized --

8           DEE HELMING: -- and historic --

9           COMMISSIONER ANCHO: -- somewhere else.

10          DEE HELMING: -- building in a historic district should be  
11 your number one priority, not what's going to happen with the  
12 youth center.

13          COMMISSIONER ANCHO: It -- it is. But the double-side is  
14 that the amount of money that it's going to be to fix it, the  
15 youth center has absolutely nothing to do with it when the youth  
16 center can be moved to a different building.

17          DEE HELMING: Recommendations?

18          COMMISSIONER ANCHO: The school.

19          FRANK WHITMAN: (Indiscernible) Frank Whitman from Austin.

20          I know that some things in the past maybe got a little  
21 loosey-goosey down here. But going forward, I think the youth  
22 center needs to form a legal 501(c).

23          COMMISSIONER ANCHO: Yes.

24          FRANK WHITMAN: A couple other items is that the -- the --  
25 clearly it's -- if you need storage, would the county be kind  
26 enough to let us use the Gridley Store, which is currently  
27 laying empty, to store the youth center gear in?

28          If there still needed more room, they perhaps could ask the  
29 historical society, which leases the barn.

30          We have currently -- the volunteer fire department has two  
31 old fire engines there. And there's an empty bay in that barn.

32          I think that if the historical society is kind enough to  
33 let the volunteer fire department borrow those two bays, they  
34 could certainly, for a temporary -- for a year or so until we  
35 figure out the new home or a home, let the youth center store  
36 some gear there.

37          I understand that the county's thinking about building a  
38 new fire building for us at the old county Road and Bridge yard.  
39 And if that's the case, then the current firehouse would be wide  
40 open. It has a galley, bathroom, all the -- plenty of room,

1 facilities, eat. And it is up to code. The youth center could  
2 be there and still be in the vicinity of the -- the downtown  
3 main street.

4 Insofar as the building itself, it's clear we need to save  
5 the facade. We don't want to -- we don't larger or further blank  
6 spots on the -- on the -- on Main Street in Austin.

7 However, one could save the facade and then  
8 build -- tear down and then build a more modern frame building  
9 going behind that and -- and reuse it.

10 But in the interim, there may be a space available  
11 someplace else in town.

12 I want to thank the county for having a second opinion with  
13 Lostra Engineering just to -- just so we have a very  
14 clear picture of -- of, you know, of the damage and -- and the  
15 cost of -- to -- to repair that.

16 But you're right. I don't think that the county has the  
17 money. I mean, --

18 DEE HELMING: Or for God's sake.

19 FRANK WHITMAN: -- if you wanted to split that up and ask  
20 the people in the community which project is more valuable, say,  
21 maintaining a park and a pool or -- or spending a million bucks  
22 on reentering the -- the youth center as is, restored  
23 historically brick by brick, I think there are other better  
24 places to use county money.

25 But definitely we want to save that facade. There's no  
26 question that that is historic and needs to be done.

27 So, you know, you have some hard decisions to make. You  
28 are a -- you know, our county commissioners. But there are some  
29 alternatives and solutions out here. Good luck. Thank you.

30 COMMISSIONER ANCHO: Thank you.

31 COMMISSIONER CLARK: Thanks, Frank.

32 CHAIRMAN WAITS: Thank you.

33 COMMISSIONER ALLAN: I -- I do want to comment on something  
34 is you guys do need to find a place for the youth center. And I  
35 don't know as though --

36 DEE HELMING: The project we don't need it.

37 COMMISSIONER ALLAN: You know, storing things, is it  
38 possible to find a place that you can actually utilize it as a  
39 youth center instead of putting everything in storage? I mean,  
40 you need that stuff for the youth of Austin.

1 Why would you want to put it in storage for several years?  
2 KIM SCHACHT: Can I (indiscernible)?  
3 UNIDENTIFIED PARTICIPANT: Uh-huh.  
4 FRANK WHITMAN: Oh, I'm sorry. Oh. That's right, Kim.  
5 KIM SCHACHT: Kim Schacht, --  
6 FRANK WHITMAN: Yeah.  
7 KIM SCHACHT: -- Lander County.  
8 Hey, I would just like to state for the record, there are  
9 not just a few kids here in southern Lander County. There are  
10 upwards of 20 or more in southern Lander County. They just do  
11 not attend the school.  
12 So we do have a fairly good sized youth -- so I --  
13 COMMISSIONER ALLAN: So, Kim --  
14 KIM SCHACHT: -- just want to state that for the record.  
15 COMMISSIONER ANCHO: Okay.  
16 COMMISSIONER ALLAN: Kim, I --  
17 FRANK WHITMAN: Actually --  
18 COMMISSIONER ALLAN: -- understand.  
19 FRANK WHITMAN: -- my concern on storing the gear was in  
20 the interim of repairing it or either repairing and rebuilding  
21 that building. No matter what, if -- if it's -- if you do  
22 decide to spend the money to restore it as is, they'd still have  
23 to take the gear out. And I'm -- my point was there are places  
24 down here that could be used to store the gear. That's all.  
25 Thank you.  
26 COMMISSIONER ALLAN: Well, I think that -- that you need to  
27 look for a place that you can use to set up the youth facility  
28 in the interim, whether --  
29 KIM SCHACHT: Yeah, I agree.  
30 COMMISSIONER ALLAN: Yeah. You just -- you know, not --  
31 not just storing it. But you need to find someplace to put it  
32 so that you can still provide that service to the -- the kids of  
33 Austin.  
34 CHAIRMAN WAITS: I do --  
35 ANNA PENOLA: What's the --  
36 CHAIRMAN WAITS: -- have --  
37 ANNA PENOLA: -- what's the (indiscernible) --  
38 CHAIRMAN WAITS: -- a -- I do have a letter from the  
39 greater Austin area Chamber of Commerce that I would like to  
40 read into the record.

1           And -- because all this happens so quickly that we're just  
2 getting some, now, responses.

3           But it is to the Lander County Commissioners regarding the  
4 Austin Youth Center.

5           After review of the engineering report for the Austin Youth  
6 Center, dated April 29th, 2019, the board of directors of the  
7 greater Austin area Chamber of Commerce would request a  
8 follow-up community meeting be scheduled with representatives  
9 from the county in attendance in order to convey the report's  
10 finding and the threat the building poses to the public in its  
11 current state.

12           The Austin community is concerned with losing such a  
13 significant part of historic downtown. And the board feels it  
14 is imperative that there is a plan to save the facade and the  
15 bell and the tower of the Austin Youth Center.

16           Please provide us with some alternative ideas to preserve  
17 our history here in Austin.

18           Regards, Robin Veach, who is the current president.

19           With that, I would like to -- to call on our -- our manager  
20 and see what you have as far as information since it is a county  
21 building and it is an historical district, what are some of our  
22 regulations that we may have to follow with -- especially with  
23 the State Historic Preservation Office.

24           KEITH WESTENGARD: The SHPO. So yes. I -- I reviewed the  
25 letter that I received yesterday. Anna has done some follow-up  
26 on it. We did make a call to --

27           CHAIRMAN WAITS: Kristen?

28           ANNA PENOLA: Yes.

29           KEITH WESTENGARD: -- to Kristen.

30           ANNA PENOLA: I haven't --

31           KEITH WESTENGARD: We don't --

32           ANNA PENOLA: -- heard back.

33           KEITH WESTENGARD: We haven't heard back. And I had the  
34 DA -- I asked the DA -- or Anna asked the DA to review this --  
35 this letter from historic preservation as well. So we haven't  
36 got an answer back from Kristen Brown of SHPO. So I -- I -- I  
37 don't have any answers.

38           If you would like, I would be happy to work with them on  
39 looking at -- at some storage areas or some areas outside of  
40 that building for them to have their youth facilities.



1 But they need to -- if -- to work with the county, they  
2 need to have their 501(c)(3) --  
3 COMMISSIONER ANCHO: Absolutely --  
4 KEITH WESTENGARD: -- in place. And that frees up this  
5 commission to make some -- some other wider, broader decisions  
6 on what we can do to -- to help them out. It's not that we  
7 don't want to help you out, Dee. But we -- we have certain  
8 things that we have to follow as the county as well.  
9 COMMISSIONER SPARKS: Might have point out too, we now have  
10 a report from a structural engineer that says this building is  
11 basically inhabitable.  
12 KEITH WESTENGARD: And that's why I --  
13 COMMISSIONER SPARKS: And that --  
14 KEITH WESTENGARD: -- asked --  
15 COMMISSIONER SPARKS: -- opens --  
16 KEITH WESTENGARD: -- Anna to --  
17 COMMISSIONER SPARKS: -- up a --  
18 KEITH WESTENGARD: -- (indiscernible).  
19 COMMISSIONER SPARKS: -- whole can of liability.  
20 KEITH WESTENGARD: Yes. That's why --  
21 COMMISSIONER CLARK: Because --  
22 KEITH WESTENGARD: -- the building's closed.  
23 COMMISSIONER CLARK: -- the number one thing is safety, not  
24 what we're going to do. We have to keep everybody safe.  
25 ANNA PENOLA: Well, --  
26 KEITH WESTENGARD: Right.  
27 ANNA PENOLA: -- what's the liability of storing that stuff  
28 in a county building, Ted?  
29 DISTRICT ATTORNEY HERRERA: It's not a liability issue.  
30 It's an issue that we can't unless they're a 501(c) --  
31 ANNA PENOLA: Okay .  
32 DISTRICT ATTORNEY HERRERA: -- (3). Now there is another  
33 option. The county commissioners could give them a grant no  
34 matter what organization. If they were a -- if they're another  
35 pro- -- nonprofit organ- -- 501(c)(6) or whatever. You can give  
36 them money and they can utilize that money to pay fair market  
37 value for a rental.  
38 CHAIRMAN WAITS: For a rental.  
39 DISTRICT ATTORNEY HERRERA: For a rental.  
40 CHAIRMAN WAITS: If there is one.

1 DISTRICT ATTORNEY HERRERA: And that --  
2 CHAIRMAN WAITS: Okay.  
3 DISTRICT ATTORNEY HERRERA: -- that's the only other  
4 option. I mean, unless -- everything that -- that they've said,  
5 all these comments, are predicated on them being a 501(c)(3)  
6 organization. And --  
7 COMMISSIONER CLARK: But --  
8 DISTRICT ATTORNEY HERRERA: -- right now they're not.  
9 COMMISSIONER CLARK: We could not rent it knowing that it's  
10 unsafe.  
11 CHAIRMAN WAITS: Well, I --  
12 DISTRICT ATTORNEY HERRERA: Well, knowing it's --  
13 CHAIRMAN WAITS: -- I -- I don't --  
14 DISTRICT ATTORNEY HERRERA: -- unsafe, we can -- no.  
15 CHAIRMAN WAITS: I don't think there's any -- any point  
16 on -- on the safety issue. We've closed it down.  
17 DISTRICT ATTORNEY HERRERA: Right.  
18 CHAIRMAN WAITS: And we'll have to make arrangements for  
19 them to get their things out. But, I mean, nobody's saying we  
20 want them to use it again. I mean, it's a done deal.  
21 COMMISSIONER ANCHO: Uh-huh.  
22 CHAIRMAN WAITS: It's not safe.  
23 So the next question is: Because of a safety issue and we  
24 know that we have to take the bell tower down, does that have to  
25 be something that we -- that we have to make a motion on? Or  
26 because it's a building -- a safety building, can the Public  
27 Works Department and -- and our DA and the -- the manager work  
28 together to get that down?  
29 Does that have to come before us again?  
30 DISTRICT ATTORNEY HERRERA: Well, you can decide right now.  
31 CHAIRMAN WAITS: No. There's no action on this item.  
32 DISTRICT ATTORNEY HERRERA: Oh.  
33 CHAIRMAN WAITS: We can't do anything.  
34 COMMISSIONER CLARK: Information.  
35 CHAIRMAN WAITS: And my question is because of the safety,  
36 how quickly can we go about taking care of a county building  
37 that's un- -- unsafe? Not the building per se, but the bell  
38 tower is the -- the first thing.  
39 DISTRICT ATTORNEY HERRERA: We can -- we can definitely  
40 work together and -- and do that. But I would definitely like

1 at some point for the county commissioners to approve us doing  
2 that.

3 CHAIRMAN WAITS: Well, I -- I don't think there's a  
4 problem --

5 DISTRICT ATTORNEY HERRERA: It d- --

6 CHAIRMAN WAITS: -- with us doing -- I mean, the -- the  
7 bell tower is a concern because it may fall on something.

8 DISTRICT ATTORNEY HERRERA: No. We --

9 CHAIRMAN WAITS: The building --

10 DISTRICT ATTORNEY HERRERA: -- could start --

11 CHAIRMAN WAITS: -- if it --

12 DISTRICT ATTORNEY HERRERA: -- doing --

13 CHAIRMAN WAITS: -- if --

14 DISTRICT ATTORNEY HERRERA: -- it right away is what I'm  
15 saying.

16 CHAIRMAN WAITS: Yes.

17 DISTRICT ATTORNEY HERRERA: But at -- I would like an  
18 approval at some point on the record.

19 CHAIRMAN WAITS: Putting it back for us to ratify?

20 DISTRICT ATTORNEY HERRERA: Just to ratify the -- the  
21 actions we're taking.

22 CHAIRMAN WAITS: Okay.

23 Well, the other thing is, of course, what we're going to  
24 and the fact that we can still give grants if -- if we are going  
25 to try and do it.

26 But I don't know if you tear down the whole thing, like I  
27 said, with SHPO, whether we can get a grant to build it back up  
28 in the same manner.

29 And I'm afraid if -- if you tear down the thing and say, now  
30 we're building an old building, the grants may not cover that. So  
31 we have a lot of research to do on where. So it isn't necessarily  
32 the money per se at this point as "What can we do?" They've asked  
33 for the facade.

34 On the other hand, that facade is not the 18- --

35 TOM HAWKINS: That's right.

36 CHAIRMAN WAITS: -- -80's facade.

37 So the most important thing is the bell tower.

38 COMMISSIONER ANCHO: Uh-huh.

39 CHAIRMAN WAITS: That is the original. So if we save the  
40 bell tower and make sure that that safety item is taken care of

1 as quickly as possible, then we can come back and -- and give  
2 them their meeting and see what other options are after we've  
3 checked with what we can do and where the money might come from  
4 from some grants and where we might be able.

5 And if we do the 501(c) something so --

6 DISTRICT ATTORNEY HERRERA: (c)(3).

7 CHAIRMAN WAITS: -- that we can help them, --

8 DISTRICT ATTORNEY HERRERA: 501 --

9 CHAIRMAN WAITS: -- (indiscernible).

10 DISTRICT ATTORNEY HERRERA: -- (c)(3).

11 CHAIRMAN WAITS: Yeah.

12 DISTRICT ATTORNEY HERRERA: That we can do a lot.

13 CHAIRMAN WAITS: Yeah.

14 DISTRICT ATTORNEY HERRERA: We can do almost anything for  
15 those organizations.

16 CHAIRMAN WAITS: Now --

17 COMMISSIONER ALLAN: But even -- even though they're not a  
18 501(c)(3), they still can re- -- request a grant for certain  
19 expenditures.

20 DISTRICT ATTORNEY HERRERA: Yes, because --

21 COMMISSIONER ALLAN: So --

22 DISTRICT ATTORNEY HERRERA: -- because you guys have  
23 local -- you -- you have local power to -- to do certain things  
24 in the community --

25 COMMISSIONER ALLAN: So, Dee?

26 DISTRICT ATTORNEY HERRERA: -- as --

27 COMMISSIONER ALLAN: Dee, are you still there?  
28 Austin?

29 MITESHELL LANHAM: Say that again.

30 COMMISSIONER ALLAN: Is Dee still there?

31 MITESHELL LANHAM: No. She left.

32 COMMISSIONER ALLAN: Okay. Miteshell, I guess my  
33 recommendation -- I don't know how the rest of the board  
34 feels -- is to let her know that she really needs to diligently  
35 pursue a 501(c)(3) and in the interim, we have not completed our  
36 final budget yet. There could be a possibility that if she  
37 applied for a grant, before we finalize our budget, that we can  
38 provide some funding for either storage or if you can find  
39 someplace else to put the facility.

40 MITESHELL LANHAM: Okay.

1 COMMISSIONER ALLAN: But that needs to happen ASAP.  
2 MITESHELL LANHAM: (Indiscernible.)  
3 CHAIRMAN WAITS: Okay. Any other discussion on the youth  
4 center? We will have a meeting coming -- coming up in Austin if  
5 we want to do it on the agenda or if we just want to do an open  
6 hearing, like, after the agenda or something with them or the  
7 night before? Whatever is your pleasure. But, --  
8 COMMISSIONER ANCHO: The only --  
9 CHAIRMAN WAITS: -- yes, most --  
10 COMMISSIONER ANCHO: -- other thing --  
11 CHAIRMAN WAITS: -- certainly --  
12 COMMISSIONER ANCHO: -- would be to get the bell tower down  
13 as soon as possible.  
14 CHAIRMAN WAITS: Yeah.  
15 DISTRICT ATTORNEY HERRERA: Yeah.  
16 CHAIRMAN WAITS: Yeah. The bell tower's totally separate.  
17 That's a safety issue. And --  
18 COMMISSIONER ALLAN: But we still --  
19 CHAIRMAN WAITS: -- then --  
20 COMMISSIONER ALLAN: -- have to have an agenda item for  
21 that. So yeah.  
22 CHAIRMAN WAITS: Yes. We can put it on for next time to  
23 ratify and then continue with the information that we need from  
24 our county manager and SHPO and everybody. Okay? So --  
25 KEITH WESTENGARD: So -- so just to be clear, I'll get with  
26 Anna a- -- today and we will start the process to remove the  
27 tower for safety concerns.  
28 And I just wanted to make it real clear that we have closed  
29 the building. It -- nobody can --  
30 CHAIRMAN WAITS: Yes.  
31 KEITH WESTENGARD: -- go in there. And we've changed the  
32 locks.  
33 CHAIRMAN WAITS: Yes.  
34 KEITH WESTENGARD: So nobody's going in there. We'll get  
35 the -- the tower taken care of. And then I'll -- I have it on  
36 the agenda or on my notes to bring it up at the next agenda  
37 to --  
38 DISTRICT ATTORNEY HERRERA: Ratify.  
39 KEITH WESTENGARD: -- ratify. And then we may even have  
40 some additional information from SHPO to pass on to you from

1 Ms. Brown.  
2 COMMISSIONER ALLAN: So Keith --  
3 CHAIRMAN WAITS: Okay. And -- and then to follow up with  
4 Judie's -- the next -- in our next meeting, we'll -- we're  
5 ratifying that budget.  
6 KEITH WESTENGARD: Yeah.  
7 CHAIRMAN WAITS: So if -- if Austin decided and the youth  
8 center committee and all that they can do this and start and we  
9 have a place to actually put the furniture -- so -- or whatever  
10 they want to take out of their -- their pool tables and such  
11 that we can find a place for that. So that needs to be done  
12 ASAP too so that they --  
13 KEITH WESTENGARD: There's --  
14 CHAIRMAN WAITS: -- they have --  
15 KEITH WESTENGARD: -- there's not -- it's not -- it's not a  
16 lot of stuff. It -- it's -- it's -- it's a -- it would be a  
17 small area of -- for storage. It's not like they would take up  
18 a -- a whole bay at a fire station or any- -- it -- it's a  
19 fairly small amount of -- of --  
20 CHAIRMAN WAITS: Okay.  
21 COMMISSIONER ALLAN: Well, I'd still like to see --  
22 KEITH WESTENGARD: -- material.  
23 COMMISSIONER ALLAN: -- them find someplace to -- to  
24 continue with the -- the youth center, not --  
25 KEITH WESTENGARD: And -- and --  
26 COMMISSIONER ALLAN: -- store.  
27 KEITH WESTENGARD: -- in a discussion I had earlier in the  
28 week, we talked about approaching Mr. Klein of something at  
29 the -- at the local school. There -- there's some ideas  
30 floating around there. And we'll -- we'll continue to work on  
31 those. So there --  
32 CHAIRMAN WAITS: Yeah.  
33 KEITH WESTENGARD: -- still is stuff from the youth center,  
34 though, in the building.  
35 COMMISSIONER ANCHO: Yes.  
36 KEITH WESTENGARD: Yes.  
37 COMMISSIONER ALLAN: So that will have to be coordinated  
38 to --  
39 CHAIRMAN WAITS: Right.  
40 COMMISSIONER ALLAN: -- get that out.

1 KEITH WESTENGARD: And we will do that, yes.  
2 CHAIRMAN WAITS: Okay. Austin, any other comments?  
3 MITESHELL LANHAM: No. I think --  
4 KIM SCHACHT: No.  
5 MITESHELL LANHAM: -- we're --  
6 KIM SCHACHT: Thank you.  
7 MITESHELL LANHAM: -- good. Thank you.  
8 CHAIRMAN WAITS: Okay. Thank you.  
9  
10

11 **AIRPORT**

12  
13 7) **Discussion and information regarding the two FY 2019 FAA**  
14 **projects at the Austin Airport and the Battle Mountain**  
15 **Airport presented by David Meyer of J-U-B Engineers, Inc.,**  
16 **and all other matters properly related thereto.**  
17

18 CHAIRMAN WAITS: Okay. Moving on to Number 7 on the  
19 airport.

20 Discussion, information regarding the two fiscal year 2019  
21 FAA projects at the Austin Airport and the Battle Mountain  
22 Airport presented by David Meyer, J-U-B Engineers, Incorporated,  
23 and also Tom Lemenager; right?

24 DAVID MEYER: Yep. Yes.

25 CHAIRMAN WAITS: And all other matters properly related  
26 thereto.

27 TOM LEMENAGER: Okay. Tom Lemenager, J-U-B in Boise.

28 DAVID MEYER: David Meyer, J-U-B.

29 CHAIRMAN WAITS: Good morning, gentlemen.

30 Why don't I go ahead? You want to do a Number 8 along with  
31 it? Or should I keep that separate? That's you -- that's  
32 your --

33 TOM LEMENAGER: We can do --

34 CHAIRMAN WAITS: -- update --

35 TOM LEMENAGER: -- seven --

36 CHAIRMAN WAITS: -- information.

37 TOM LEMENAGER: -- first --

38 CHAIRMAN WAITS: Okay.

39 TOM HAWKINS: -- and then --

40 CHAIRMAN WAITS: You're not --

1 TOM HAWKINS: -- David will jump in.  
2 CHAIRMAN WAITS: Okay. Yeah.  
3 DAVID MEYER: We have a little PowerPoint once we get  
4 warmed up.  
5 (To Tom Lemenager.) Do you want to jump into the '19 projects  
6 first?  
7 TOM LEMENAGER: (To David Meyer.) Yeah. We could.  
8 DAVID MEYER: Okay.  
9 TOM LEMENAGER: I think the agenda talks about the '19  
10 projects. We were going to show a few things about wrapping up  
11 the '18 projects too. But we'll start with the '19 while the  
12 projector's warming up. So I need the board.  
13 DAVID MEYER: Yeah.  
14 CHAIRMAN WAITS: Well, that's interesting because we can go  
15 fiscal year 2018-2019 or fiscal year 2019-2020. So I guess  
16 you're included in whatever --  
17 DAVID MEYER: Yeah.  
18 CHAIRMAN WAITS: -- you'd like to do.  
19 TOM LEMENAGER: Okay. Good.  
20 So as far as FY 2019 projects go at Battle Mountain -- I  
21 don't know if you can see this -- but the area of the apron at  
22 the Battle Mountain Airport in red, the western portion of the  
23 ramp, there's about 800 feet from here to the end of the red.  
24 That's, in all probability, going to be reconstructed. But  
25 for this year, in 2019, we're going to do the design for the  
26 project that I'm going to describe. So there's about 850 feet by  
27 about 250 feet of pretty bad asphalt to start with. It's pretty  
28 well alligatored and blocked and cracked pretty badly.  
29 It's been on the planning documents for FAA for quite a  
30 while.  
31 It's FAA fundable at 93.75 percent.  
32 This year we're doing the design for it. And in addition  
33 to the red, you can see the -- the -- the hatched area, the last  
34 90 feet by 250 feet. That's part of the project too as an  
35 expansion to that ramp to the west.  
36 So that's our project for 2019. We're most definitely  
37 going to dig down through the asphalt, which is about  
38 eight inches thick -- we found out today -- and do some digging  
39 because what the FAA has allowed us to do is do asphalt in a --  
40 a structure that is compatible with the heavier aircraft that



1 are out there for BLM, instead of just GA loading, which is  
2 pretty light, to go to a heavier section. And what that's going  
3 to do is it's going to be a little bit more expensive because  
4 it's going to be thicker, deeper. We're going to have to dig it  
5 out.

6 But probably we would have had to dig it out anyway based  
7 on the shape of the asphalt, what we can see from the top.

8 COMMISSIONER SPARKS: How old is that asphalt that's in  
9 there currently?

10 TOM LEMENAGER: You know, I -- I'm not --

11 DAVID MEYER: It's a --

12 TOM LEMENAGER: -- sure, but it's -- I would --

13 DAVID MEYER: -- (indiscernible) --

14 TOM LEMENAGER: -- say --

15 DAVID MEYER: -- early '90s.

16 TOM LEMENAGER: Yeah.

17 DAVID MEYER: So the other side of that apron was redone in  
18 2012.

19 COMMISSIONER SPARKS: That's what I was --

20 DAVID MEYER: This --

21 COMMISSIONER SPARKS: -- thinking.

22 DAVID MEYER: -- is phase one.

23 COMMISSIONER SPARKS: So was that other side that --

24 TOM LEMENAGER: It is the --

25 COMMISSIONER SPARKS: -- was redone?

26 DAVID MEYER: Uh-huh.

27 TOM LEMENAGER: -- the rest of it.

28 DAVID MEYER: The BLM was --

29 COMMISSIONER SPARKS: Okay.

30 DAVID MEYER: -- redone in --

31 TOM LEMENAGER: Right.

32 DAVID MEYER: -- 2002.

33 TOM LEMENAGER: It's at least 20 years old. Yeah.

34 COMMISSIONER ALLAN: Do have to dig out the whole thing?

35 Or can you just mill out the portion?

36 DAVID MEYER: Our exception is that we'll have to dig out  
37 the whole thing. It depends on the section they find. We have  
38 geotechnical engineers out there now doing subsurface  
39 exploration.

40 If we find what we expect to find, which we found on the

1 other side, is that even though there's a bunch of asphalt,  
2 there's not much rock below it.  
3 So it doesn't have a structural section that sufficient  
4 enough or frost protection, --  
5 TOM LEMENAGER: The bottom --  
6 DAVID MEYER: -- which are --  
7 TOM LEMENAGER: -- bottom line is --  
8 DAVID MEYER: -- the --  
9 TOM LEMENAGER: -- to get this --  
10 DAVID MEYER: -- FAA required it.  
11 TOM LEMENAGER: -- heavier loading out there, we're going  
12 to have to dig down.  
13 DAVID MEYER: That's --  
14 TOM LEMENAGER: Yeah. That's pretty much a given.  
15 So what --  
16 DAVID MEYER: And that's what they did on the other side  
17 was dig all the way down to subgrade and build it back up.  
18 TOM LEMENAGER: So this year's project, like I said, is to  
19 do the design. We're under contract to do that design already  
20 with you guys. Next year, hopefully next spring early, as early  
21 as we can get in, and FAA money's available, we get out there  
22 and start the construction.  
23 But this year, this summer, we're going to do the design,  
24 in fact, like David was saying, the geotech people are out there  
25 right now. We did the surveying for the project actually last  
26 fall before we got our contract because the surveyors had to be  
27 out there anyway. So we went ahead and did the topographic  
28 survey for that.  
29 The other thing that we're doing so far on the project is  
30 we've brought with us to present to the FBO after this meeting and  
31 to the county eventually, once we get some ideas about how to  
32 phase the project, being that it's such a large area, there's ways  
33 of dividing it. And, of course, the more you divide the project,  
34 the more the costs go up. But we probably want to keep the  
35 fueling available at all times out there. Again, that's up to the  
36 FBO.  
37 So one way you do that is you divide the project in half  
38 and you let them come in to get fueled on this side and  
39 construct the other side and then you do the vice versa step.  
40 But there's other ways of doing that. So the alternatives of

1 how we can do that will be presented to the FBO this afternoon.

2 So we've started that process.

3 And because we know the asphalt's going to come out at  
4 least, we can change the tie-down configuration of all the  
5 tie-downs out there, move them in any pattern, configuration  
6 that we want. So we've come up with about six different  
7 alternatives of how to do that and how to route the traffic and  
8 taxilanes, both on the north side and the south side and then  
9 have our tie-downs in between or however they think -- and you  
10 guys think -- it's best to do that.

11 So that's kind of in a nutshell what we've done so far in the  
12 2019 project at Battle Mountain.

13 And then at Austin, the project is a design-only for this  
14 year and then build next year. The access road -- and there's  
15 about 4800 feet of access road from State Highway 2 -- 722 up to  
16 the facilities at the airport themselves.

17 And so what we're thinking in that is we'll probably do some  
18 minor leveling just to get a nice crown in there and then pave it.  
19 It's not real complicated. And we're finding out from the testing  
20 that was done yesterday out there that we've got a lot of base out  
21 there. And there's fabric indeed below that base. So it's  
22 looking good for not having to dig down at all, just working it  
23 from the top.

24 DAVID MEYER: And the -- I'm sorry. I'll jump in real  
25 quick. The road was actually reconstructed in 2006 -- mid-2000  
26 with the intention of trying to pave it. But there was no money  
27 left to pave it.

28 So the section in there is constructed well. There's two  
29 feet plus a gravel -- there's fabric in between the gravel and  
30 the subgrade to keep it from pumping. I mean, it's really well  
31 done. That's what we found with the geotech. And so that  
32 should help us just go in and clean up the top and pave right  
33 over top.

34 TOM LEMENAGER: The original project FAA had on their CIP  
35 was to combine this road with a taxilane. And that is --

36 DAVID MEYER: We don't --

37 TOM LEMENAGER: -- this --

38 DAVID MEYER: -- have that.

39 TOM LEMENAGER: -- this portion of the taxilane 300 feet  
40 from the existing end of the apron.

1           When we got working the environmental with the  
2 environmentalist there in Phoenix and the ADO, she had to leave to  
3 go take another job. And we didn't get the -- the environmental  
4 completed. We were lucky to get this completed with her.

5           So because she left, we lost the design project with this  
6 design. But the FAA at the ADO has promised us that next year we  
7 can go ahead and build them both and design this taxilane in the  
8 winter.

9           But we're not under contract with that yet. We're just  
10 under contract for this design.

11          CHAIRMAN WAITS: Okay. Now the road is actually our county  
12 cost. Right?

13          TOM LEMENAGER: No.

14          DAVID MEYER: No. The --

15          TOM LEMENAGER: It's --

16          DAVID MEYER: -- road is --

17          TOM LEMENAGER: -- FAA --

18          DAVID MEYER: -- (indiscernible).

19          CHAIRMAN WAITS: FAA --

20          TOM LEMENAGER: -- fundable.

21          CHAIRMAN WAITS: -- is paying --

22          DAVID MEYER: So --

23          CHAIRMAN WAITS: -- for that --

24          DAVID MEYER: So --

25          CHAIRMAN WAITS: -- some of that --

26          DAVID MEYER: -- we had --

27          CHAIRMAN WAITS: -- too?

28          DAVID MEYER: When we first started this, we only had the  
29 road out to the property line. Because right about here, this  
30 line actually is the edge of the airport property. Past here is  
31 BLM.

32          We worked with Jon Sherve at the BLM. He was a huge help.  
33 Kyla Bright was a huge help.

34          We were able to find that the road through the BLM actually  
35 has an established right-of-way --

36          CHAIRMAN WAITS: Uh-huh.

37          DAVID MEYER: -- 24-foot wide. We were able to secure the  
38 right-of-way, provide it to the FAA, update our master plan  
39 documents. And now because Lander County owns that road all the  
40 way to the highway district right-of-way that road is now all

1 eligible, all FAA eligible.

2  
3 TOM LEMENAGER: Yeah, we --

4 CHAIRMAN WAITS: (Indiscernible.)

5 TOM LEMENAGER: -- had to --

6 DAVID MEYER: So --

7 TOM LEMENAGER: -- we had to kind of hassle with them over  
8 that.

9 CHAIRMAN WAITS: No. Thank you.

10 TOM LEMENAGER: They were not going to make us go past the  
11 property line. In fact, when I was here the last time, I didn't  
12 think we could get it.

13 But then we found out through their own ACs that if it --  
14 there is an easement in here, they'd allow it. So we found the  
15 easement and --

16 CHAIRMAN WAITS: Wonderful.

17 TOM LEMENAGER: -- made it work. So --

18 DAVID MEYER: Yeah.

19 TOM LEMENAGER: Anyway, that's -- we've started, as I said,  
20 yesterday the testing is all done. We've got it all done  
21 yesterday for both the taxilane and the roadway. And the survey  
22 got completed yesterday as -- as well. So we're moving quite  
23 forward with the project.

24 And -- and again, next summer, hopefully, and been promised  
25 by the FAA, we can build them both. So that's --

26 DAVID MEYER: The intent --

27 TOM HAWKINS: -- (indiscernible).

28 DAVID MEYER: -- was to build them both so that we have one  
29 contractor come out. We don't have to mobilize multiple  
30 contractors, especially for that taxilane, 300 feet, 400 feet.  
31 Just you're going to pay a premium to get someone out there.

32 The idea is build them together, keep our costs down. And  
33 so that -- that's still the plan moving forward.

34 TOM LEMENAGER: So we wanted to talk a little bit about the  
35 projects we've just wrapped up too so you guys can get some kind  
36 of picturesque view of what we've done out there. Because some  
37 of these projects we just wrapped up the paperwork-wise.  
38 Starting with the hangar facilities we built out there, this  
39 first slide you're going to be looking at the inside of the  
40 building. You're going to be looking at one-half of two

1 buildings that were built. Each building was 40 by 90 feet.  
2 And each building was 3600 feet -- square feet in size.

3 Each building had two bifold doors. And you can see on the  
4 right side of the slide, one of the bifold doors,  
5 electric-operated, insulated 4 inches in that door.

6 And, in fact, the whole building is insulated four inches  
7 around. It's a steel building, obviously, and steel skin and  
8 those kinds of buildings are designed for long life and low  
9 maintenance as well.

10 So you got two -- a total of four bifold doors. You've got  
11 space for four airplanes at least. At least you've got four  
12 doors. And we built with that the access taxilane that's 425 feet  
13 long. You can get a good view of it --

14 COMMISSIONER ALLAN: Excuse --

15 TOM LEMENAGER: -- looking --

16 COMMISSIONER ALLAN: -- me, --

17 TOM LEMENAGER: -- north.

18 COMMISSIONER ALLAN: -- Tom?

19 TOM LEMENAGER: What's that?

20 COMMISSIONER ALLAN: I'm sorry. Just for the record, how  
21 much was each building?

22 TOM LEMENAGER: How much? Dollars?

23 COMMISSIONER ALLAN: Yeah. The entire project was, with  
24 the grading, the -- I'm fixing to describe -- and the buildings,  
25 was about 800,000.

26 DAVID MEYER: The building was about 325,000 for each  
27 two-unit piece. That was the item cost plus there was some side  
28 costs to add you up to the 800,000.

29 COMMISSIONER ALLAN: Thank you.

30 TOM LEMENAGER: So the entry from each of the doors ties  
31 into this taxilane, which was built in gravel, which is 8 inches  
32 thick. And it comes kind of at you here in the picture. An  
33 airplane would come taxiing towards you and then enter the ramp  
34 on the ramp's -- existing ramp's northwest corner.

35 And also part of the project in the side grading, where  
36 ditches, pipes, and the detention pond -- because we have to  
37 detain water from its historical amount after the buildings and  
38 taxiways are built. We have to hold that kind of -- that run- --  
39 that kind of runoff.

40 So the hangars were completed back, as far as the hangar

1 buildings, back in mid-December. And then the grading of the  
2 taxilanes was done last -- and was done at the beginning of the  
3 year. And the project was closed out in mid-January as far as  
4 the paperwork goes.

5 DAVID MEYER: And Anna Penola was a huge help on that.  
6 Make sure that's on the record.

7 TOM LEMENAGER: The next project that we completed is the  
8 av gas unit at Battle Mountain, which is a 5,000-gallon,  
9 double-walled aboveground, fire-protected type of structure.  
10 It's state of the art with a card reader.

11 And then the picture on the left side, it's kind of out of  
12 focus. But the -- the card reader is open right now. And so  
13 that's not the way it looks when it's closed, obviously. And  
14 the dispensary you can see under the over- -- overhang. And the  
15 project included the pad and the foundation. The communication  
16 that came from -- to the unit from the FBO actually through the  
17 cloud and then the utilities that bring power into the unit.

18 And so that project was completed on December 20th. There  
19 were no change orders on it. And we just finished out the  
20 close-out documents, paid the contract off. And we were waiting  
21 on the fire marshal to come out and do his inspection. And that  
22 was done about a week and a half ago and done very successful.  
23 And thanks for Anna for meeting with those people out there too  
24 on that.

25 The last thing I want to talk about -- about Battle Mountain  
26 is what we put in for. And a whole lot hasn't really been done by  
27 the FAA since the last time we met on this, which is the  
28 supplemental --

29 COMMISSIONER CLARK: Is that what --

30 TOM LEMENAGER: -- appropriations, application that we put  
31 in for a hundred percent type FAA work, which is a national deal  
32 that was -- it started out being for small communities with  
33 small populations.

34 And we thought Lander County would be a perfect candidate  
35 for that. So back in October 3rd, we put in an application for  
36 an expansion of the ramp to the -- to the east, some 250 to  
37 300 feet and 250 feet tall. And at the same depth kind of for  
38 capacity of the bigger aircraft to help BLM and their space  
39 problems that they have out there.

40 We haven't heard anything from the FAA other than some kind

1 of negative things about, you know, they had so much money set  
2 aside and they got about 30 times the amount of application  
3 dollars than they had available. So they kind of threw in a lot  
4 of different kind of airports as being eligible for this kind of  
5 money there at the last minute. And everybody jumped in and put  
6 in their stuff. So even though we put in and everybody's kind  
7 of waiting for any word from the FAA, no word has been given  
8 out. Every time you ask the airport district office down at  
9 Phoenix, they tell you, quit asking because everybody's asking.

10 DAVID MEYER: All of the district offices --

11 TOM LEMENAGER: Yeah.

12 DAVID MEYER: -- or (indiscernible).

13 TOM LEMENAGER: Same thing. It's a national thing. It's  
14 gone to national. I think part of the problem is they've been  
15 so much money involved and the --

16 DAVID MEYER: Well --

17 TOM LEMENAGER: -- implications.

18 DAVID MEYER: And on that eligibility, there's six airports  
19 in Nevada -- the State of Nevada that are eligible. They gave a  
20 list of eligible ones that were meeting the criteria as either a  
21 rural GA or for general aviation or a -- or a smaller hub  
22 commercial. There was six airports in Nevada that were  
23 eligible. And Austin and Battle were two of the six.

24 So --

25 TOM LEMENAGER: So the next project --

26 DAVID MEYER: -- it's good.

27 TOM LEMENAGER: -- I wanted to talk about, and it's  
28 shifting over to -- to Austin again, the completed projects.

29 First, the master plan. I know you guys have got your  
30 plans. They're -- they're been signed by the FAA and approved.  
31 I think everybody liked what they saw in the plan, the 20-year  
32 plan that was given with it. But we just closed it out as far  
33 as the financial documentation. And then the final report were  
34 just done. So that was just done the last couple of weeks. So  
35 that one's a dead project now. It's completed once and all,  
36 completed project.

37 And then the -- the last thing that we wanted to talk about  
38 is the installation of the second tank out at Austin that I know  
39 Patsy's very involved with.

40 And in the slide here, you can see the new tank is on the



1 right. The -- about two-year-old tank, the original tank is on  
2 the left. So the whole was idea was to get Jet-A -- Jet-A fuel  
3 out there. And so we did a little switch because the pump on  
4 the existing tank was way strong and strong enough to drive the  
5 Jet-A situation. We used and did a little conversion and made  
6 the existing tank the new Jet-A tank and the new tank was  
7 converted to av gas.

8 So, again, it's a 5,000-gallon, double-wall, fire-protected  
9 tank. We added onto the structure underneath to -- to expand  
10 it. We're sharing the card reader.

11 And the original -- well, the tank on the right, the new  
12 tank, was completed in late December. We had a little  
13 conversion difficulty because one of the filters in the existing  
14 tank that the contractor who built it and the supplier that was  
15 involved said it would be in there. And it got opened up and it  
16 wasn't there. So we had to order a certain part. And that  
17 delayed the conversion of Jet-A fuel into the Jet-A tank until  
18 December 19th of last year.

19 So, again, we kind of waited on paying off the contractor as  
20 long as we could so that the fire marshal inspection, if he found  
21 something, we could get the guy back out there. But I guess it  
22 was a very benign inspection. So we just finished paying him off  
23 here about a month ago.

24 So that's all that we have as far as projects goes, including  
25 the new ones and the --

26 CHAIRMAN WAITS: Okay. Thank you.

27 TOM LEMENAGER: -- existing ones.

28 CHAIRMAN WAITS: All -- all exciting.

29  
30 8) Discussion and information regarding highlights from the 2019  
31 Nevada Airport Association (NvAA) conference presented by  
32 David Meyer of J-U-B Engineers, Inc., and all other matters  
33 properly related thereto.  
34

35 CHAIRMAN WAITS: Number 8. Discussion and information  
36 regarding highlights from the 2019 Nevada Airport Association,  
37 the Nevada AA conference presented by David Meyer of J-U-B  
38 Engineers, Incorporated, and Tom Lemenager, and all other  
39 matters properly related thereto.

40 So some good stuff.

1           DAVID MEYER: Yeah. So I attended the Nevada Airport  
2 Association conference in Minden -- Minden in March. It was a  
3 two-day conference.

4           So I wanted to cover a couple cool things that came up.  
5 The biggest one is the aviation trust fund.

6           So the aviation trust fund is money that's allocated  
7 specifically from the State of Nevada to provide help in the  
8 local match for FAA grant money.

9           So FAA grants are written such that the FAA provides 93.75  
10 percent of funding. And then the locals provide 6 1/4 to round  
11 it out to a hundred.

12           So the aviation trust fund is managed by the NDOT aviation  
13 folks. Kurt Haukohl is the state man-- -- aviation manager  
14 there. And I believe it came to be in 2005. And up to this  
15 year, every year they've set aside a hundred thousand dollars  
16 for the entire state of Nevada to help with funding, you know,  
17 which certainly helps. They've still had issues with some  
18 smaller air-- -- smaller owners, counties being able to make the  
19 rest of their match.

20           And so the state has now pushed for, in the next two-year  
21 cycle, because it's updated on a two-year basis, they are going  
22 for 500,000 a year into that fund, which would be a big  
23 increase. And long-term, the goal is to get it to a million  
24 dollars a year into that fund.

25           I stole this table right from Kurt Haukohl. That million  
26 dollars comes from their analysis of the last four years of  
27 local match needed throughout the state. As you can see, in a  
28 typical year a million dollars would just about take care of all  
29 the local matches on all the FAA funding, which would be really  
30 helpful so the State of Nevada would contribute to the local  
31 match and the counties and owners -- airport owners would be  
32 left with very little to pick up.

33           So Kurt Haukohl with the aviation manager is pushing very  
34 hard on this. This is something he really believes in. So --

35           That was a big -- a big deal. So I wanted to pass that  
36 along. One of the other big things to come out of there is  
37 they're moving the conference next year to Tonopah, which is  
38 good news. They've had it in Minden for the last four years, I  
39 believe, at the Carson Valley Inn. It seemed like they were  
40 just going to keep it there. They got a good deal and were

1 happy. But there's been some cry to -- outcry to move it  
2 around. So it'll be in Tonopah next year.

3 I mentioned to the folks at NvN- -- NvAA. They may want to  
4 talk with Kurt with the state. He knows a little bit of  
5 everyone throughout the state. Then I followed up with him.  
6 And he said, I would love to have it in Austin or Battle  
7 Mountain. So you may be getting a call from him at some point  
8 to work out the logistics down the road. I think that would be  
9 a really good -- really good thing to get people out here you,  
10 know, airport people seeing the airport. That's always a good  
11 thing.

12 CHAIRMAN WAITS: It would be wonderful if we have enough  
13 housing --

14 DAVID MEYER: Yeah.

15 CHAIRMAN WAITS: -- (indiscernible.)

16 DAVID MEYER: That would be the big thing.

17 So the other big item is the Nevada Business Aviation  
18 Association, NVBAA. They've taken on kind of a bigger role with  
19 the NvAA to kind of work together to bring the airports in the  
20 state together, provide more of a lobbying basis for the -- for  
21 the airports in the aviation community. So those were the big  
22 updates. A couple resources I'll go through quickly.

23 This ANTN Digicast. So this -- these are training videos.  
24 And I apologize. I know it's hard to -- to really read anything  
25 on that screen grab, but this is a series of training videos that  
26 they have -- that is put on by AAAE, which is the administration  
27 wing of the airports association.

28 And so you can see they have videos on administration, air-  
29 -- airfield rescue and firefighting, environmental  
30 (indiscernible) maintenance.

31 The cool thing about this is this is included in a  
32 membership with NvAA, which we're members with. So if anybody's  
33 interested in looking into any of these videos, we'd be able  
34 happy to give them a run-through.

35 This could be helpful for public works people who may need  
36 to be out on the airfield.

37 Lander County's pretty blessed at both their airports with  
38 really knowledgeable people that work there day-to-day.

39 But as you get more people, these can be helpful training  
40 videos.

1           And then I just have a quick slide. On the NvAA website,  
2 there's a lot of resources here for reaching out to other  
3 airports. There's publ- -- professional forums, member  
4 directories, news, events. If you have airport events, this would  
5 be a good place to try to get the word out or updates on the  
6 airports. This would be a good resource.

7           And then on the cheat sheet, I listed a couple contacts that  
8 if you guys have any questions or airport-related discussions,  
9 these are great people to reach out to.

10          So I just wanted to get back a little report and answer any  
11 questions if anyone has any.

12          CHAIRMAN WAITS: Thank you.

13          Any public comment?

14          (No comment.)

15          KEITH WESTENGARD: I just want to let the commission know  
16 that we have received some of that grant funding in the past,  
17 last year and the year before. Kurt's been real good about it,  
18 working with us, getting some of that money reimbursed.

19          CHAIRMAN WAITS: Thank --

20          DAVID MEYER: And --

21          CHAIRMAN WAITS: -- you.

22          DAVID MEYER: -- we got it on the master plan. And the  
23 other Austin grant (indiscernible) closed out.

24          So --

25          CHAIRMAN WAITS: Thank you, --

26          DAVID MEYER: Looking forward to --

27          CHAIRMAN WAITS: -- gentlemen. We appreciate your time.

28          TOM LEMENAGER: Okay.

29          CHAIRMAN WAITS: But keep us updated on this and --

30          TOM LEMENAGER: Okay.

31          CHAIRMAN WAITS: -- we wish you safe travels.

32          TOM HAWKINS: Well, thank you.

33          DAVID MEYER: Thank you. Thank you for your time.

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1 **PUBLIC WORKS**

- 2  
3 9) **Discussion and possible action to approve/disapprove a change**  
4 **order request in the amount of \$744,904.08 for the Austin**  
5 **State Route 212, 214, and 215 Road Rehab 2018 project,**  
6 **bringing the amount to \$4,834,364.08, and all other matters**  
7 **properly related thereto.**

8  
9 CHAIRMAN WAITS: Moving on to Public Works, Number 9.  
10 Discussion and possible action to approve, disapprove a  
11 change order request in the amount of \$744,904.08 for the Austin  
12 State Route two th- -- two thousand -- 212, 214, and 215 road  
13 rehab. It's the 218 -- 2018 project. It's bringing the amount  
14 to \$4,834,364.08, and all other matters properly related  
15 thereto.

16 Mr. Ramos.

17 BERT RAMOS: Okay. Bert Ramos, for the record.

18 So what with this project, we had budgeted 7.6 million.  
19 And this right here would tie a piece of road together to the --  
20 that was ground up in the past between two sections.

21 So it's about a mile of road that was ground up between two  
22 sections of road. So it'd make it paved all the way through.  
23 And it would also extend one piece of road down to service  
24 another home that would be the last home on the -- that's about  
25 a thousand feet to service the last home out there on the farm  
26 district road.

27 CHAIRMAN WAITS: But we're still under budget?

28 BERT RAMOS: Well -- well under budget.

29 COMMISSIONER CLARK: Well, do it.

30 COMMISSIONER ANCHO: So what -- kind of a stupid question,  
31 where -- why is there a ground up piece of road in between?

32 BERT RAMOS: It was --

33 COMMISSIONER ANCHO: (Indiscernible) --

34 BERT RAMOS: -- ground up --

35 COMMISSIONER ANCHO: -- to do this project, was -- wasn't  
36 that originally?

37 BERT RAMOS: So in doing the project, we thought these  
38 numbers would come in considerably higher. Obviously that's why  
39 we budgeted so much. And that section was ground up years and  
40 years ago. So when Jerry Utter was the boss down there in

1 Austin, this is 35 years ago, they were paving a mile a year  
2 with cold mix. And didn't hold so they just ground that out and  
3 left it out. And then when we went and chip sealed seven years  
4 ago, we chip sealed all the pavement that was there and it got  
5 us through to now. And so in this, I didn't put that section of  
6 road because I didn't think we'd have the money with the mobe  
7 all the way down there and everything else that comes with it.  
8 So by having the money -- and also I'd like to point out that  
9 this -- out of this 744,000 we have here, the -- a hundred  
10 thousand of that is for the Austin Road and Bridge yard, which  
11 is a separate budgeted money item.

12 But they're going to hold this price, the square footage  
13 price for us to pave that as well.

14 COMMISSIONER ANCHO: Okay. Two separate projects?

15 BERT RAMOS: Two separate projects, but we're just going to  
16 include it in this one so we can keep that square footage price  
17 so we don't have to mobe down there for a small project and --  
18 and skyrocket the square footage price.

19 COMMISSIONER ANCHO: Okay.

20 COMMISSIONER SPARKS: I'll make a motion that we approve  
21 the change order in the amount of \$744,000 -- \$744,904.08 for  
22 the Austin State Route 212, 214, and 215 road rehab 2018 project  
23 and bringing the amount to \$4,834,364.08.

24 COMMISSIONER ANCHO: I'll second.

25 CHAIRMAN WAITS: Thank you. Bryan made the motion we  
26 approve that change order. And Kathy seconded. Any other  
27 discussion?

28 COMMISSIONER ALLAN: I do have a comment. With paving the  
29 county yard, that is a separate project. And you budgeted a  
30 hundred thousand?

31 BERT RAMOS: Uh-huh.

32 COMMISSIONER ALLAN: Can we legally do that?

33 Because --

34 DISTRICT ATTORNEY HERRERA: It -- it's commonly done.

35 BERT RAMOS: Yeah. That's --

36 DISTRICT ATTORNEY HERRERA: Well, --

37 BERT RAMOS: -- not a --

38 DISTRICT ATTORNEY HERRERA: It's common practice in the  
39 state of Nevada.

40 COMMISSIONER ALLAN: Okay.

1           BERT RAMOS: We don't have to use -- so we don't have to  
2 use that money out of that project line item to say that's the  
3 hundred thousand. Is what happens is that 100,000 goes back  
4 into the General Fund, and we don't use that money. Or we use  
5 the money out of the 7.6 million and we cover that project  
6 within it.

7           COMMISSIONER ALLAN: Okay. Because, I mean, I can -- I can  
8 understand, you know, the addition of the roads for -- for --  
9 the change order and adding and whatnot.

10           It just -- I -- I just wanted to make sure that because it  
11 is over 50,000, that it would not be something that we could  
12 actually have to put out for rebid, legally.

13           BERT RAMOS: No, because it's within -- within the 7.6. So  
14 we're using that money instead of that hundred thousand. So  
15 that hundred thousand will fall back in the General Fund. We  
16 won't use that project.

17           COMMISSIONER ALLAN: No, I understand that. I just -- like  
18 I said, it's -- it's really not related in a -- in some  
19 respects. I just wanted to make sure clarification-wise that  
20 we're not going to get in trouble by not bidding that.

21           BERT RAMOS: Yeah. So it's the scope of work hasn't  
22 changed. It's still paving. So the square footage price has  
23 already been bid for paving down there. And that's what --  
24 that's what the contractor board will look at is if you've  
25 changed the scope of work, not so much where you put it as long  
26 as it's the bid straight up. So if it's paving, it relates to  
27 paving.

28           Now if we went and we did a full road rehab or something  
29 like that down there that changes the scope of work entirely,  
30 then the contractors' board would have an issue.

31           COMMISSIONER ALLAN: So let me put on --

32           CHAIRMAN WAITS: So we could actually any time you get a  
33 square footage bid like that right, we can turn around and do  
34 the same thing in another area --

35           COMMISSIONER SPARKS: Uh-huh.

36           CHAIRMAN WAITS: -- or several areas under budget and while  
37 they're out there.

38           BERT RAMOS: Yes.

39           DISTRICT ATTORNEY HERRERA: And we have done --

40           BERT RAMOS: Yes.

1 DISTRICT ATTORNEY HERRERA: -- that.  
2 CHAIRMAN WAITS: Okay.  
3 BERT RAMOS: Yes.  
4 DISTRICT ATTORNEY HERRERA: We have done that a few times.  
5 CHAIRMAN WAITS: Okay. I see the concern we thought it was  
6 a separate project. Because we put it aside that way in the  
7 budget so --  
8 DISTRICT ATTORNEY HERRERA: Right.  
9 CHAIRMAN WAITS: Got you. I think we're all clear?  
10 COMMISSIONER SPARKS: Uh-huh.  
11 COMMISSIONER ANCHO: (Indiscernible.)  
12 CHAIRMAN WAITS: Okay. Any public comment?  
13 (No comment.)  
14 CHAIRMAN WAITS: Okay. Bryan made the motion. Kathy  
15 seconded. All those in favor?  
16 COMMISSIONER CLARK: Aye.  
17 COMMISSIONER ANCHO: Aye.  
18 CHAIRMAN WAITS: Aye.  
19 COMMISSIONER ALLAN: Aye.  
20 Okay. Thank you.

21  
22 **10) Discussion and possible action approve/disapprove Public**  
23 **Works department to install an in-memory-of bench at Elquist**  
24 **Park for Debra J. (Higley) Jeffers, paid for by Rob Jeffers,**  
25 **and all other matters properly related thereto.**

26  
27 CHAIRMAN WAITS: Number 10. Discussion and possible to  
28 approve or disapprove Public Works department to install an  
29 in-memory-of bench at Elquist Park for Debra J. Higley Jeffers,  
30 paid for by Rob Jeffers, and all other matters properly related  
31 thereto.

32 BERT RAMOS: Okay. So Mr. Jeffers contacted me. He  
33 previously lived here. His wife passed away. Like to have his  
34 wife's bench put out here in one of our parks with an  
35 in-memory-of. I believe it should be in your packet of some  
36 pictures of -- of the bench. And he said he'd pay for all  
37 costs. So the county to install. We wouldn't have to install  
38 it if you wanted to have a contractor install it. Or if you  
39 guys don't want it in there at all, entirely up to you guys.

40 CHAIRMAN WAITS: He doesn't live in our area anymore?



1 BERT RAMOS: No. He lives -- I believe he said in Colorado  
2 and now don't quote me on that, but he's --  
3 CHAIRMAN WAITS: Okay.  
4 BERT RAMOS: -- not -- he's not --  
5 CHAIRMAN WAITS: It can --  
6 BERT RAMOS: -- in the state.  
7 CHAIRMAN WAITS: Anyway, it's out -- out of the area.  
8 BERT RAMOS: Yeah.  
9 CHAIRMAN WAITS: Okay.  
10 Yeah. I did have -- my first concern that came up was have  
11 we had any prior requests for a memory bench? And I wanted us  
12 to check to see if we've denied anybody.  
13 COMMISSIONER ANCHO: No. We had Baldini's in Lions Club  
14 Park; right? Wasn't it Baldini in Lions Club Park for years?  
15 Is it still in --  
16 COMMISSIONER ALLAN: Yes.  
17 COMMISSIONER ANCHO: -- in that park.  
18 COMMISSIONER ALLAN: It is.  
19 COMMISSIONER ANCHO: Yeah. So --  
20 COMMISSIONER CLARK: And Elquist -- Elquist Park is  
21 dedicated to some people that died from that family.  
22 COMMISSIONER ANCHO: Yeah.  
23 COMMISSIONER CLARK: I think it's appropriate.  
24 CHAIRMAN WAITS: Okay. So the next question is, then, if  
25 we do this, we certainly have done any for a while. So we -- we  
26 might get further requests and we have to know that -- that  
27 other families may want to do something. Do you want to keep  
28 them kind of in one area? Or is it okay to spread throughout  
29 the counties? Or what's -- what's your concern and pleasure?  
30 COMMISSIONER ALLAN: I would think that possibly spreading  
31 them throughout the -- the parks because -- or even throughout  
32 the county, whatever's reasonable. Because, I mean, you don't  
33 want to get too many benches. We're starting a precedence here.  
34 CHAIRMAN WAITS: Yes, we are.  
35 COMMISSIONER ALLAN: And so I think probably now we're  
36 going to get a lot more requests. And you're kind of going to  
37 be losing a lot of your park space. So we have to be careful  
38 about not getting too many in each park.  
39 So do we want to set a limit per park based on size?  
40 COMMISSIONER SPARKS: I have an idea. What if rather than

1 placing a bench, if we built some sort of just a rock or stone  
2 monument that we could place plaques on? And then you're not  
3 taking up real estate when somebody would like to do something  
4 like that? Just a thought.

5 CHAIRMAN WAITS: Interesting thought.

6 BERT RAMOS: Or we could replace benches that are currently  
7 in the park with these benches. I mean it -- and not to exceed  
8 what we currently have. However you guys want to do it. I just  
9 thought that this is something that should sit here.

10 COMMISSIONER ANCHO: I don't know if we're -- we're  
11 starting a precedent because it's started 30 years ago when  
12 Mr. Baldini's bench was put in. So it's not something new.

13 COMMISSIONER SPARKS: Right.

14 COMMISSIONER ALLAN: Well, his isn't a bench. It's a  
15 plaque. Isn't it a --

16 He's --

17 COMMISSIONER ANCHO: He's --

18 COMMISSIONER ALLAN: -- got --

19 COMMISSIONER ANCHO: -- got --

20 COMMISSIONER ALLAN: -- a --

21 COMMISSIONER ANCHO: -- a --

22 COMMISSIONER ALLAN: -- bench.

23 COMMISSIONER ANCHO: -- bench. He's got a bench.

24 COMMISSIONER ALLAN: Is it --

25 COMMISSIONER ANCHO: It's a huge bench and it's a beautiful  
26 bench too.

27 COMMISSIONER ALLAN: Because I've seen the --

28 COMMISSIONER ANCHO: No, it's a bench over in Lions Club  
29 Park because he was a Lion. Yeah. But, I mean, I'm seeing --  
30 isn't there also, like, a little statue thing, not a statue, but  
31 a block with a plaque on it?

32 Anyway. Okay. So the bench shown, how does that compare  
33 with the benches we have in the park now?

34 BERT RAMOS: It's real similar. Same -- same metal with  
35 that plastic kind of rubber coating. Same.

36 COMMISSIONER ALLAN: Okay. So the benches we have in the  
37 park now are relatively new.

38 BERT RAMOS: Uh-huh.

39 COMMISSIONER ALLAN: And if we replaced them with one, what  
40 would we do with the county's bench?

1 BERT RAMOS: Well, we have --  
2 COMMISSIONER ALLAN: Do you have a --  
3 BERT RAMOS: -- other --  
4 COMMISSIONER ALLAN: -- place?  
5 BERT RAMOS: We have --  
6 COMMISSIONER SPARKS: We have --  
7 BERT RAMOS: -- other -- we have other --  
8 COMMISSIONER SPARKS: -- lots of --  
9 BERT RAMOS: -- old --  
10 COMMISSIONER SPARKS: -- parks.  
11 BERT RAMOS: -- ones in other parks that --  
12 COMMISSIONER ANCHO: Yeah.  
13 BERT RAMOS: -- definitely get --  
14 COMMISSIONER ALLAN: You have a place for them?  
15 BERT RAMOS: Yeah. The -- the Lions Club Park across the  
16 tracks, we -- we definitely need a couple new --  
17 COMMISSIONER ALLAN: Okay.  
18 BERT RAMOS: -- benches in there.  
19 CHAIRMAN WAITS: Is the size the same?  
20 BERT RAMOS: Of the...  
21 COMMISSIONER ALLAN: The size of the benches?  
22 BERT RAMOS: Oh, I don't know that. I don't know if  
23 they're the same or not.  
24 From the picture that I see there, it -- it looks similar.  
25 But I -- I couldn't tell you if they're exactly the same.  
26 CHAIRMAN WAITS: Well --  
27 BERT RAMOS: And that comes with a different -- you can see  
28 that there's a concrete footing that's poured under that one.  
29 When we install these benches, we pour a little footer directly  
30 underneath them as opposed to a pad out in front of them.  
31 So it's -- it's -- it's similar. I don't think it's going  
32 to be --  
33 COMMISSIONER ALLAN: Well, it says that it would be a  
34 6-by-4-foot pad.  
35 So it looks like the bench is almost 6-foot.  
36 CHAIRMAN WAITS: Well, I think the biggest concern is -- is  
37 what the commissioners have -- have certainly identified and  
38 that's we're working with the future. And we should be taking  
39 the time to look at the vision of how this is going to affect us  
40 down the road with how many if indeed we ended up with, you

1 know, over a period of time, 25, 30 benches that are memorials.  
2 We may have to change it to a memorial park rather than a county  
3 park. I mean, I -- I -- I know we have to look at this.

4 COMMISSIONER ALLAN: I have a thought on that. But that's  
5 for a later date.

6 Maybe, I don't know, going with a little bit of a  
7 conservation route is have them buy a tree and we can put a plaque  
8 by a tree.

9 You know, building something for the future in the parks  
10 for --

11 BERT RAMOS: So I think his request was just for the bench.  
12 I don't know --

13 COMMISSIONER ANCHO: Yeah. Because --

14 COMMISSIONER ALLAN: Well, I know -- I know that. And --  
15 and -- and -- but that's just it is, is if we say, yeah, we're  
16 going to let him have a bench, like Patsy said, pretty soon  
17 we're going to have 25, 50 people that want to put a bench in  
18 the park and --

19 COMMISSIONER ANCHO: I think that if you look at it in a  
20 smaller view that if this can replace a bench -- and when they  
21 put their requests in, if at that time they understand if we  
22 need a bench replaced, we could utilize theirs. If not, it  
23 can't be done. It -- it's a simpler prob- -- it solves --

24 COMMISSIONER ALLAN: I think that's a good idea.

25 COMMISSIONER CLARK: We could use more seating in the park.  
26 That's for sure.

27 ANNA PENOLA: Anna Penola, for the record.

28 The benches that are in Elquist Park now are on the outside  
29 of the park. They're not taking up in the middle of the park or  
30 taking up --

31 COMMISSIONER CLARK: Yeah.

32 ANNA PENOLA: -- area. They're on the outside by the  
33 trees.

34 And there's a domestic violence bench there. I just --

35 COMMISSIONER ANCHO: Uh-huh.

36 ANNA PENOLA: -- saw that's fairly new.

37 COMMISSIONER ALLAN: I think Kathy's got a very valid  
38 suggestion.

39 COMMISSIONER ANCHO: I mean, if we could --

40 COMMISSIONER ALLAN: Is --

1 CHAIRMAN WAITS: I'll --  
2 COMMISSIONER ANCHO: Because we need --  
3 CHAIRMAN WAITS: I'll --  
4 COMMISSIONER ANCHO: -- them replaced that we replace them  
5 at that time. And they can be put on a waiting list until one  
6 needs to be replaced. And then it's not -- and I don't see  
7 where everybody's going to jump in and say. I mean, --  
8 COMMISSIONER SPARKS: Yeah.  
9 COMMISSIONER ANCHO: -- these benches have been there for  
10 years, the one like Baldini's. And if everybody was going to  
11 jump in and say they wanted a bench, that issue would have come  
12 forth, --  
13 COMMISSIONER SPARKS: Yeah.  
14 COMMISSIONER ANCHO: -- you know, prior commissions. But I  
15 just think that it's a hit-and-miss when that happens.  
16 COMMISSIONER SPARKS: Yeah. I don't think it's going to  
17 be (indiscernible).  
18 CHAIRMAN WAITS: I'll open up for public comment. Is there  
19 any public comment on it?  
20 Okay?  
21 Well, I like the idea of setting some direction now. I  
22 think we should do that. If --  
23 COMMISSIONER ALLAN: I'll --  
24 CHAIRMAN WAITS: Or if --  
25 COMMISSIONER ALLAN: -- make a motion.  
26 CHAIRMAN WAITS: -- you like the idea of -- of something  
27 living and breathing with the memorial plaque. I know other  
28 people have given memorials in -- in the Austin area. And  
29 although we don't always have a good plaque, but --  
30 COMMISSIONER ANCHO: That was their idea, though, --  
31 CHAIRMAN WAITS: But -- but sometimes the brick --  
32 COMMISSIONER ANCHO: -- for their family. This is --  
33 CHAIRMAN WAITS: Yeah. The brick and --  
34 COMMISSIONER ANCHO: -- their --  
35 CHAIRMAN WAITS: -- stuff.  
36 COMMISSIONER ANCHO: This is --  
37 CHAIRMAN WAITS: But living things are always wonderful and  
38 useful. So --  
39 COMMISSIONER CLARK: Well, I'll -- I'll make a motion that  
40 we approve the request to put the bench somewhere around the

1 perimeter of the Elquist Park.  
2 COMMISSIONER SPARKS: I'll second it.  
3 CHAIRMAN WAITS: Okay.  
4 COMMISSIONER CLARK: And -- and what's the guy's name?  
5 Mr. Jeffers --  
6 COMMISSIONER SPARKS: Jeffers.  
7 COMMISSIONER CLARK: -- will pay for it 100 percent.  
8 So however you need to work that out, figure out the price,  
9 send him the bill, you get the money and proceed.  
10 BERT RAMOS: I'll let him organize it with a contractor and  
11 then we'll just make sure --  
12 COMMISSIONER CLARK: Yeah.  
13 BERT RAMOS: -- we set the location.  
14 CHAIRMAN WAITS: Any further discussion or any conditions  
15 or anything?  
16 No?  
17 COMMISSIONER ALLAN: I really honestly, like I mentioned  
18 before, I think that -- that Kathy really had a very good point  
19 is to replace existing benches. Instead of just adding benches  
20 willy-nilly is to replace what's there that is not already a  
21 dedicated bench.  
22 COMMISSIONER SPARKS: Well, honestly, I think if you look  
23 at it, like Art stated, we definitely could use more seating in  
24 our parks. And I don't think it's going to be a -- I don't  
25 think we're just going to be overwhelmed, hey, I'd like to put a  
26 bench. I mean, I don't think that's --  
27 COMMISSIONER ANCHO: No.  
28 COMMISSIONER SPARKS: -- going --  
29 COMMISSIONER ANCHO: I don't --  
30 COMMISSIONER SPARKS: -- to be the --  
31 COMMISSIONER ANCHO: -- think we will --  
32 COMMISSIONER SPARKS: -- case.  
33 COMMISSIONER ANCHO: -- either.  
34 COMMISSIONER SPARKS: But, I mean, if it does, we could  
35 always look at it at that point in time, could we not, Ted?  
36 DISTRICT ATTORNEY HERRERA: Yes.  
37 COMMISSIONER SPARKS: Just setting something? Okay.  
38 CHAIRMAN WAITS: Even though we've set a precedent?  
39 DISTRICT ATTORNEY HERRERA: The precedent was set --  
40 COMMISSIONER ANCHO: Set --

1 DISTRICT ATTORNEY HERRERA: -- 30 years ago.  
2 COMMISSIONER SPARKS: Yeah.  
3 COMMISSIONER ANCHO: Thirty years --  
4 COMMISSIONER SPARKS: Exactly.  
5 COMMISSIONER ANCHO: -- ago.  
6 COMMISSIONER CLARK: Yeah.  
7 COMMISSIONER SPARKS: That's what I'm saying. Hasn't been  
8 a problem --  
9 COMMISSIONER ANCHO: No.  
10 COMMISSIONER SPARKS: -- from that point --  
11 COMMISSIONER CLARK: No.  
12 COMMISSIONER SPARKS: -- to this point. So --  
13 COMMISSIONER CLARK: I mean --  
14 CHAIRMAN WAITS: Yeah. They haven't always been with  
15 citizens. They have been with im- -- important people that have  
16 served in different -- different boards and commissioners and  
17 stuff here. Right?  
18 DISTRICT ATTORNEY HERRERA: But that wasn't  
19 distinguished --  
20 COMMISSIONER ANCHO: That's --  
21 DISTRICT ATTORNEY HERRERA: -- at the time.  
22 COMMISSIONER ANCHO: That -- yeah.  
23 CHAIRMAN WAITS: Okay.  
24 DISTRICT ATTORNEY HERRERA: I mean, --  
25 CHAIRMAN WAITS: Then -- then --  
26 DISTRICT ATTORNEY HERRERA: -- Debra --  
27 CHAIRMAN WAITS: -- we're fine.  
28 DISTRICT ATTORNEY HERRERA: -- Higley --  
29 CHAIRMAN WAITS: Legally we're fine.  
30 DISTRICT ATTORNEY HERRERA: -- is --  
31 CHAIRMAN WAITS: Okay.  
32 DISTRICT ATTORNEY HERRERA: Debora Higley grew up here.  
33 She was from here.  
34 CHAIRMAN WAITS: Okay.  
35 COMMISSIONER ANCHO: Uh-huh.  
36 DISTRICT ATTORNEY HERRERA: I don't know about Mr. Jeffers,  
37 but I know she was.  
38 COMMISSIONER ALLAN: Well, and -- and Patsy's right that,  
39 you know, Mr. Baldini's part -- he was part of the Lions. And  
40 when they developed that, I'm sure he was instrumental in -- in

1 helping --  
2 DISTRICT ATTORNEY HERRERA: Yes.  
3 COMMISSIONER ALLAN: -- build that park.  
4 DISTRICT ATTORNEY HERRERA: He was.  
5 COMMISSIONER ALLAN: And -- and you know we have  
6 Belaustegui Park.  
7 DISTRICT ATTORNEY HERRERA: Yeah.  
8 COMMISSIONER ALLAN: And I don't know where the Elquist, I  
9 mean, family, how that came and -- and whatnot that, you know,  
10 these are all people that were very involved in the community  
11 and -- and building these things.  
12 DISTRICT ATTORNEY HERRERA: I would suggest if you want an  
13 ongoing policy that -- that we put this back, that you decide  
14 today whether you're going to allow this bench. And then we --  
15 we take this up on a later commission meeting and we can  
16 agendize it properly for a policy decision on future  
17 honorariums.  
18 CHAIRMAN WAITS: Or we can leave it for another commission  
19 agenda --  
20 DISTRICT ATTORNEY HERRERA: Or that.  
21 CHAIRMAN WAITS: -- or another board.  
22 Okay. The motion has been made by Art that we do approve  
23 this for Mrs. Jeffers. And it was seconded by Bryan.  
24 So any other discussion?  
25 (No comment.)  
26 CHAIRMAN WAITS: Or public comment?  
27 (No comment.)  
28 CHAIRMAN WAITS: Yes. Counselor?  
29 DEPUTY DISTRICT ATTORNEY FORGERON: Hy Forgeron.  
30 I've listened to the discussion. And I think there were  
31 some valid points raised. But with respect to the item that's  
32 on the agenda, I knew this lady. She grew up here. They were  
33 long-time residents here. She's passed away. Her husband wants  
34 to do something in her memory. And he's willing to foot the  
35 bill. Give the guy his bench now.  
36 CHAIRMAN WAITS: Thank you.  
37 COMMISSIONER SPARKS: Thanks, Hy.  
38 COMMISSIONER CLARK: Thank you, Hy.  
39 CHAIRMAN WAITS: All in favor?  
40 COMMISSIONER ANCHO: Aye.



1 COMMISSIONER CLARK: Aye.

2 COMMISSIONER SPARKS: Aye.

3 CHAIRMAN WAITS: Aye.

4 Any opposed?

5 Thank you. That passes unanimously.

6  
7 **11) Update and information regarding the Public Works department**  
8 **presented by Bert Ramos, Lander County Public Works director,**  
9 **and all other matters properly related thereto.**

10  
11 CHAIRMAN WAITS: Okay. So we are now to Number 11 with the  
12 update and information regarding the Public Works Department  
13 presented by Bert Ramos, --

14 BERT RAMOS: Okay. So --

15 CHAIRMAN WAITS: -- Lander County Public Works director,  
16 and all other matters properly related thereto.

17 BERT RAMOS: Sorry. Ms. Patsy.

18 CHAIRMAN WAITS: You're on.

19 BERT RAMOS: All right. A few things that we've -- I've  
20 been busy, missed you guys the last meeting. We have a lot of  
21 jobs going on. We're about 75 percent finished with one going  
22 on in Austin right now. We're waiting on that change order so  
23 we could keep ticking down there. White Knife's going really  
24 well.

25 But I did some research on septic density and testing. And  
26 here's the list of people that I've contacted and kind of some  
27 information that I have.

28 But like opening Pandora's Box here. I contacted NDEP --  
29 multiple offices, talked to multiple people -- Department of  
30 Public Health, City of Pahrump, City of Washoe County, state  
31 health, and Bureau of Safe Drinking Water. And is what I found  
32 out is there's really no set testing on how they test.

33 And the reason that Washoe County went to the municipal  
34 system is because they had high groundwater and it started  
35 pushing raw sewage out onto the street.

36 COMMISSIONER CLARK: Yep.

37 BERT RAMOS: At that point, they created a GID district,  
38 which is a General Improvement District. And anybody who lived  
39 within that district, their rates went up to pay for the  
40 improvements of the new sewer system that came in, which --

1 But I don't have -- they don't have really any set  
2 standards for how you test, who's responsible for testing, where  
3 you test. It's kind of a -- the moral of the story is they  
4 leave it up to the -- to the deciding body, which is the  
5 commission of that county. And they try to keep it within the  
6 state's limits of 99 per -- per square mile.

7 I'm waiting for some emails to come through. So I'll bring  
8 that back to you guys. And hopefully we can have some more  
9 discussion on it with a -- with a few commissioners here outside  
10 of -- outside of the meeting to kind of everybody get their  
11 minds around it so it's not just me sitting here relaying the  
12 message. It can be -- you guys can hear it from -- when we get  
13 the right people together. Because these -- it -- everybody's  
14 sending you to a different office. They don't really know.  
15 They -- you'd think that the state would have record of where  
16 they failed at, if they've had dissolved solids or if it's just  
17 high nitrates or what -- what's going on with these things. And  
18 they -- they don't have one spot you can go to and just get it.

19 COMMISSIONER CLARK: But we do know that septic have  
20 failed below the 99 per square mile.

21 BERT RAMOS: We -- we do many -- yes, but they -- but we  
22 don't know that it has contaminated the groundwater per se. We  
23 know --

24 COMMISSIONER CLARK: Well, --

25 BERT RAMOS: -- that --

26 COMMISSIONER CLARK: -- we know --

27 BERT RAMOS: -- there's --

28 COMMISSIONER CLARK: -- that in --

29 BERT RAMOS: -- the septic --

30 COMMISSIONER CLARK: -- Pahrump.

31 BERT RAMOS: -- have failed.

32 COMMISSIONER CLARK: We know that in Pahrump.

33 BERT RAMOS: Yes. Now getting that information out of them  
34 or getting somebody to put that in writing is a whole other  
35 thing.

36 COMMISSIONER CLARK: Yeah.

37 BERT RAMOS: So that's just kind of general on -- on that.  
38 I'll keep working forward with it and -- and try to bring  
39 something. Because I don't -- I don't want to put anybody in  
40 the community -- I don't want to stop any developers from

1 developing. And I don't want to, you know, put the county in a  
2 spot where we have to later run sewer -- municipal sewer out to  
3 places and it's -- and it's a huge cost burden to the county or  
4 start a GID district here and be, you know, a big burden on  
5 anybody living in -- in them areas that we let develop in.

6 So --

7 And then I wanted --

8 COMMISSIONER ANCHO: Ted --

9 BERT RAMOS: -- to touch on some cost savings.

10 COMMISSIONER ANCHO: So on that, can I make a comment on  
11 that?

12 BERT RAMOS: You bet.

13 COMMISSIONER ANCHO: So I had also sent some emails to  
14 Division -- Division of Environmental to try to find out if  
15 there was these huge failures or huge -- small -- and he -- and  
16 he's right. And I haven't received anything back of failures.

17 And so I asked about Pahrump. And they said, well, Pahrump  
18 was an anomaly all of in itself because it had no infrastructure  
19 whatsoever. So they started all these septic and all of these --  
20 and there was no inf- -- they did absolutely no infrastructure.  
21 And so that's why they were having issues with failures and things  
22 like that.

23 So they're -- they were taken out -- aside and put out of  
24 the norm because of not only did they end up draining their  
25 water in that area and causing fissures to break open and homes  
26 and buildings to sink, but they had no infrastructure for their  
27 water and sewer.

28 So they all the way around -- unfortunately Pahrump was --  
29 had issues aside from the state. Because the state also -- I've  
30 sent out many emails from the Department of Environmental to see  
31 if there was fail -- huge failures within the state of Nevada.  
32 And I'm not -- they're not getting any information back either  
33 on that.

34 CHAIRMAN WAITS: Well, is Nye County the only county that  
35 doesn't have building codes either, right?

36 COMMISSIONER ALLAN: Eureka County doesn't.

37 CHAIRMAN WAITS: They don't have building codes in Eureka?

38 COMMISSIONER ALLAN: Well, they don't have building  
39 inspectors. So --

40 CHAIRMAN WAITS: Yeah. Right. I mean, they have more than

1 just the water structure that we're --  
2 COMMISSIONER ANCHO: So they're going back, trying from the  
3 drawing board with Pahrump and trying to figure out their issues  
4 now and how to fix them. So --  
5 COMMISSIONER ALLAN: I think one of the interesting things,  
6 though, is it's almost apples to oranges in respects of you're  
7 looking at septic systems that are failing in Pahrump. You know,  
8 what's causing them to fail is -- is it the ground itself? Are  
9 you not getting proper leeching? You've got a whole different  
10 geology in Pahrump than you do in Lander County.  
11 So trying to kind of compare them, I don't know if there  
12 really is much of a comparison there.  
13 BERT RAMOS: Well, I guess the only comparison is the fact  
14 that the state doesn't -- they have 99 septic systems per square mile  
15 regardless if you're in Pahrump or --  
16 COMMISSIONER ANCHO: Yeah.  
17 BERT RAMOS: -- Battle Mountain.  
18 COMMISSIONER ANCHO: Exactly.  
19 COMMISSIONER ALLAN: Well -- yeah. That's --  
20 CHAIRMAN WAITS: Okay.  
21 COMMISSIONER ALLAN: But is -- if they're failing, doesn't  
22 mean we're going to fail 99.  
23 BERT RAMOS: So moving on.  
24 The -- I went and walked through the water treatment plant  
25 out there in Crescent Valley. And is what I found out is their  
26 treating about 300 gallons of water a minute down to zero  
27 arsenic. It cost them roughly a couple million dollars to  
28 install the treatment plant. It's -- it's really small. It  
29 costs them -- they're down to \$50,000 every six to eight years  
30 to replace the medium in the -- in the tanks to treat the water.  
31 Insanely effective for what -- what you can do.  
32 And is where I'm going with this is we have a -- we have a  
33 well in town that is really high in arsenic, but it's a big  
34 producer. It would be cheaper to put one of these treatment  
35 plants right there at the well, treat it, and you could mix it  
36 to have the same plant there. And -- and at the mix, we  
37 could -- we could treat about 800 gallons a minute and every six  
38 to eight years be a fixed thousand dollars into the medium.  
39 COMMISSIONER CLARK: What's it -- what's the cost for the  
40 small --

1 BERT RAMOS: For the --  
2 COMMISSIONER CLARK: -- plant?  
3 BERT RAMOS: -- for the plant is \$2 million, just over  
4 2 million is what Eureka County paid for it.  
5 So I was really surprised. It's in -- it's worth -- if any  
6 of you guys have time and would like to drive out there and  
7 check it out, I would like to show you. Because it might be the  
8 cheapest investment we can to protect the county.  
9 The way we stand right now, you're supposed to -- by the  
10 state's standards -- you're supposed to be able to operate with  
11 your biggest producing well out of operation during peak hours  
12 and peak point of the year, which is middle of the summer. And  
13 we couldn't -- we couldn't come close to touching that right  
14 now.  
15 If -- if Well Number 9 out in the valley went out, we would  
16 limp by with Well 6, which is our high arsenic. And the state's  
17 allowing us to use it right now. Not saying they will forever.  
18 It's a 15 parts per million to 18 parts per million. And -- and  
19 you're supposed to be below ten.  
20 So if -- if that went, if something went there, we -- we  
21 couldn't keep the town in water is what I'm saying.  
22 Now with -- with Well 6, treating that, we could keep  
23 ourselves in the water. It might be something that we consider  
24 investing in maybe next budget year.  
25 COMMISSIONER ALLAN: Bert.  
26 BERT RAMOS: It's worth looking at.  
27 COMMISSIONER ALLAN: If we didn't have those wells south of  
28 town, all the water -- the wells in town, six, I think three. I  
29 don't know with the other ones, what is our gallons per minute  
30 that would be coming out of those? Do you know?  
31 BERT RAMOS: You -- you could -- you could probably pull  
32 4,000 gallons a minute out of them pretty easily.  
33 COMMISSIONER ALLAN: Okay.  
34 BERT RAMOS: They're -- they're big producers.  
35 COMMISSIONER ALLAN: I'm just trying to get a little idea  
36 here of --  
37 BERT RAMOS: Now, mind you, we've taken Well 3 off. And it  
38 -- it's servicing --  
39 COMMISSIONER ALLAN: Right.  
40 BERT RAMOS: -- the -- the parks. And, you know, it's --

1 we're -- we're doing some -- some alternate water.  
2 But -- and four is a truck fill.  
3 So we've saved millions of gallons by doing the truck fill  
4 and watering the parks and ball fields and all that with the --  
5 with that high arsenic water.  
6 COMMISSIONER ALLAN: Now, I guess just my point being is we  
7 have three wells that are not necessarily the most dependable  
8 wells in the county at a cost of over 15-some million dollars.  
9 And now we still want to talk about putting an arsenic treatment  
10 plant in. And I'm not saying I'm opposed to it. It's just  
11 reality as the decision to put that -- those wells out there was  
12 not a fiscally responsible decision.  
13 BERT RAMOS: And hindsight's always 20/20.  
14 COMMISSIONER ALLAN: Exactly.  
15 COMMISSIONER CLARK: Bert, pick a time next week and give  
16 me a call. I'll go out with you.  
17 BERT RAMOS: Okay. Awesome. The --  
18 COMMISSIONER CLARK: I'll --  
19 BERT RAMOS: -- operator --  
20 COMMISSIONER CLARK: -- see it.  
21 BERT RAMOS: -- out there's -- you know, he got operator of  
22 the year for the state. He's a great water system operator.  
23 He's super knowledgeable. Good guy to talk to.  
24 I've toured the Indian's arsenic treatment plant. It's not  
25 anywhere near as effective or operator friendly as this. This  
26 is pretty -- when you walk in the room, you'll -- you'll be  
27 shocked at how -- how little there really is there.  
28 So moving on, I'm going to touch on some construction cost  
29 savings.  
30 Out here at the -- on the -- the White Knife or the water  
31 main loop that we're doing, we have \$20,000 in -- in savings that  
32 we -- and -- and we'll have a bunch more. But I didn't want to  
33 include until we're done with the final budget for -- and that  
34 will be around middle of August when we completely close that job  
35 out.  
36 But that's just in surveying and design that we've saved that  
37 20,000. Hopefully we'll have a bunch more to come with that.  
38 And then another thing that I -- I really want to make sure  
39 I point out here is the cost savings for the Austin road rehab.  
40 And that's a huge deal to Marty Ugalde and Day Engineering

1 because this guy sends me emails at 1:00, 2:00, 3:00 in the  
2 morning. I had to shut my phone off from getting his emails at  
3 that time because he'd wake up with -- with a ding and then show  
4 up out here at 9:00 o'clock and be walking through a job with me  
5 the same -- same day.

6 And he's saved us over \$200,000 in design and surveying. And  
7 there's -- there's -- looks like there's going to be a little bit  
8 more to come.

9 He -- he really just knocked these jobs out of the park.  
10 And it's -- it -- it's a true testament to the work the guy  
11 does. It's in- -- it's -- can't say enough. I wish he was  
12 here.

13 And then on another one -- so I have on our inspection  
14 services, we used to get a flat 5 percent rate from our engineer.  
15 They -- of whatever the job was. And if you added a change order  
16 to it, then you got five -- they took the 5 percent of that.

17 And that's materials and everything else included. Well, I  
18 took that away and we went with a local. And I know that it's  
19 caused some stir because my sister is involved and it's a small  
20 community. I have nothing to hide from anybody.

21 But my sister and Netty are dating. Everybody  
22 knows. Or I'm not sure what they are. But --

23 Yeah, how do you say that in public?

24 UNIDENTIFIED PARTICIPANT: I think they're partners

25 CHAIRMAN WAITS: Nepotism. Yeah.

26 BERT RAMOS: So -- so anyway -- and I've always went with  
27 local business. It's been something that I've done since I got  
28 hired in Austin. My brother-in-law ran the NAPA. We always did  
29 business with them. We get fair pricing. And so I know that  
30 it's caused some concern amongst especially one commissioner.  
31 So I wanted to point out some cost savings on the project since  
32 they've been with us.

33 We've saved \$88,076. And that's over five projects. But  
34 that's not including if we -- if we went and we included the --  
35 the change orders and other things, you -- you're talking  
36 another \$75,000. So we would have saved \$163,076 so far in five  
37 projects with them.

38 And this is money we can put somewhere else. So it's --  
39 it's responsible.

40 We can't bid it because it's professional services.

1           So I've had to walk down this tight rope. And I'm trying  
2 to do everything that's fair.

3           Keith wants to be the one that signs all them things. And  
4 I don't feel that -- I don't want anybody to think I'm hiding  
5 behind Keith.

6           I'll come here in a public meeting in front of the whole  
7 world and justify why I'm doing what I'm doing to anybody for  
8 the better of the county. It's not any sort of relative,  
9 friend, family. Everybody knows each other in this town. We  
10 all work with each other whether we like each other or not.  
11 There are many people that probably don't li- -- care for me  
12 much but still work with me. So that --

13           COMMISSIONER CLARK: There's no --

14           BERT RAMOS: -- that there --

15           COMMISSIONER CLARK: -- there's -- there's no violation  
16 there.

17           BERT RAMOS: No, no. But I j- -- I want to -- I just want  
18 to point that out. And -- and I think it is substantial, you  
19 know, that we're -- we're supporting local business and saving  
20 the county money. I think that's important.

21           Another thing that got brought to my attention, there's 176  
22 working days for -- for a four-day-a-week county employee here.  
23 And that's not including your vacation days. That's with your 16  
24 paid holidays. That breaks down to one thousand seven -- or 1,670  
25 hours per year time -- and three years, I went in my phone and I  
26 did these. These phones are pretty cool because they'll show you  
27 how much you've talked on them. Give you the minutes, the days,  
28 everything.

29           So I broke this down. And is what -- since 2016 is when I  
30 had -- got this phone, I have been on it an average of working  
31 days, 5.05 hours. That doesn't include text messages. That  
32 doesn't include emails or anything else.

33           So -- and the reason that this is important and I want to  
34 point this out is because -- and I hate to do this in a public  
35 meeting, but I -- but I've been brought to the point where I  
36 think that what's in the dark will be brought to the light  
37 everywhere at some point in life. And I'm just going to start  
38 doing these things in public meetings so it's out here for  
39 everybody to see.

40           People call Ms. Allan -- Commissioner Allan and I -- and she



1 tells them I don't answer my phone, I don't return phone calls,  
2 and that I'm a liar, that our assistant district attorney does  
3 things illegally covering up for me.

4 I'll tell you right now, if you call this phone, if you  
5 leave a voicemail, I've always got back to them. If you send me  
6 a text message, I will always get back to you. If you call this  
7 phone and I don't answer and you don't leave a voicemail or you  
8 don't send a text message, you won't hear back from me not  
9 unless I'm somewhere in service where I can see your name showed  
10 up on my phone. Then I'll call you back and say, hey, what's  
11 going on? But I'm on this thing full-time, every day. And I --  
12 and I don't do it discriminatively towards anybody. I don't  
13 care who you are in this county, whether I like you or not, I  
14 will always answer it or return your text or call if -- if you  
15 leave a message.

16 So from here forward, I'm just going to point them things out  
17 because I don't appreciate being called a liar nor do I appreciate  
18 being told that I won't answer my phone by people in the community  
19 that come to me and say, hey, I just wanted to let you know this  
20 is what's being told to me. It's unprofessional. It's something  
21 I wouldn't do to you no matter what I think about it because of a  
22 professional standard that should be set by all of us that are in  
23 this room.

24 So I -- I'm just putting that out there. You know, if you  
25 want to address me on any of that, I'd love to do it in an open  
26 meeting.

27 COMMISSIONER CLARK: It's called transparency, Bert.

28 BERT RAMOS: So -- and that -- that's -- and I -- and I  
29 apologize to you commissioners for this because I don't want  
30 this to come to this for any of us. I know that I try to keep  
31 this -- these chambers as professional as possible.

32 And -- and with that, that's kind of my update. I don't have  
33 much more to add to it.

34 CHAIRMAN WAITS: Okay.

35 COMMISSIONER ALLAN: I have a --

36 CHAIRMAN WAITS: Do we --

37 COMMISSIONER ALLAN: -- question regarding White Knife.

38 BERT RAMOS: Okay.

39 COMMISSIONER ALLAN: Is when the budget was approved, you  
40 presented to the commission that the colony was going to pay 27

1 percent.  
2 BERT RAMOS: Yeah. Like 800-and-something thousand, I  
3 believe.  
4 COMMISSIONER ALLAN: 827,000?  
5 BERT RAMOS: Uh-huh.  
6 COMMISSIONER ALLAN: Is that still --  
7 BERT RAMOS: That is still standing, yes.  
8 COMMISSIONER ALLAN: -- standing. Thank --  
9 BERT RAMOS: Yes.  
10 COMMISSIONER ALLAN: -- you.  
11 BERT RAMOS: At the time of their connection, they pay the  
12 full amount. Correct.  
13 CHAIRMAN WAITS: Do we have any other questions for our  
14 public works director?  
15 COMMISSIONER SPARKS: Nope.  
16 CHAIRMAN WAITS: Thank you for the update. The rest is  
17 noted for the record.  
18 COMMISSIONER CLARK: Thanks, Bert.

19  
20

21 **CORRESPONDENCE**

22

23 12) **Correspondence, reports, potential upcoming agenda items.**

24

25 CHAIRMAN WAITS: Okay. Moving on. Our last agenda item is  
26 Correspondence. Number 12. Correspondence, reports, potential  
27 upcoming agenda items.

28 Anything we haven't discussed that the --

29 COMMISSIONER ANCHO: The Nevada Day thing probably will  
30 need to be put back on there; correct?

31 CHAIRMAN WAITS: Yeah. I think he has --

32 COMMISSIONER ANCHO: For --

33 CHAIRMAN WAITS: -- most --

34 COMMISSIONER ANCHO: -- update.

35 CHAIRMAN WAITS: -- of them. Yeah.

36 He had for us a few things.

37 Okay. Nothing new?

38 Okay.

39

40

1 **PUBLIC COMMENT**

2  
3 CHAIRMAN WAITS: Moving into public comment for  
4 nonagendized items only.

5 Persons are invited to submit comments in writing and/or  
6 attend and make comments on any nonagenda item at the board  
7 meeting, if any, and discussion of those comments at the  
8 discretion of the board. All public comment may be limited to  
9 three minutes per person, again at the discretion of the board.  
10 Reasonable restrictions may be placed on public comments based  
11 upon time, place, and manner, but public comment based upon  
12 viewpoint may not be restricted.

13 Any public comment?

14 Counselor?

15 DEPUTY DISTRICT ATTORNEY FORGERON: Hy Forgeron.

16 I have served this community as district attorney and  
17 deputy district attorney for more years than I want to recollect  
18 at this point in time.

19 I have always tried to do so ethically and honorably.

20 I don't appreciate my professional ethics being questioned  
21 by anyone, whether commissioner or not.

22 I have always maintained an open office policy for anyone  
23 in the county to come in and talk to me about any concerns that  
24 they have.

25 And I stress that again to you as county commissioners.

26 If you have any questions about what I am doing, either for  
27 the county or otherwise, please come to my office and talk to me  
28 about it. Don't spread biased, filthy rumors. Thank you.

29 COMMISSIONER CLARK: Thanks, Hy.

30 COMMISSIONER ANCHO: Thank -- thank you.

31 CHAIRMAN WAITS: So noted for the record.

32 Thank you.

33 Any other public comment?

34 Okay. Before we adjourn, just a -- a reminder, we'll be  
35 having a closed session here.

36 COMMISSIONER CLARK: Yeah.

37 CHAIRMAN WAITS: Okay. So we'll take a couple minutes and  
38 then come back for a closed session.

39 Motion?  
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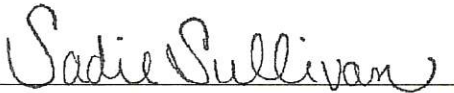
ADJOURNMENT

COMMISSIONER SPARKS: I'll motion --  
COMMISSIONER ALLAN: Not yet.  
COMMISSIONER SPARKS: -- to adjourn.  
COMMISSIONER ALLAN: Motion to close?  
COMMISSIONER SPARKS: To adjourn?  
CHAIRMAN WAITS: Motion by Bryan to adjourn. Seconded by  
Judie Allan.  
COMMISSIONER CLARK: Aye.

(Recording ended. Motion adjourned at 11:26 a.m.)



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



ATTEST: LANDER COUNTY CLERK

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