

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 October 10, 2019, at 8:59 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**  
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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: Good morning, everyone. Welcome to our  
22 commissioners' meeting for October.

23 We're going to call to order the Lander County  
24 Commissioners' meeting, Town Board of Battle Mountain and  
25 Austin, Board of County Highway Commissioners for October 10,  
26 2019.

27 We'd ask now that you'd all stand and join us in the Pledge  
28 of Allegiance.

29 Bryan, if you might lead us in that this morning.  
30

31 (Pledge of Allegiance)  
32

33 CHAIRMAN WAITS: Thank you.

34 We do have a reminder on your cell phones. If you would  
35 mute -- be sure and mute those for us, please, and then join us  
36 in a moment of silence.  
37

38 (Moment of silence)  
39

40 CHAIRMAN WAITS: Thank you.

1           The Lander County Commissioners may break for lunch from  
2 12:00 o'clock to 1:15. Any agenda item may be taken out of  
3 order, may be combined for consideration by the public body, and  
4 items may be pulled or removed from the agenda at any time.

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7 **COMMISSIONER REPORTS**

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9           CHAIRMAN WAITS: We will now begin with our commissioners'  
10 reports on meetings, conferences, and seminars attended.

11           And, Commissioner Allan, I'll start with you at that end if  
12 you might bring us to date on anything you'd like to share.

13           COMMISSIONER ALLAN: Thirteenth of September, I attended  
14 the Humboldt River Basin Water Authority.

15           I did go to the NACo conference.

16           We also had a Central Nevada Regional Water Authority  
17 meeting at that time.

18           And then this past Tuesday, I attended the LEPC meeting.  
19 Not really much to report with those.

20           COMMISSIONER ANCHO: Oh, yes. I also attended the NACo  
21 meeting and the Central Nevada Regional Water Authority.

22           And it's pretty straightforward, standard things that's  
23 going on there. From one meeting to the next is truly the same.

24           They approved -- the one thing that they did do is they  
25 approved the membership for the Humboldt County into the Central  
26 Nevada Water Authority. So that was one thing that was new that  
27 they did do. So --

28           CHAIRMAN WAITS: Thank you.

29           Commissioner Sparks?

30           COMMISSIONER SPARKS: Nothing to report.

31           CHAIRMAN WAITS: Nothing?

32           Art, anything?

33           COMMISSIONER CLARK: Yeah.

34           I attended the SLUAC meeting in Sparks. And there were  
35 two -- two topics that really got discussed. One was the 2477  
36 roads and the other was septic tanks.

37           There's a lot of concern across the state on septic  
38 because there are too many in areas. And the  
39 owner/builder/developers are misusing it across the state.

40           So SLUAC is going to be tasked with trying to straight

1 that -- straighten that out.

2 On the 2477 roads, the Governor's Office asked SLUAC to  
3 come up with a procedure because we have conflicting decisions.  
4 We have one decision where a road is a 2477 road if it's been  
5 open for ten years. We have another decision that you cannot  
6 block off 2477 roads or two tracks. And then we have one  
7 decision where there was a road that the county maintained  
8 through a ranch. The ranch sold and the new owners blocked it  
9 off.

10 Well, what happened there is BLM and the county came up  
11 with a variance and they built around the ranch house proper.  
12 And I don't think anybody wants to open up a road right in front  
13 of somebody's ranch house.

14 So hopefully we can come up with a procedure that's fair  
15 and equitable for everyone.

16 So those are the two big issues in the state lands for now.

17 CHAIRMAN WAITS: Thank you.

18 I -- I did attend the Kingston Town Board meeting on  
19 September 19th.

20 They've had quite a bit of vandalism around their -- their  
21 parks area that they're trying to handle right now, which is  
22 always sad.

23 And, of course, our annual NACo conference on the 25th and  
24 26th. Just a couple of things I wanted to share. They -- they  
25 did several good, educational sessions and presentations.

26 We had federal policy update from our national NACo  
27 legislative folks, cybersecurity briefing, county fiscal health  
28 and stability, and preparing for the unimaginable.

29 We did honor one of our -- our senators, David Parks as  
30 legislator of the year, who has worked with NACo so closely all  
31 year long. And we honored our Humboldt commissioner -- county --  
32 Jim French who will be stepping into the presidency next year.

33 He was inducted into our NACo's honor roll for his  
34 commitment and being the advocate for counties and his  
35 community. He's been active in so many -- so many different  
36 committees and -- and sat on the -- the Western Regional  
37 Conference and also attended many meetings in Washington, D.C.  
38 So he received that award.

39 On some of it we have a -- a -- quite a lengthy discussion  
40 regarding the overhauling of our bail system. And actually,

1 Judge Denise gave us a little bit of a background on  
2 some of that. We'll be doing jury trials now and we -- actually  
3 in -- in our justice courts. And we also will be doing a new  
4 bail matrix that kind of takes the decision away from the judge  
5 of whether they're going to O.R. or not, if it meets that.

6 So we've got some costs that have been pushed on down to  
7 the counties that we have to take a look at. And I know  
8 everybody's looking into that and will come before us.

9 But I do want to mention that all these educational assis-  
10 -- programs that were there for our conference are on the NACo  
11 website.

12 So if any of you want to look at any of the sessions or  
13 presentations, they're posted. You just go on the training  
14 page, and the resource menu has everything on there for you.

15 We also, at our annual NACo meeting, voted in our second vice  
16 president who will be moving on up into the presidency, of course.  
17 And that will be -- let's see -- he comes in as first vice  
18 president so 2022. And that's Bob Lucey from Washoe County.

19 And that's all basically I wanted to share.

20 I thought hopefully those that attended found it very  
21 educational. We also managed to have some fun along the side.

22 And at our president's reception, we did do an animal  
23 awareness evening. We were able to actually dedicate over \$2500  
24 to the different shelters and rescue groups that take our county  
25 dogs when they are on death row so we don't have to euthanize.  
26 So that was exciting.

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28  
29 **STAFF REPORTS**

30  
31 CHAIRMAN WAITS: Moving on to staff reports.

32 Good morning, Keith.

33 KEITH WESTENGARD: Good morning.

34 First thing is I've been -- I've had several meetings with  
35 J-U-B and the FAA regarding our airport projects. We are in the  
36 planning phase right now, two of our projects, one in Battle  
37 Mountain, one in Austin.

38 And the FAA has actually offered up an additional  
39 \$2.3 million to do some more -- to -- to do additional projects.

40 These projects are -- have to do with our taxiways,

1 increasing the depth of the taxiways for the air tankers that --  
2 with BLM.

3 So in -- in a future meeting, I'll be coming to ask for the  
4 matching funds at 93.75 percent to see if -- to get that money  
5 put into the budget in order to proceed with these -- these FAA  
6 projects.

7 We did have -- I did attend the NACo conference as well. We  
8 had a strong presence of Lander County employees at the  
9 conference, which was beneficial to all of them.

10 We have our flu P.O.D. coming up on the 16th in Battle  
11 Mountain at the Peters Build- -- or -- yeah, the Peters Building.  
12 So make n- -- make a note of that.

13 We have a swim-a-thon this Saturday at 9:00 a.m. at  
14 the rec center. We also have three of the kids in the swim  
15 team that are -- be going to the state for -- for swim meet  
16 competition.

17 I did receive a letter this week from Garrett  
18 Bakker. His last day at the golf course was October 6th.

19 So he's terminated his contract with the county to -- for  
20 services at the golf course.

21 I also have several update- --

22 Yeah. Jon Sherve -- Jon -- Jon Sherve was going to come  
23 during public comment. And he's going to give an -- an update on  
24 several of the things we have going with BLM, one of them being  
25 the purchase of the golf course. So if he doesn't show up, I'll  
26 catch it at the public comment at the end and give you guys an  
27 update.

28 I do have several -- I do have several other updates that I  
29 wanted to go over having to do with the levee and this  
30 building and some other things. But talked to -- to Ted and  
31 would like to do in a litigation afterwards in a closed session  
32 and give you some pretty in-depth update on what's going on.

33 Thank you.

34 CHAIRMAN WAITS: I have a question on the FAA grants.

35 KEITH WESTENGARD: Yes.

36 CHAIRMAN WAITS: It was just about a year ago, I think,  
37 that the federal government said, we've got some 100 percent  
38 grants for some of the smaller airports, --

39 KEITH WESTENGARD: Yes.

40 CHAIRMAN WAITS: -- at the different states.

1 KEITH WESTENGARD: Uh-huh.

2 CHAIRMAN WAITS: And I know that J-U-B put in for us. And  
3 I think the last thing I remember, there were six airports that  
4 were vying for the money, and two of them were Lander.

5 KEITH WESTENGARD: That's right.

6 CHAIRMAN WAITS: Right. What -- what happened to those?  
7 Did -- were there anything --

8 KEITH WESTENGARD: We haven't -- we haven't received any  
9 final word on those as of yesterday when I did have the -- a  
10 phone call with J-U-B.

11 One thing I did forget, the -- I had a -- got an email from  
12 Rob Rule. And they are moving in the -- the weaponry, I guess,  
13 the -- their -- their training props into Austin. They moved in  
14 several tanks and Army personnel carriers for the  
15 training. So they are down there preparing that area for their  
16 training over the next year or so.

17 CHAIRMAN WAITS: Yes. They have -- they have started that.  
18 And we've got a lot of helicopters that have been coming in and  
19 out.

20 KEITH WESTENGARD: Uh-huh.

21 CHAIRMAN WAITS: So once we straighten out the gas part so  
22 we can sell them gas, hopefully, that will be okay.

23 KEITH WESTENGARD: I -- I did have a discussion yesterday  
24 with the military. And I think we're on a good track with  
25 that --

26 CHAIRMAN WAITS: Good.

27 KEITH WESTENGARD: -- for the purchase. I hope. Or the  
28 government end of it, yes.

29 COMMISSIONER ALLAN: So I --

30 CHAIRMAN WAITS: Thank you.

31 COMMISSIONER ALLAN: -- do have a question, Keith.

32 KEITH WESTENGARD: Yes.

33 COMMISSIONER ALLAN: You said 93.7 percent match. We would  
34 pay the 6 point --

35 KEITH WESTENGARD: Yes.

36 COMMISSIONER ALLAN: -- 3 --

37 KEITH WESTENGARD: That's correct. I -- I'm sorry. Yeah.  
38 It -- the FAA pays the 93.75 percent. And then we pay that  
39 balance of six -- 6 percent.

40 So it's a very good program. We get a lot done. They

1 did -- they have acknowledged -- FAA has acknowledged that  
2 Lander County is a -- a, quote, good customer for FAA. We get a  
3 lot of money from them every year. And we match that well. And  
4 they've done a lot of work at both of our airports. So they  
5 support our air tanker program very well. That's why we're  
6 making the runways much deeper to accommodate the heavier  
7 tankers during fire season.

8 Thank you.

9 CHAIRMAN WAITS: Yeah. We had some problems with that  
10 because they wouldn't allow it for a while. And we really had  
11 to go to bat to -- to --

12 KEITH WESTENGARD: Yes.

13 CHAIRMAN WAITS: -- see.

14 KEITH WESTENGARD: Yeah. And -- and we do continue to work  
15 on our 12-30 runway, our crosswind runway.

16 We've ordered a -- an actual wind machine that they're  
17 going to set up out there to show the wind direction, speed, the  
18 time of day, and so forth, because we don't want to lose that.  
19 The FAA wants to shut that down. And we -- we can't shut it  
20 down. We really need to work toward that.

21 CHAIRMAN WAITS: So we do have the wind machine?

22 KEITH WESTENGARD: It's been ordered. Yes.

23 CHAIRMAN WAITS: Approximate delivery date?

24 KEITH WESTENGARD: It was six weeks, two weeks ago. So  
25 we're looking at about another month.

26 CHAIRMAN WAITS: Okay. Thank --

27 KEITH WESTENGARD: Okay?

28 CHAIRMAN WAITS: You.

29 KEITH WESTENGARD: Yeah. So we're -- we're still working  
30 on that. And hopefully we'll get that straightened out.

31 CHAIRMAN WAITS: Thank you.

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33  
34 **PUBLIC COMMENT**

35  
36 CHAIRMAN WAITS: We're moving now into public comment.  
37 This is for nonagendized items only.

38 Persons are invited to submit comments in writing and/or  
39 attend and make comments on any nonagenda item at the board  
40 meeting, if any, and discussion of those comments at the

1 discretion of the board. All public comment may be limited to  
2 three minutes per person, again at the discretion of the board.  
3 Reasonable restrictions may be placed on public comments based  
4 upon time, place, and manner, but public comment based upon  
5 viewpoint may not be restricted.

6 And we do have public comment this morning?

7 Yes, Jon, come on up.

8 Good morning. Timing is excellent.

9 JON SHERVE: Yeah.

10 Good morning, Commissioners. My name is --

11 COMMISSIONER SPARKS: Good morning.

12 JON SHERVE: -- Jon Sherve. I'm the field manager for the  
13 BLM Mount Lewis Field Office. And I wanted to provide an update  
14 on some projects of local interest.

15 The first one is the Argenta grazing permit renewal.  
16 The up- -- update on that is that we've -- have, through many  
17 years of working with the local grazing permittees and our state  
18 office, who is going through the environmental analysis, team at  
19 the state office, we've been able to issue the draft  
20 environmental assessment.

21 The -- the framework for the -- this environmental analysis  
22 was again done by the grazing permit renewal team out of the  
23 state office. That was done intentionally to remove -- pretty  
24 much remove our office from this process.

25 The district manager, Doug Furtado, has essentially removed  
26 himself out of -- out of the environmental analysis while it's  
27 being done through the BLM Nevada State Office.

28 So the state office, the grazing permit renewal team, will  
29 be providing us, as time goes on, the recommendations to move  
30 forward with the decision.

31 So the environmental analysis looks at different grazing  
32 alternatives. And some of them are required by legal precedence  
33 or by -- by law. And some of them are -- are developed through  
34 the issues -- the environmental issues.

35 In this case, we have fi- -- six different grazing  
36 alternatives. There's one that's called the "no action" where  
37 things just stay the same, under the current authorizations.

38 Another alternative is the one that's used -- the  
39 settlement -- settlement agreement that was in place for three  
40 years as a way to move forward under the grazing framework.



1           The third alternative is based on what the applicants, the  
2 grazing permittees developed.  
3           Another -- the fourth one is a -- an adaptive management  
4 alternative.  
5           The fifth one is a -- a -- a scenario that looks at reduced  
6 use, reduced livestock grazing.  
7           And then the fourth one -- I'm sorry -- the sixth one is --  
8 is what -- looked at as a no-grazing alternative, where there's  
9 no -- no grazing whatsoever on the allotment.  
10          So all those are looked at in this document.  
11          The public comment period. We're in the middle of a 30-day  
12 public comment period. More than likely that'll get extended  
13 for another period of time. There's a lot of interest, not just  
14 locally, but really through the western U.S. There's a lot of  
15 groups that are going to be commenting on this. So we're going  
16 to be dealing with probably many thousands of comments.  
17          When -- the way we move forward is -- with that is once we've  
18 addressed all the comments, the grazing permit renewal team will  
19 make a recommendation on what to select and how to move forward.  
20          So we're anticipating, of course, a lot of appeals and --  
21 and litigation.  
22          So that's it on that.  
23          Questions?  
24          And again -- well, ju- -- one more thing on that. So any  
25 alternative that we must select that must meet the -- what's  
26 called the -- the grazing -- the rangeland health standards.  
27          So whatever grazing scenario's going to be on the allotment  
28 has to show progress toward meeting these rangeland health  
29 standards, which is standards that were developed consistent  
30 with the regulations through our resource advisory council in  
31 this region.  
32          The second --  
33          COMMISSIONER ANCHO: I have a --  
34          JON SHERVE: -- project --  
35          COMMISSIONER ANCHO: -- question --  
36          JON SHERVE: Oh, --  
37          COMMISSIONER ANCHO: -- or a --  
38          JON SHERVE: -- yes.  
39          COMMISSIONER ANCHO: -- comment. Sorry about --  
40          JON SHERVE: Yep.

1 COMMISSIONER ANCHO: -- that.  
2 So now if I'm remembering right from the meeting, it -- the  
3 different ranchers can have different selection of those  
4 options; correct? Or is it one fits all?  
5 JON SHERVE: No. That's a good question.  
6 So we've -- yes. There -- there's a way that we'll be able  
7 to select various components of those different alternatives.  
8 COMMISSIONER ANCHO: For each --  
9 JON SHERVE: Yes.  
10 COMMISSIONER ANCHO: -- for each ranch.  
11 JON SHERVE: Yes.  
12 COMMISSIONER ANCHO: Okay.  
13 JON SHERVE: Yes. For --  
14 COMMISSIONER ANCHO: Very good.  
15 JON SHERVE: -- different --  
16 COMMISSIONER ANCHO: Thank you.  
17 JON SHERVE: -- permittees.  
18 The -- the second project that we've been working on for  
19 quite some time is the golf course.  
20 Currently the golf course has been permitted and authorized  
21 under what's called the -- an R&PP of Recreation and Public  
22 Purpose Act.  
23 It was a patent given to the county, I believe, back in the  
24 '80s.  
25 With that came certain restrictions on what could be done  
26 at the golf course.  
27 So over time, we've found out that that just isn't working,  
28 that there's some -- puts some constraints on the county or  
29 the -- the contractor who might be working out there.  
30 And so we've been able to find -- thanks to Mr. Herrera and  
31 Keith, we've been able to find a path forward to move out of  
32 that framework. It's --  
33 CHAIRMAN WAITS: Jon, let me --  
34 JON SHERVE: Yep.  
35 CHAIRMAN WAITS: Excuse me. I'm going to interrupt you on  
36 this part because --  
37 JON SHERVE: Sure.  
38 CHAIRMAN WAITS: -- part of that is on our resolution. Are  
39 you going to be here a little bit when we get to the resolution  
40 to comment on that part of it?

1 JON SHERVE: So what's the resolution f- --  
2 CHAIRMAN WAITS: The --  
3 JON SHERVE: -- covering?  
4 CHAIRMAN WAITS: -- resolution for our public lands. And,  
5 of course, part of that is included in that resolution.  
6 JON SHERVE: The public lands bill? Or --  
7 CHAIRMAN WAITS: Yes. Uh-huh.  
8 JON SHERVE: That's a separate process.  
9 So the way -- I -- I think the way the county was looking  
10 at this is they were going to have two different approaches to  
11 handle that -- that -- that public land, either taking --  
12 CHAIRMAN WAITS: Okay. So --  
13 JON SHERVE: -- it out of --  
14 CHAIRMAN WAITS: -- the one you're talking about is the one  
15 that that's -- that's gone out that you finally decided is gone.  
16 The tough part is when you do it in public comment -- and  
17 we really can't go excessively to make comments and -- and any  
18 action on it. But I know you're in that -- that 30-day public  
19 comment on the BLM -- right? -- and our purchase.  
20 What's the best way to handle that? Because we need the  
21 update, but can we put it on --  
22 DISTRICT ATTORNEY HERRERA: Well, you can listen to his  
23 public comment. But -- but you -- you can't digress and -- and  
24 talk about these other things.  
25 CHAIRMAN WAITS: Right.  
26 COMMISSIONER CLARK: Why don't --  
27 DISTRICT ATTORNEY HERRERA: He's --  
28 COMMISSIONER CLARK: -- we --  
29 DISTRICT ATTORNEY HERRERA: -- he --  
30 COMMISSIONER CLARK: Why --  
31 DISTRICT ATTORNEY HERRERA: -- he's just -- he's just  
32 updating you on the fact that -- that the appraisal came in and  
33 that we're proceeding along those --  
34 CHAIRMAN WAITS: Okay.  
35 DISTRICT ATTORNEY HERRERA: -- roads.  
36 CHAIRMAN WAITS: I -- I just wish it had been an agenda  
37 item -- is what I'm saying -- so we could discuss it more. But  
38 please --  
39 JON SHERVE: And -- and that's fine.  
40 CHAIRMAN WAITS: -- please go ahead.

1 JON SHERVE: We can --  
2 CHAIRMAN WAITS: Okay.  
3 JON SHERVE: And I -- and I can be on as an agenda on the  
4 next meeting or whenever -- whatever --  
5 CHAIRMAN WAITS: Okay.  
6 JON SHERVE: -- you need.  
7 CHAIRMAN WAITS: Go ahead. No, we appreciate --  
8 JON SHERVE: Okay.  
9 CHAIRMAN WAITS: -- the update. So --  
10 JON SHERVE: So I guess to clarify, there's the -- the --  
11 the lands bill that's a separate process that you can acquire  
12 public land through the legislative process.  
13 This -- this part, what I'm updating you on, is --  
14 CHAIRMAN WAITS: Is the purchase.  
15 SHERIFF RON UNGER: -- is the purchase through the --  
16 through the -- really a regulatory process.  
17 We've -- it's -- it exists through one process called the  
18 R&PP that -- and that's what was done in the '80s.  
19 Because of limitations, constraints that that process put  
20 on the overall management of the course, we thought it would be  
21 best to find another route to just remove BLM from the -- from  
22 the -- any ownership issues.  
23 So it's invoking what's called the -- the reversionary  
24 clause under the R&PP.  
25 And we're -- so we're going to take it out of the R&PP  
26 framework and offer it to the county through a direct land sale.  
27 And that's through the -- the lands regulations.  
28 So that's what this EA is addressing. It's addressing  
29 the BLM's authority to do this under the lands and realty  
30 regulations. And it's just a process to go through.  
31 The EA is establishing the -- the -- the regulatory  
32 framework and what is going to happen as we go through this  
33 process if we do complete the sale.  
34 And where -- where the appra- -- the appraisal comes because  
35 of the requirements under the land regula- -- lands and realty  
36 regulations.  
37 So we just received a preliminary appraisal. And I think  
38 we could probably get into more -- a better discussion under a  
39 formalized agenda item in the next few meetings.  
40 We haven't finalized that yet on our end. So maybe once we

1 finalize that, then it becomes a public document and -- and I  
2 can provide whatever information's needed at that point.

3 CHAIRMAN WAITS: Okay.

4 COMMISSIONER CLARK: Well, I appreciate you mentioning that  
5 there's restrictions on how we had to address the running of the  
6 golf course because that's been problematic in the past. And if  
7 we can get rid of that, then the county just has free rein on  
8 how they want to do it, that'll make it a lot easier for us.

9 JON SHERVE: I -- yes. Yep. I -- I agree. So I thi- --  
10 we're looking at -- even though we're in this end of what the  
11 NEPA process is, the EA, we still probably have about a -- say,  
12 4- to 6-month process to get to the end on -- on issuing a new  
13 patent. So --

14 CHAIRMAN WAITS: Thank you, Jon.

15 COMMISSIONER ANCHO: Thank you.

16 JON SHERVE: Okay.

17 COMMISSIONER CLARK: Thanks, Jon.

18 COMMISSIONER ALLAN: Thank you, --

19 JON SHERVE: Yep.

20 COMMISSIONER ALLAN: -- Jon.

21 CHAIRMAN WAITS: Any other public comment?

22 (No comment.)

23 CHAIRMAN WAITS: Good morning, Sadie.

24 SADIE SULLIVAN: Good morning.

25 Sadie Sullivan, Lander County clerk.

26 I just want to give you a heads-up. I've received a  
27 memorandum yesterday from the Secretary of State.

28 It is on a petition to amend the Nevada Constitution,  
29 C-01-219. The petition's proposed to realign the senator and  
30 the assembly legislative membership by reducing each by one.

31 Also, it would be shortening the senator terms to two years  
32 and also have five senators elected from each of the four  
33 federal-designated U.S. representative districts and propose new  
34 senator residency requirements.

35 Along with that, we had to send out a email to  
36 Dominion, our election company. And so there's a  
37 cost, of course, with that. And the county gets to pick up that  
38 cost if that does go through.

39 So I just wanted to state in order to implement the  
40 requirements of this petition, if it goes through, we would be

1 forced to implement the use of the rank-choice voting in the  
2 county. This would come at a cost to purchase the necessary  
3 software, licensing from Dominion Voting Systems, and for annual  
4 election set up prior to every election cycle.

5 So this is additional cost than what we've already have  
6 brought forward and still bringing forward.

7 So the licensing is \$70,000. And then for the setup fee  
8 for them to come for each election would be \$2,575.

9 And also, I just wanted to state, it appears that the  
10 rank-choice voting process would be used sole- -- solely for the  
11 senate district; however, the language is not absolutely clear  
12 on this -- on this issue.

13 It could also be assumed that the primary would still be  
14 utilized in Nevada elections. However, the use of the rank-choice  
15 voting, if used, in all contents on the ballot has the potential  
16 to eliminate the primary election all together.

17 If this is the case, there could be a potential large cost  
18 savings to taxpayers. However, the language is not clear.

19 So that is my update to you.

20 COMMISSIONER SPARKS: Thanks, Sadie.

21 COMMISSIONER ANCHO: Thank you.

22 SADIE SULLIVAN: Thank --

23 CHAIRMAN WAITS: Thanks, --

24 SADIE SULLIVAN: -- you.

25 CHAIRMAN WAITS: -- Sadie.

26  
27  
28 **CONSENT AGENDA**

29  
30 CHAIRMAN WAITS: Moving on to our consent agenda. Consent  
31 agenda.

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

40 Number 1, approval of October 10, 2019, agenda notice;

1 Number 2, approval of May 9, 2019, meeting minutes; Number 3,  
2 approval of May 23, 2019, meeting minutes; Number 4, approval of  
3 June 27, 2019, meeting minutes; Number 5, approval of July 11, 2019,  
4 meeting minutes; Number 6, approval of July 25, 2019, meeting  
5 minutes; Number 7, approval of August 8, 2019, meeting minutes;  
6 Number 8, approval of August 22, 2019, meeting minutes; Number 9,  
7 approval of September 19, 2019, agenda notice; and Number 10,  
8 approval of the payment of bills.

9 Okay. With that, there are several meetings minutes we do  
10 not have, several things we need to pull.

11 We need to pull Number 1, the agenda notice for today. We  
12 need to pull Number 3, 4, 5, 6, 7 minutes that we do not have.  
13 Number 8, we do have and is okay. Number 9 we need to  
14 approve -- we need to pull because it's not an agenda notice.  
15 It should read meeting minutes for September 19th. And we do  
16 need to pull the 10th.

17 So that leaves us with a motion, please, to approve the  
18 amended agenda, which will be -- okay -- the -- the Number 2,  
19 May 9th meeting minutes; Number 8, August 22nd meeting  
20 minutes. And then Number 9 should read September 19th meeting  
21 minutes. So those three I need a motion to approve.

22 COMMISSIONER SPARKS: So --

23 COMMISSIONER ANCHO: So moved.

24 COMMISSIONER SPARKS: Second.

25 CHAIRMAN WAITS: Thank you, Kathy. Thank you. Bryan  
26 seconded that.

27 Any other discussion?

28 I hope I didn't make that too confusing. I'm sorry.

29 All those in favor?

30 COMMISSIONER ANCHO: Aye.

31 COMMISSIONER SPARKS: Aye.

32 COMMISSIONER CLARK: Aye.

33 CHAIRMAN WAITS: Aye.

34 COMMISSIONER ALLAN: Aye.

35 CHAIRMAN WAITS: Okay. Thank you.

36 Okay. Now we'll go back to the other one, the approval of  
37 October 10, 2019, agenda notice.

38 And we had to pull that one because of the Number 9  
39 mistake. So we need to approve that as amended.

40 COMMISSIONER SPARKS: So moved.

1 COMMISSIONER ANCHO: Second.  
2 CHAIRMAN WAITS: Bryan made the motion. Kathy seconded.  
3 Any discussion?  
4 (No comment.)  
5 CHAIRMAN WAITS: All in favor?  
6 COMMISSIONER SPARKS: Aye.  
7 COMMISSIONER ANCHO: Aye.  
8 CHAIRMAN WAITS: Aye.  
9 COMMISSIONER ALLAN: Aye.  
10 CHAIRMAN WAITS: Thank --  
11 COMMISSIONER CLARK: Aye.  
12 CHAIRMAN WAITS: -- you.  
13 Okay. Now we're going to move to the payment of bills.  
14 So we have some checks that are for each one of us.  
15 So the first one, I only have one for you, Judie. Is that  
16 right? 205028?  
17 COMMISSIONER ALLAN: That's correct.  
18 CHAIRMAN WAITS: Okay. So I need a motion for all the  
19 bills except two oh -- Check #205028, which is to Judie.  
20 And let's see how we can --  
21 No. I'm going --  
22 COMMISSIONER SPARKS: We need --  
23 CHAIRMAN WAITS: -- to do it this way.  
24 COMMISSIONER SPARKS: We need to pull --  
25 CHAIRMAN WAITS: I'm just --  
26 COMMISSIONER SPARKS: -- them out.  
27 CHAIRMAN WAITS: -- going to move -- I need a motion that  
28 we approve the check for Judie, 205028.  
29 COMMISSIONER SPARKS: So moved.  
30 COMMISSIONER ANCHO: Something -- second.  
31 CHAIRMAN WAITS: Thank you. Bryan made the motion. Kathy  
32 seconded.  
33 All in favor?  
34 COMMISSIONER ANCHO: Aye.  
35 COMMISSIONER SPARKS: Aye.  
36 COMMISSIONER CLARK: Aye.  
37 CHAIRMAN WAITS: Aye.  
38 COMMISSIONER ALLAN: I abstain.  
39 CHAIRMAN WAITS: Okay. And that was for travel? Judie?  
40 COMMISSIONER ALLAN: Yes.



1 CHAIRMAN WAITS: Okay. Thank you.  
2 Okay. On the next one, it's for Kathy.  
3 So it's Check #204882. I need a motion to approve that  
4 check.  
5 COMMISSIONER SPARKS: So moved.  
6 COMMISSIONER CLARK: Second.  
7 CHAIRMAN WAITS: Bryan made that motion. And Art seconded  
8 it. Okay. And that's for...  
9 COMMISSIONER ANCHO: It's for travel for a relative within  
10 the county. S I'm abstaining from that.  
11 CHAIRMAN WAITS: Thank you.  
12 All in favor?  
13 COMMISSIONER SPARKS: Aye.  
14 COMMISSIONER ALLAN: Aye.  
15 CHAIRMAN WAITS: Aye.  
16 COMMISSIONER CLARK: Aye.  
17 COMMISSIONER ANCHO: I abstain.  
18 CHAIRMAN WAITS: Okay. And Kathy's abstaining. Thank you.  
19 Okay. My check for travel is #204934. So I need a motion  
20 for that check.  
21 COMMISSIONER SPARKS: So moved.  
22 COMMISSIONER ANCHO: Second.  
23 CHAIRMAN WAITS: Thank you. Bryan made the motion. Kathy  
24 seconded.  
25 All in favor?  
26 COMMISSIONER CLARK: Aye.  
27 COMMISSIONER ANCHO: Aye.  
28 COMMISSIONER ALLAN: Aye.  
29 CHAIRMAN WAITS: And I will abstain from that one.  
30 Thank you.  
31 And the next checks are actually to Bryan. Check #204866,  
32 204936, 205054, and 204931.  
33 And those are for...  
34 COMMISSIONER SPARKS: The first three you read were  
35 payments to my employer.  
36 The last one was a payment to -- it was an ins- -- for an  
37 insurance mix up. And Keith can explain if necessary.  
38 CHAIRMAN WAITS: That's fine.  
39 Need a motion for those four checks.  
40 COMMISSIONER ANCHO: So moved.

1 COMMISSIONER CLARK: Second.  
2 CHAIRMAN WAITS: Kathy made the motion. Art seconded.  
3 All those in favor?  
4 COMMISSIONER CLARK: Aye.  
5 COMMISSIONER ANCHO: Aye.  
6 COMMISSIONER ALLAN: Aye.  
7 CHAIRMAN WAITS: Aye.  
8 COMMISSIONER SPARKS: And I abstain for the reasons noted.  
9 CHAIRMAN WAITS: Thank you.  
10 Okay. So I think that pulls everything out. I need a  
11 motion to approve the other bills.  
12 COMMISSIONER SPARKS: So moved.  
13 COMMISSIONER ANCHO: Second.  
14 CHAIRMAN WAITS: Thank you. Bryan made the motion. Kathy  
15 seconded.  
16 Any other discussion?  
17 (No comment.)  
18 CHAIRMAN WAITS: All in favor?  
19 COMMISSIONER ANCHO: Aye.  
20 COMMISSIONER ALLAN: Aye.  
21 COMMISSIONER SPARKS: Aye.  
22 COMMISSIONER CLARK: Aye.  
23 CHAIRMAN WAITS: Aye.  
24 Thank you. Okay. And with that done, we move to Number 1  
25 on the agenda.

26  
27

## 28 COMMISSIONERS

29

30 1) COMMISSIONERS: For possible action on whether to lift the  
31 current burn ban within Lander County.

32

33 CHAIRMAN WAITS: Commissioners: For possible action on  
34 whether to lift the current burn ban within Lander County.

35 So my first question is: Have our local BLM lifted --

36 KEITH WESTENGARD: Yes.

37 CHAIRMAN WAITS: -- their burn ban?

38 KEITH WESTENGARD: Yes. They have.

39 CHAIRMAN WAITS: They have.

40 KEITH WESTENGARD: I checked with them.

1 COMMISSIONER CLARK: Local BLM never had a burn ban.  
2 KEITH WESTENGARD: Well, yeah. They don't have --  
3 COMMISSIONER CLARK: It was --  
4 KEITH WESTENGARD: -- one in --  
5 COMMISSIONER CLARK: -- north --  
6 KEITH WESTENGARD: -- effect.  
7 COMMISSIONER CLARK: -- of I-80.  
8 KEITH WESTENGARD: Right.  
9 COMMISSIONER CLARK: It was Elko, --  
10 KEITH WESTENGARD: It was --  
11 COMMISSIONER CLARK: -- not Battle Mountain.  
12 KEITH WESTENGARD: Yeah. We -- there's not one with BLM --  
13 COMMISSIONER CLARK: Right.  
14 KEITH WESTENGARD: -- or NDF.  
15 CHAIRMAN WAITS: Okay.  
16 So I know there's still a lot of problems with fires and  
17 everything. So --  
18 But they are lifting it. The main -- I know Las Vegas  
19 lifted. Elko listed -- lifted it, I guess.  
20 So it's up to the commissioners whether you'd like to lift  
21 it or leave it on for a little bit longer.  
22 COMMISSIONER SPARKS: I'm fine with lifting it.  
23 COMMISSIONER ANCHO: Me too.  
24 CHAIRMAN WAITS: Okay. Is that a motion, Bryan?  
25 COMMISSIONER SPARKS: Yeah. I make a motion we lift it.  
26 CHAIRMAN WAITS: Thank you.  
27 COMMISSIONER ANCHO: I'll second.  
28 CHAIRMAN WAITS: Okay. Motion to lift the fire ban by  
29 Commissioner Sparks. Then Kathy seconded that.  
30 Is there any other discussion?  
31 (No comment.)  
32 CHAIRMAN WAITS: All those in favor?  
33 COMMISSIONER CLARK: Aye.  
34 COMMISSIONER ALLAN: Aye.  
35 CHAIRMAN WAITS: Aye.  
36 Any opposed?  
37 (No comment.)  
38 CHAIRMAN WAITS: Okay. That passes. And we lift the burn  
39 ban.  
40 And we do have the vehicle here?

1 Good. Thank you.

2

3 2) **COMMISSIONERS: For possible action, an update on the 150 year**  
4 **celebration of Battle Mountain in Lander County, Nevada, and**  
5 **how the Lander County Board of Commissioners wish to proceed.**  
6

7

8 CHAIRMAN WAITS: Number 2. Commissioners. For possible  
9 action on an update on the 150 year celebration of Battle  
10 Mountain in Lander County, Nevada, and how the Lander County  
11 Board of Commissioners wish to proceed.

12 COMMISSIONER ANCHO: Well, --

13 KEITH WESTENGARD: I was going to --

14 COMMISSIONER ANCHO: -- I was going to say that last  
15 meeting I was out ill.

16 KEITH WESTENGARD: Oh.

17 COMMISSIONER ANCHO: Kyla --

18 KEITH WESTENGARD: Kyla, --

19 COMMISSIONER ANCHO: -- was --

20 KEITH WESTENGARD: -- would you like to give an update?

21 COMMISSIONER ANCHO: Can we get an update, pretty please?  
22 Yeah.

23 Sorry. I was out that -- really sick.

24 KYLA BRIGHT: It's okay. I actually printed it off just in  
25 case you called me.

26 So from the beginning with -- there are nine committee  
27 members. I don't know if you'd like me to list those names or  
28 not. But there's nine committee members on the 150th year  
29 celebration.

30 We decided to split it into a few events. At first it was  
31 four. We've come down to three, the first being the fall  
32 festival on the 25th of October. The second being a spring  
33 cook-off, which will be at the Cookhouse Museum -- Dutch oven  
34 cook-off, music throughout the eras, performers, cowboy poetry,  
35 vendors, things like that.

36 And the last we decided to mesh with the Fourth of July  
37 celebration and just make it larger and grander than -- than we  
38 have before.

39 Let me see. So far I -- I know a lot about the fall  
40 festival. Plans are still coming together for the other ones.

There are 34 booth sign-ups right now, which is a lot. We

1 are opening it up to the 501(c)(3)s, groups, school clubs,  
2 things like that to man the booths so that they can get some  
3 donations towards their groups, clubs, whatever.

4 So it's almost kind of turned into a little bit of a mini  
5 community -- how do you call it? -- community-support type of  
6 festival as well.

7 I believe -- I still need to talk to sheriff again -- but I  
8 believe I still have them on board as well as the volunteer fire  
9 department, LEPC, Search and Rescue, EMS, to bring over some  
10 vehicles, show them to the kids, talk to them about what they  
11 do, just so the whole community can get familiarized with a lot  
12 of the different things we have here that they may not know  
13 about.

14 I believe that's about it. I don't know if there's anything  
15 else I need to extend on with that.

16 KEITH WESTENGARD: Probably be coming for some additional  
17 funding a little later. But right now we're pretty well  
18 (indiscernible).

19 KYLA BRIGHT: Possibility for maybe just a little bit,  
20 not --

21 CHAIRMAN WAITS: Thank you.

22 KYLA BRIGHT: -- not a whole lot for the second -- for the  
23 spring -- for the spring one.

24 COMMISSIONER ANCHO: Thank you --

25 CHAIRMAN WAITS: Well --

26 COMMISSIONER ANCHO: -- very much.

27 COMMISSIONER SPARKS: Thanks, Kyla.

28 CHAIRMAN WAITS: We appreciate the update. And we -- we'll  
29 all hope for nice weather.

30 KEITH WESTENGARD: (Indiscernible.)

31 KYLA BRIGHT: Oh.

32 We will move to the rec center if there is nasty  
33 weather.

34 KEITH WESTENGARD: Item Number 2, Dr. Willcourt is in a --  
35 in a procedure right now. So if we could just move that to the  
36 end.

37 COMMISSIONER CLARK: Yeah.

38 KEITH WESTENGARD: And if he doesn't -- if he's not  
39 available at the end, we'll -- we can cover some things or we  
40 can table it till the next meeting, until --

1 CHAIRMAN WAITS: Number --  
2 KEITH WESTENGARD: -- we can --  
3 CHAIRMAN WAITS: -- 3?  
4 KEITH WESTENGARD: Number 2. Oh, I'm --  
5 COMMISSIONER ANCHO: Number 3?  
6 KEITH WESTENGARD: -- sorry. Number 3. You're right.  
7 COMMISSIONER CLARK: Number 3. Yeah.  
8 CHAIRMAN WAITS: Yeah.  
9 COMMISSIONER ANCHO: I have some information on that, if  
10 anybody -- just a little bit of information on -- on Number 3 if  
11 we -- we just want to talk a little bit about it for the Amtrak?  
12 KEITH WESTENGARD: Yeah. Well, he -- he had some things he  
13 wanted to say --  
14 COMMISSIONER ANCHO: Okay.  
15 KEITH WESTENGARD: -- as well. So --  
16 COMMISSIONER ANCHO: Then we'll just wait. I'll just --  
17 KEITH WESTENGARD: Yeah.  
18 COMMISSIONER ANCHO: -- hold my stuff and then --  
19 KEITH WESTENGARD: Oh. Okay.  
20 CHAIRMAN WAITS: Okay. For right now, we'll just pass over  
21 Number 3.  
22 KEITH WESTENGARD: Okay.  
23 CHAIRMAN WAITS: And --  
24 KEITH WESTENGARD: All right. Thank you.  
25 CHAIRMAN WAITS: -- we'll pick that up again towards the  
26 end to see if we want to continue with that.  
27  
28 4) **COMMISSIONERS: For possible action, update on rental costs of**  
29 **the civic center for various agencies and whether the Lander**  
30 **County Board of Commissioners wants to modify the rate**  
31 **schedule.**  
32  
33 CHAIRMAN WAITS: Number 4. Commissioners. For possible  
34 action, update on rental costs of the civic center for various  
35 agencies and whether the Lander County Board of Commissioners  
36 wants to mo- -- modify the rate schedule.  
37 I'm sorry. I didn't get any rate schedule in my backup.  
38 COMMISSIONER SPARKS: I didn't either.  
39 COMMISSIONER ALLAN: No. I don't think any of us did.  
40 COMMISSIONER CLARK: I didn't either.

1 KEITH WESTENGARD: Okay.  
2 Well, we can set -- you -- you -- this has to do with  
3 501(c)(3)s and the --  
4 I am really sorry there is --  
5 CHAIRMAN WAITS: Okay.  
6 KEITH WESTENGARD: -- none --  
7 CHAIRMAN WAITS: Why --  
8 KEITH WESTENGARD: -- here.  
9 CHAIRMAN WAITS: -- why don't we -- why don't we defer this  
10 to next --  
11 COMMISSIONER ANCHO: No. Because I have --  
12 KEITH WESTENGARD: Yeah.  
13 COMMISSIONER ANCHO: -- people here to speak on --  
14 COMMISSIONER SPARKS: Yeah.  
15 COMMISSIONER ANCHO: -- behalf of it. Because it's more  
16 than just rate- -- setting of the rates. It's to ba- -- the  
17 backup information on how we got where we're at right now.  
18 And I would like them to at least be able to speak on that  
19 behalf.  
20 CHAIRMAN WAITS: You know, --  
21 KEITH WESTENGARD: You'll all be --  
22 CHAIRMAN WAITS: -- the only --  
23 KEITH WESTENGARD: -- getting a little --  
24 CHAIRMAN WAITS: -- thing on here it says is for possible  
25 action to update on rental costs.  
26 So let's --  
27 KEITH WESTENGARD: With --  
28 CHAIRMAN WAITS: We'll go ahead with the history on it,  
29 but --  
30 KEITH WESTENGARD: Okay.  
31 CHAIRMAN WAITS: -- we can't take any action then.  
32 COMMISSIONER ANCHO: Okay. Well, that's -- that's fine.  
33 CHAIRMAN WAITS: Yeah.  
34 COMMISSIONER ANCHO: At least if we can get that done.  
35 KEITH WESTENGARD: Did -- you did get the letter from Kathy  
36 Ancho in your email; correct?  
37 KATHY ANCHO: And so everybody understands, it's not me.  
38 It was the other Kathy --  
39 KEITH WESTENGARD: Yeah.  
40 KATHY ANCHO: -- Ancho that --

1 KEITH WESTENGARD: Right.

2 KATHY ANCHO: -- wrote it too in reference to the civic  
3 center. There was a little bit of confusion that it was me  
4 writing it to myself.

5 So I just want to make sure that everybody understands it  
6 came from Kathy L. Ancho.

7 And so I've asked Dave Layton, who was a county  
8 commissioner when all of this stuff began, to speak on behalf,  
9 as well as the letter from Kathy Ancho.

10 So, Dave, do you -- pretty please come up.

11 COMMISSIONER SPARKS: Morning, Dave.

12 DAVID LAYTON: Morning.

13 And David Layton as former county commissioner back in  
14 early 1980s when we acquired the civic center.

15 It came about through a Max C. Fleischman Foundation, when  
16 they closed out that foundation and the money had to be spent  
17 within a certain amount of time.

18 John Marvel, our assemblyman at the time, contacted us as  
19 commissioners and said, this money is available. You have just  
20 a matter of weeks to make a decision if you want the civic  
21 center or not for the funding. We accepted it and formed an  
22 ad hoc committee that worked on it.

23 And when we got the civic center, it was turned back over  
24 to us as commissioners to run.

25 And in the spirit of the Max C. Fleischmann, we made  
26 the determination at that time that there would be no fees  
27 charged to nonprofits and to county use of it.

28 Any individuals that wanted to use it for, like, weddings  
29 or funerals, we did charge a deposit for a cleaning fee. That  
30 was refundable if it was cleaned after their -- their use of it.

31 But it was built for community service and for community  
32 use and not to be used as a money-making or rental-type  
33 facility.

34 COMMISSIONER ANCHO: And so with that being said -- now I  
35 did lots of research as far as the Max -- the Fleischmann  
36 Foundation to try to find out the different things that he --  
37 that that foundation did. And all of them were civic -- had to  
38 do with civic.

39 UNR, their library was -- a lot of that money came from  
40 that as well.



1 The beginning of Lake Tahoe, to keep it blue, that was --  
2 that money was all there -- spent to -- for civic things.  
3 And like David was telling us earlier, he received money --  
4 scholarship for schooling for -- from the -- that --  
5 DAVID LAYTON: (Indiscernible.)  
6 COMMISSIONER ANCHO: -- foundation as well.  
7 So, I mean, that -- I just wanted to make sure that people  
8 understood that this was a civic-minded thing and that it was to  
9 maintain -- the money that we received was to maintain the  
10 building, not to make money off of it and try to figure out  
11 where we can go from there.  
12 But the -- the government -- like the county things and  
13 501(c)(3)s, those -- the meant -- was meant to not charge those  
14 agencies and those organizations. So we can figure out from  
15 this information where we go from that as far as how we charge.  
16 CHAIRMAN WAITS: So you want this back on the --  
17 COMMISSIONER ANCHO: I do want --  
18 CHAIRMAN WAITS: -- next agenda?  
19 COMMISSIONER ANCHO: -- it back on, --  
20 CHAIRMAN WAITS: Okay.  
21 COMMISSIONER ANCHO: -- please.  
22 CHAIRMAN WAITS: Thank you.  
23 COMMISSIONER CLARK: So do I.  
24 I've been saying this for five years now. The only  
25 difference is if you have an activity and there's alcohol  
26 involved, --  
27 COMMISSIONER ANCHO: Oh --  
28 COMMISSIONER CLARK: -- then we --  
29 COMMISSIONER ANCHO: -- absolutely.  
30 COMMISSIONER CLARK: -- have to charge \$500. And they have  
31 to have their insurance.  
32 COMMISSIONER ANCHO: Oh, absolutely.  
33 COMMISSIONER CLARK: But a five oh (c)(3) -- five oh  
34 (c)(3), the nonprofit organizations, I've been arguing that they  
35 shouldn't have to pay since I came on the commission.  
36 DAVID LAYTON: I'd also add, part of that civic center was  
37 the library and in conjunction with it.  
38 And that there's a county library, and it's always supposed  
39 to be kept there as part of that building.  
40 COMMISSIONER ANCHO: Yeah. The assurance is when we --

1 originally took the money that was part of the assurances.

2 DAVID LAYTON: Our assurance that that library --

3 COMMISSIONER ANCHO: It was --

4 DAVID LAYTON: -- would be there.

5 COMMISSIONER ANCHO: You know, funny that what they -- how  
6 they did things then is it was more of a shake of a hand, this  
7 is what we're doing. They didn't do a list and say these are --  
8 like they do now to keep people -- to keep their words. They  
9 just said -- you know, that's why I had to go back and try to  
10 find people that were there so they could say, these were what  
11 the original assurances were and that weren't -- something that  
12 I was just making up, you know, to go -- you know, it was this  
13 is what was originally said. And I wanted that kept that way.

14 So -- and I so appreciate you coming and speaking. And I  
15 appreciate Kathy Ancho's letter so we could try to get this  
16 straightened out to what the original assurances on that  
17 building were.

18 Thank you very, very much for coming.

19 CHAIRMAN WAITS: Well, we also appreciate the decision that  
20 the board made at that --

21 COMMISSIONER ANCHO: At that --

22 CHAIRMAN WAITS: -- time --

23 COMMISSIONER ANCHO: -- time.

24 CHAIRMAN WAITS: -- to do it. Because it was --

25 COMMISSIONER ANCHO: Yeah.

26 CHAIRMAN WAITS: -- a quick decision.

27 COMMISSIONER ANCHO: Thank you for --

28 CHAIRMAN WAITS: So --

29 COMMISSIONER ANCHO: -- your service as a county --

30 CHAIRMAN WAITS: So --

31 COMMISSIONER ANCHO: -- commissioner.

32 CHAIRMAN WAITS: -- indeed.

33 COMMISSIONER ANCHO: Thank you.

34 CHAIRMAN WAITS: Along with that, since we've commented, I  
35 also want to make it clear that the southern part of the county  
36 also benefited --

37 COMMISSIONER ANCHO: Ab- --

38 CHAIRMAN WAITS: -- because we took the old Methodist  
39 church and made that into a community. It's now called the Emma  
40 Nevada Hall.

1 But, again, it's for all of our -- our -- we do everything  
2 from funerals to weddings to workshops and conferences. And  
3 there is no charge.

4 So we also have continued in the spirit of --

5 COMMISSIONER ANCHO: Of --

6 CHAIRMAN WAITS: -- what that was given in the south.

7 COMMISSIONER ANCHO: Because, yeah, those were --

8 CHAIRMAN WAITS: So --

9 COMMISSIONER ANCHO: Those came into conjunction with --

10 CHAIRMAN WAITS: Yes.

11 COMMISSIONER ANCHO: -- each other.

12 CHAIRMAN WAITS: Thank --

13 COMMISSIONER ANCHO: So --

14 CHAIRMAN WAITS: -- you.

15 COMMISSIONER ANCHO: -- thank you very much.

16  
17  
18 **COUNTY MANAGER**

19  
20 5) **COUNTY MANAGER: For possible action to modify a franchise**  
21 **agreement between Lander County and NV Energy.**

22  
23 CHAIRMAN WAITS: Number 5. County manager. For possible  
24 action to modify a franchise agreement between Lander County and  
25 Nevada Energy.

26 And I see we -- we kind of threw everything in a -- in a  
27 flux because Nevada Energy told us they've never had any county  
28 vote to take off that -- that extra cost before.

29 KEITH WESTENGARD: Right.

30 CHAIRMAN WAITS: And so if you -- if you've read the  
31 information in there, they need it modified a little bit.

32 And I think one of the things is that -- the time frame.  
33 So if you have something in mind for a time frame, they're  
34 looking at perhaps the first of the year might be very  
35 compatible.

36 And also, if we want to add on, at least in the first  
37 notice that goes out, that this tax is being taken off because  
38 of the decision of the -- the Lander County commissioners.

39 So is that it?

40 DISTRICT ATTORNEY HERRERA: That's it.

1 CHAIRMAN WAITS: Okay.  
2 KEITH WESTENGARD: Covers it.  
3 COMMISSIONER ANCHO: Very good. Sounds good.  
4 CHAIRMAN WAITS: So with that, I'm looking for a motion.  
5 I -- I will entertain a motion if you're all okay with --  
6 COMMISSIONER ANCHO: I'll --  
7 CHAIRMAN WAITS: -- that.  
8 COMMISSIONER ANCHO: -- make a motion to modify the  
9 franchise agreement between Lander County, NV Energy.  
10 CHAIRMAN WAITS: For an effective date of...  
11 COMMISSIONER ANCHO: January 1st. Was that date that we  
12 were going --  
13 CHAIRMAN WAITS: January --  
14 COMMISSIONER ANCHO: -- with?  
15 CHAIRMAN WAITS: January 1st is fine.  
16 COMMISSIONER ANCHO: January 1, 2020.  
17 CHAIRMAN WAITS: Uh-huh.  
18 COMMISSIONER ANCHO: Okay.  
19 CHAIRMAN WAITS: And for Lander County to be noted.  
20 COMMISSIONER ANCHO: To -- oh, so the -- yes, for the  
21 taxpayer to be noted that there's a deduction of the tax.  
22 Is that correct?  
23 CHAIRMAN WAITS: Uh-huh.  
24 COMMISSIONER SPARKS: I'll second.  
25 DISTRICT ATTORNEY HERRERA: By the county --  
26 CHAIRMAN WAITS: Thank you. Anything --  
27 DISTRICT ATTORNEY HERRERA: -- commissioners.  
28 COMMISSIONER ANCHO: By the --  
29 CHAIRMAN WAITS: -- else that we need on --  
30 COMMISSIONER ANCHO: -- commissioners.  
31 CHAIRMAN WAITS: -- that?  
32 DISTRICT ATTORNEY HERRERA: Hm?  
33 CHAIRMAN WAITS: Anything else we need?  
34 DISTRICT ATTORNEY HERRERA: No. I think that -- I think  
35 that --  
36 CHAIRMAN WAITS: We're fine?  
37 DISTRICT ATTORNEY HERRERA: -- satisfies everything.  
38 CHAIRMAN WAITS: Okay. Motion by Kathy. And seconded by  
39 Bryan.  
40 Any other discussion?

1 (No comment.)  
2 CHAIRMAN WAITS: All those in favor?  
3 COMMISSIONER ANCHO: Aye.  
4 COMMISSIONER CLARK: Aye.  
5 COMMISSIONER SPARKS: Aye.  
6 COMMISSIONER ALLAN: Aye.  
7 CHAIRMAN WAITS: Aye.  
8 Any opposed?  
9 (No comment.)  
10 CHAIRMAN WAITS: Passes unanimously. Thank you.

11  
12 **6) COUNTY MANAGER: For possible action to approve/disapprove or**  
13 **modify a resolution for the Lander County Lands Bill.**  
14

15 CHAIRMAN WAITS: Number 6. County manager. For possible  
16 action to approve, disapprove, or modify a resolution for the  
17 Lander County lands bill.

18 If you'd had a chance to look this over, this is the one  
19 that they have brought forward, our consultant that we hired.

20 KEITH WESTENGARD: Here's Mr. Ryan Mobile's number.  
21 He's our Washington, D.C., contact if we do have any specific  
22 questions related to the lands bill.

23 There is a copy of the draft in your books.

24 We made the -- we made some changes on it to show Lander  
25 County -- or Lander County as a whole --

26 CHAIRMAN WAITS: Uh-huh.

27 KEITH WESTENGARD: -- as a (indiscernible).

28 CHAIRMAN WAITS: I read over the first one. I've read over  
29 this one.

30 The -- we now have it resolved in there with the additions.  
31 And I -- I don't know of any. Legally, Counselor, you've had a  
32 chance to look at that too.

33 DISTRICT ATTORNEY HERRERA: It's --

34 CHAIRMAN WAITS: Are you okay with that?

35 DISTRICT ATTORNEY HERRERA: I'm okay with the -- with the  
36 legal parameters that --

37 It's up to the commissioners what's in -- see, I'm not --  
38 I'm not going to comment on what's in it.

39 CHAIRMAN WAITS: No, just that it's legally proper --

40 DISTRICT ATTORNEY HERRERA: Yes.

1 CHAIRMAN WAITS: -- for us.  
2 And this, of course, will be sent on to -- to our  
3 delegation --  
4 KEITH WESTENGARD: That's correct.  
5 CHAIRMAN WAITS: -- for them to cont- -- continue with.  
6 COMMISSIONER ANCHO: And the entire thing needs to be read  
7 in?  
8 Because it's --  
9 DISTRICT ATTORNEY HERRERA: Yeah.  
10 COMMISSIONER ALLAN: Do you want me to read it?  
11 COMMISSIONER ANCHO: That would be nice. Thank you.  
12 Most -- much -- much appreciated.  
13 KEITH WESTENGARD: Wow.  
14 COMMISSIONER ALLAN: Lander County Board of Commissioners  
15 resolution expressing support for the Nevada Congressional  
16 delegation to support federal legislation which promotes public  
17 safety, public welfare, public parks, and tourism opportunities  
18 in Lander County.  
19 Whereas Lander County is comprised of approx- --  
20 approximately 3.5 million acres of land.  
21 And whereas 2.66 million acres, 75.8 percent, of the land  
22 in Lander County is administered by the Bureau of Land  
23 Management, BLM.  
24 And whereas 295,000 acres, 8 percent of the land in Lander  
25 County is administered by the United States Forest Service, U.S.  
26 Forest Service or USFS.  
27 And whereas Lander County developed a public lands  
28 policy -- public lands policy plan in 1983 under direction from  
29 legislation passed by the Nevada legislature to prepare in  
30 coordination -- cooperation with appropriate state agencies and  
31 local governments throughout the state, plans to -- plans or  
32 policy statements concerning the use of lands in Nevada which  
33 are under federal management.  
34 And whereas the Lander County Board of County Commissioners  
35 adopted its public land policy plan in 1984 and Lander County  
36 Public Land Use Advisory Planning Commission, PLUAC, adapted an  
37 update to it in November 1999.  
38 And whereas the Public Lands Policy Plan was further  
39 updated in 2005 and represents an -- a review of existing and  
40 emergency -- emerging public lands issues that are important to

1 Lander County as it works with federal agencies subject to  
2 various environmental and land management statutes.

3 And whereas in October 2010, Lander County adopted a master  
4 plan which reviewed existing and emerging public land issues of  
5 importance to Lander County and details Lander County's vision  
6 and strong policy voice concerning public lands and defines  
7 Lander County's public land related issues and needs.

8 And whereas the land use goals in the 2010 master plan were  
9 designed to facilitate orderly development consisting --  
10 consistent with available resources and services in Lander County,  
11 to minimize conflicts among land use -- uses, to provide adequate  
12 land to support economic development and population growth, and to  
13 create a development pattern that is cost effective to serve with  
14 municipal services.

15 And whereas the 2010 Master Plan recognizes that the  
16 management of public lands is dynamic and the residents of  
17 Lander County continually face new challenges and changes in  
18 management of public lands which can affect our local  
19 communities and residents.

20 And whereas the 2010 Master Plan recognizes that wildland  
21 fires are common throughout Lander County and that the proximity  
22 of Kingston and Austin to wildland areas requires careful  
23 management of surrounding fuels and vegetation.

24 And whereas wildfires continue to post threats to Lander  
25 County such as the Sheep Creek fire near Battle Mountain which  
26 burned approximately 60,000 acres in 2018.

27 And whereas the Bureau of Land Management and the Nevada  
28 Division of Forestry have primary responsibilities for wild --  
29 wildfire in the area and Lander County has mutual aid agreements  
30 with the Bureau of Land Management and United States Forest  
31 Service.

32 And whereas there are three airports in Lander County --  
33 Austin, Battle Mountain, and Kingston -- and expanding and  
34 improving the airports in Battle Mountain and Austin to include  
35 adjacent lands would support firefighting capabilities.

36 And whereas, according to the Battle Mountain Water and  
37 Sewer Master Plan, existing water and sewer systems in Battle  
38 Mountain are identified as a major constraint to development in  
39 the region.

40 And whereas most of the domestic wells are concentrated in

1 areas around Battle Mountain and of its estimated 850 domestic  
2 wells in Lander County, approximately 514 are located in and  
3 around Battle Mountain.

4 And whereas the remaining wells are distributed throughout  
5 the county and concentrated in areas such as Reese River Valley,  
6 Antelope Valley, and Big Smoky Valley.

7 And whereas there are a total of 18 groundwater basins in  
8 Lander County and only three of the groundwater basins in Lander  
9 County are hydrologically closed units.

10 And whereas new water sources will need to be developed or  
11 sourced to comply with federal drinking water standards.

12 And whereas drinking water protections are mandated by the  
13 United States Environmental Protection Agency.

14 And whereas providing for clean and safe drinking water is  
15 enhanced by direct municipal ownership of surface and subsurface  
16 resources.

17 And whereas Lander County would uniquely position -- would  
18 be uniquely positioned to provide wellhead protection related to  
19 current and future water developments.

20 And whereas there are multiple potential water tanks,  
21 wells, and treatment plants in the county -- Austin, Kingston,  
22 and Battle Mountain -- they can be acquired from the Bureau of  
23 Land Management and the United States Forest Service for the  
24 betterment of the county.

25 And whereas, according to the 2010 Master Plan, Lander  
26 County prohibits the creation of new private water and  
27 wastewater utility companies in Lander County and has emphasized  
28 that water sources will be provi- -- provided by the local  
29 government agencies in Lander County.

30 And whereas the 2010 Master Plan recognizes the need to  
31 protect and preserve water rights, water supply, and water  
32 resources in Lander County, as such resources are critical to  
33 the local economy and the health and well-being of the  
34 community.

35 And whereas the development and use of water in Lander  
36 County are critical to current and future development of the  
37 region and water resources play a key role in the major economic  
38 activity for the county -- county including new development,  
39 mining, agriculture, and tourism and recrea- -- recreational  
40 facil- -- activities.



1           And whereas the 2010 Master Plan identified the need for  
2 orderly development consistent with available resources and  
3 services in Lander County which provides adequate land to support  
4 economic development and population growth as well as a  
5 development pattern that is cost-effective to serve with municipal  
6 services.

7           And whereas these lands are located to the west of Austin  
8 and extend to the airport and the 2008 Austin Master Plan  
9 discusses the types of land uses that would be appropriate for  
10 future development.

11           And whereas the community of Battle Mountain has seen a  
12 significant shift away from its original commercial core,  
13 leaving a large number of infill parcels within Battle Mountain  
14 and in some abandoned residential and commercial buildings and  
15 sites.

16           And whereas there is a potential for BLM land in Battle  
17 Mountain to be made available to ventures that would bring  
18 increased tourism and business to the community, like the Battle  
19 Mountain Human-Powered Vehicle Speed Challenge that has been a  
20 fixture of the tourism season in Battle Mountain every year  
21 since 2000.

22           And whereas any human-powered speed bikes, HPSB, are  
23 allowed at the World Human-Powered Speed Challenge, WHPSC, as  
24 long as they are powered only by a human being.

25           And whereas Nevada State Route 305 was first used to set  
26 human-powered speed records in 2000, on this vastly superior  
27 course compared to previous locations, the ultimate world record  
28 leaped to an astonishing 71 miles per hour in just a few days and  
29 has since jumped to 82.33 miles per hour in 2008, which marks the  
30 first time ever that a HPSB has gone faster than 1/10 the speed of  
31 sound.

32           And whereas, since State Route 305 was first used in 2000,  
33 all high-speed world sprint records for HPSB have been set on the  
34 Battle Mountain course.

35           And whereas the H- -- WHPSC is now in its 20th year in what  
36 started as a small invitational gathering of speed bike  
37 enthusiasts attempting to break the top speed record has now  
38 grown into an international open with at least nine countries  
39 represented annually.

40           And whereas the size of this event has grown dramatically

1 over the past several years with competitors, spectators, and  
2 media coming to Battle Mountain from around the world.

3 And whereas a permanent, dedicated park committed to pro-  
4 -- protecting and managing the road would allow WHPSC and the  
5 other World Record attempts to advance to the next level of  
6 competition.

7 Whereas there are many other groups that have been  
8 searching for a track for annual events as well, like the  
9 Electrathon Racing, Solar Car Racing, ASME racing, Para-Cycling  
10 Racing, and, of course, traditional cycling.

11 And whereas many teams in the HPSB would have expressed  
12 interest in the use of a large track for design, testing, and  
13 riding training.

14 And whereas the WHPSC brings a large influx of tourism  
15 dollars to Battle Mountain, Lander County, and the State of  
16 Nevada, supporting the region in various ways from flights and  
17 hotels to rental cars and trucks to local restaurants and shops.

18 Whereas tourism opportunities could be advanced with the  
19 township -- within the township of Austin by acquiring .184  
20 acres of largely un- -- largely unused U.S. Forest Service  
21 property located at one of the major intersections in Austin at  
22 Third and Main, United States Route 50.

23 Whereas the opportunities envisioned by Lander County and  
24 local government agencies for the improvement of public land  
25 related issues and expanded economic development can be best  
26 achieved through federal legislation.

27 Now, therefore, be it resolved by the Board of Commissioners  
28 of Lander County, Nevada, that we all upon -- that we call upon  
29 the Nevada Congressional Delegation to advance federal legislation  
30 that achieves the following principles.

31 Number 1, convey certain federal lands adjacent to the  
32 airports in Austin, Battle Mountain, and Kingston to Lander  
33 County.

34 And Number 2, convey certain federal lands adjacent to  
35 drinking water and sewer systems needed to protect and preserve  
36 water rights, supply, and water resources to Lander County.

37 And Number 3, convey certain federal lands adjacent to  
38 existing recreational and tourism opportunities near Battle  
39 Mountain to Lander County.

40 Be it further resolved a copy of this resolution be mailed

1 to the Nevada Delegation.  
2 Past and adopted and approved by the Lander County  
3 Commission, Nevada, this 10th day of October 2019.  
4 I make a motion to approve the resol- -- resolution and  
5 authorize our chair to sign.  
6 Everybody awake?  
7 COMMISSIONER ANCHO: I'll second.  
8 CHAIRMAN WAITS: Thank you --  
9 COMMISSIONER ANCHO: Nice. Thank you very much.  
10 CHAIRMAN WAITS: -- very much. That was --  
11 COMMISSIONER ANCHO: Very, very much.  
12 CHAIRMAN WAITS: That was a long one, Commissioner.  
13 As you gave us all the history. We appreciate that.  
14 Okay. You had some public comment?  
15 SADIE SULLIVAN: Yes, please. Sadie Sullivan, for the  
16 record.  
17 A resolution number wasn't assigned for this. May -- I  
18 just got a number. May we have that read into the record  
19 because one of -- there's a number that's with that. And so I  
20 was just able to message my office. And I have that number for  
21 you. It's 2019-12.  
22 CHAIRMAN WAITS: Thank you.  
23 COMMISSIONER ANCHO: Thank you.  
24 COMMISSIONER ALLAN: And I will amend my motion to include  
25 the Resolution Number 2019-12.  
26 COMMISSIONER ANCHO: And I'll second.  
27 CHAIRMAN WAITS: Thank you.  
28 It's been moved by -- moved and read by Commissioner Allan  
29 and seconded by -- by Commissioner Kathy.  
30 Any other discussion?  
31 (No comment.)  
32 CHAIRMAN WAITS: All in favor?  
33 COMMISSIONER CLARK: Aye.  
34 COMMISSIONER ANCHO: Aye.  
35 COMMISSIONER ALLAN: Aye.  
36 COMMISSIONER SPARKS: Aye.  
37 CHAIRMAN WAITS: Aye.  
38 Any opposed?  
39 (No comment.)  
40 CHAIRMAN WAITS: Okay. Thank you.

1 With that, we are going to a break for ten minutes. And  
2 we'll come back and handle Number 7.

3  
4 (Break taken between 9:59 a.m. to 10:12 a.m.)

5  
6 CHAIRMAN WAITS: Thank you. Okay. We are reconvening  
7 here. And we are at Number 7 with the county manager.  
8 Miteshell, are you on okay?

9  
10 (Indiscernible simultaneous conversations.)

11  
12 MITESHELL LANHAM: Yes.

13 CHAIRMAN WAITS: Thank you.

14  
15 7) **COUNTY MANAGER: For possible action to appoint one individual**  
16 **to serve on the Lander Economic Development Authority (LEDA)**  
17 **board, which term expires 6/30/2021. A) Brandy Bengoa, new**  
18 **applicant.**

19  
20 CHAIRMAN WAITS: County manager. For possible action to  
21 appoint one individual to serve on the Lander County Economic  
22 Development Authority, the LEDA board, which term expires  
23 6/30/2021.

24 And it is Brandy Bengoa, our new applicant. And she has  
25 also put in a letter for our record and is also currently our  
26 county health nurse?

27 KEITH WESTENGARD: That is correct. Yes.

28 COMMISSIONER ANCHO: I'll make a motion to appoint Brandy  
29 Bengoa to the Economic Development Authority Board, --

30 COMMISSIONER SPARKS: I'll second.

31 COMMISSIONER ANCHO: -- which terms expire -- I'm sorry --  
32 I've had it stuck in my throat -- term expires 6/30 of 2021.

33 COMMISSIONER SPARKS: I'll second.

34 CHAIRMAN WAITS: Thank you. Kathy made the motion. And  
35 Bryan seconded that.

36 Any other discussion?

37 (No comment.)

38 CHAIRMAN WAITS: All in favor?

39 COMMISSIONER SPARKS: Aye.

40 COMMISSIONER ANCHO: Aye.

1 COMMISSIONER CLARK: Aye.  
2 CHAIRMAN WAITS: Aye.  
3 COMMISSIONER ALLAN: Aye.  
4 CHAIRMAN WAITS: Thank you. And we appreciate her stepping  
5 up for the community service and that.  
6 KEITH WESTENGARD: We'll continue to advertise as well.  
7 CHAIRMAN WAITS: Thank you.  
8 KEITH WESTENGARD: Uh-huh.  
9  
10 8) COUNTY MANAGER: For possible action to appoint one individual  
11 to serve on the Battle Mountain Livestock Events Center  
12 Advisory Board, which term expires 6/3/2020. A) Monte L.  
13 Price, new applicant.  
14  
15 CHAIRMAN WAITS: Number 8. County manager. For possible  
16 action to appoint one individual to serve on the Battle Mountain  
17 Livestock Events Center Advisory Board which term expires  
18 6/3/2020. And our new applicant is Monte L. Price.  
19 COMMISSIONER SPARKS: I'll make --  
20 KEITH WESTENGARD: This was --  
21 COMMISSIONER SPARKS: -- a motion --  
22 KEITH WESTENGARD: -- advertised as well. And this will  
23 give them four on the board of five. So we will continue to  
24 advertise this as well.  
25 COMMISSIONER SPARKS: I'll make a motion we appoint Monte  
26 L. Price to serve on the Battle Mountain Livestock Event Center  
27 Advisory Board, which term expires 6/30/2020.  
28 COMMISSIONER ANCHO: I'll second.  
29 CHAIRMAN WAITS: Thank you. Bryan made the motion. Kathy  
30 seconded that.  
31 Any other discussion?  
32 (No comment.)  
33 CHAIRMAN WAITS: All in favor?  
34 COMMISSIONER SPARKS: Aye.  
35 COMMISSIONER ANCHO: Aye.  
36 COMMISSIONER ALLAN: Aye.  
37 COMMISSIONER CLARK: Aye.  
38 CHAIRMAN WAITS: Aye.  
39 And, again, our thank-yous to Monte for stepping up to help  
40 us with that advisory board.

1 **PLANNING DEPARTMENT**

2  
3 9) **PLANNING DEPARTMENT: For possible action to**  
4 **approve/disapprove a parcel map application for Marc and**  
5 **Stacy Pragovich, changing four (4) parcels to one (1) parcel,**  
6 **APN 003-201-14, 003-201-15, 003-201-02, 003-201-01, located**  
7 **at 116 Victorine Drive in Kingston, zoned R-1.**

8  
9 CHAIRMAN WAITS: Number 9. Planning Department. For  
10 possible action to approve or disapprove a parcel map  
11 application for Marc and Stacy Pragovich, changing four parcels  
12 to one parcel, APN 003-201-14, 003-201-15, 003-201-02,  
13 003-201-01, located at 116 Victorine Drive in Kingston, and  
14 zoned R-1.

15 Hello, Kyla.

16 KYLA BRIGHT: Hi. This is Reb. This was the contractor.  
17 And if we can dial him in for any questions that you may have.

18 COMMISSIONER SPARKS: Okay.

19 CHAIRMAN WAITS: We do have the backup, actually, from our  
20 Lander County surveyor that said because of the -- the way it  
21 was situated that they didn't need to do any extra surveying.

22 It went before the planning commission. It was approved?

23 KYLA BRIGHT: It was approved conditionally.

24 CHAIRMAN WAITS: Any conditions?

25 KYLA BRIGHT: Yeah. The conditions were signatures.

26 They're -- it was turned in -- we need the owner  
27 certificate. I believe they got the -- they were able to get  
28 the utility certificate. But I was not able to get any  
29 other signatures on it. The owners have not signatures yet.

30 So I've been working with them to try to get them to come  
31 in and do that. So that was the condition.

32 CHAIRMAN WAITS: Okay. I -- I was just confused about the  
33 names because we've got the Pragovich that actually came  
34 forward, yet everything is under Sam H. Homes, Incorporated. So  
35 that's --

36 KYLA BRIGHT: I can explain that unless you want to hear it  
37 from Reb.

38 But it's -- the construction company -- or the people  
39 building the house actually have it in their ownership until the  
40 project is done. And then it's transferred over to the

1 Pragoviches. So that's why it's in --  
2 CHAIRMAN WAITS: Okay. But legally --  
3 KYLA BRIGHT: -- the maps --  
4 CHAIRMAN WAITS: -- we're all --  
5 KYLA BRIGHT: -- (indiscernible).  
6 CHAIRMAN WAITS: -- okay with everything?  
7 DISTRICT ATTORNEY HERRERA: As long as you carry on the  
8 condition of -- of the --  
9 COMMISSIONER ANCHO: (Indiscernible.)  
10 DISTRICT ATTORNEY HERRERA: -- signatures.  
11 Yeah. I -- I would suggest you don't approve it without  
12 that condition.  
13 CHAIRMAN WAITS: Thank you.  
14 COMMISSIONER ANCHO: So I'll make the motion to approve the  
15 parcel application for Marc and Stacy Pragovich? -- Am I saying  
16 that right? -- changing four parcels to one parcel, APN  
17 003-201-14, 003-201-15, 003-201-02, 003-201-01, located at 116  
18 Vic- -- Victorine Drive in Kingston, zoned R-1 with the same  
19 conditions as the planning board has placed on them.  
20 CHAIRMAN WAITS: For the --  
21 DISTRICT ATTORNEY HERRERA: Yep.  
22 CHAIRMAN WAITS: -- sig- -- how do you want that worded?  
23 With the signature --  
24 DISTRICT ATTORNEY HERRERA: You -- you can -- you can --  
25 COMMISSIONER ANCHO: With the --  
26 DISTRICT ATTORNEY HERRERA: -- put --  
27 COMMISSIONER ANCHO: -- signature --  
28 DISTRICT ATTORNEY HERRERA: -- them --  
29 COMMISSIONER ANCHO: -- requirements --  
30 DISTRICT ATTORNEY HERRERA: -- with the same --  
31 COMMISSIONER ANCHO: -- from the --  
32 DISTRICT ATTORNEY HERRERA: Yeah.  
33 COMMISSIONER ANCHO: -- planning --  
34 DISTRICT ATTORNEY HERRERA: You can --  
35 COMMISSIONER ANCHO: -- board.  
36 DISTRICT ATTORNEY HERRERA: -- put the same conditions --  
37 COMMISSIONER ANCHO: Uh-huh.  
38 DISTRICT ATTORNEY HERRERA: -- as recommended --  
39 COMMISSIONER ANCHO: Yes.  
40 DISTRICT ATTORNEY HERRERA: -- by the --

1 COMMISSIONER ANCHO: Planning Board.  
2 DISTRICT ATTORNEY HERRERA: -- Lander County Planning --  
3 COMMISSIONER ANCHO: Yes.  
4 DISTRICT ATTORNEY HERRERA: -- Commission.  
5 CHAIRMAN WAITS: And that the ownership be --  
6 DISTRICT ATTORNEY HERRERA: And that the -- and as long as  
7 the ownership reverts to the --  
8 CHAIRMAN WAITS: The ownership is -- is going to be  
9 predicated on it coming back to the Pragoviches.  
10 DISTRICT ATTORNEY HERRERA: Right.  
11 CHAIRMAN WAITS: Right?  
12 DISTRICT ATTORNEY HERRERA: Right.  
13 COMMISSIONER ANCHO: Yes.  
14 CHAIRMAN WAITS: Okay. And authorize me to sign --  
15 COMMISSIONER ANCHO: Sign --  
16 CHAIRMAN WAITS: -- the item of the --  
17 COMMISSIONER ANCHO: and authorize --  
18 CHAIRMAN WAITS: -- mylar.  
19 COMMISSIONER ANCHO: -- the chair to sign, please.  
20 CHAIRMAN WAITS: The mylar. Okay.  
21 COMMISSIONER SPARKS: I'll second.  
22 CHAIRMAN WAITS: Thank you. Kathy made the motion. And  
23 Bryan seconded that.  
24 Do we have any other discussion?  
25 We're all clear?  
26 (No comment.)  
27 CHAIRMAN WAITS: Okay. All in favor?  
28 COMMISSIONER SPARKS: Aye.  
29 COMMISSIONER ANCHO: Aye.  
30 COMMISSIONER CLARK: Aye.  
31 COMMISSIONER ALLAN: Aye.  
32 CHAIRMAN WAITS: Aye.  
33 COMMISSIONER CLARK: Dr. Willcourt is here.  
34 CHAIRMAN WAITS: Any opposed?  
35 (No comment.)  
36 CHAIRMAN WAITS: And that passes unanimously.  
37 Pardon me?  
38 COMMISSIONER CLARK: Dr. Willcourt is here.  
39 Go back to the transportation.  
40 CHAIRMAN WAITS: Okay.



1 DISTRICT ATTORNEY HERRERA: (Indiscernible.) Uh-huh.  
2 JEANNE FALZONE: Okay. She's on (indiscernible).  
3 COMMISSIONER CLARK: Three.  
4 CHAIRMAN WAITS: We're -- are going to go out of order for  
5 right now. We're going to go back to Number 3.  
6 COMMISSIONER CLARK: Come on up here, Doctor.  
7  
8

9 **COMMISSIONERS**

10  
11 3) **COMMISSIONERS: For possible action and discussion on current**  
12 **transportation concerns within Lander County, specifically**  
13 **Amtrak and Greyhound services and to possibly explore a**  
14 **county-funded transit system.**  
15

16 CHAIRMAN WAITS: Under Commissioners. For possible action  
17 and discussion on current transportation concerns within Lander  
18 County, specifically Amtrak and Greyhound services and to  
19 possibly explore a county-funded transit system.

20 COMMISSIONER CLARK: I started seeing Dr. Willcourt. And  
21 the first time we met, Dr. Willcourt brought up some concerns  
22 that parallel ours.

23 And I wanted to get Dr. Willcourt on the record about his  
24 concerns. I think it'll give us more strength in moving forward  
25 with transportation.

26 This is Dr. Willcourt, for everybody.

27 DR. ROBIN WILLCOURT: Good morning.

28 CHAIRMAN WAITS: Good morning, --

29 COMMISSIONER SPARKS: Good morning.

30 CHAIRMAN WAITS: -- Doctor.

31 DR. ROBIN WILLCOURT: Good morning.

32 CHAIRMAN WAITS: Please have a seat.

33 DR. ROBIN WILLCOURT: Thank you.

34 For the record, I'm Dr. Robin Willcourt, medical practitioner  
35 in this community.

36 And I know many of you. And I thank you for giving me the  
37 opportunity to come and speak on behalf of our patients and  
38 their community.

39 It came to my attention some time ago that many people here  
40 have the inability to have ready access to mobile transport for

1 their medical care outside of this community.

2 Many times we have to send people as far as Salt Lake City  
3 and Reno, sometimes further than that. But typically those are  
4 the two places.

5 A number of people are unable to get to their medical  
6 consultations and medical care in a timely fashion because they  
7 rely on transport from friends and family. And very frequently  
8 those friends and family are unable to carry them to their  
9 consultation or therapy on the given day, for many reasons. Cars  
10 break down. Other family members are needing the cars.

11 You know, we live in a -- a -- a poor commun- -- we have a  
12 large number of people in this community who are very poor. And  
13 they don't have good resources. And so they do rely on family  
14 and friends, in these circumstances, for their transport.

15 Many times I've asked them, how have they managed to do so  
16 without their friends and family taking them? And they've often  
17 relied on things like the bus -- Greyhound bus, which, as you  
18 know, no longer serves the area.

19 But we do have a train that comes through here. And it  
20 seemed to me that having a train come through here and not stop  
21 seemed quite silly.

22 And I know it's got nothing to do with you folks. But Amtrak  
23 obviously made the decision some time ago that we weren't worth  
24 stopping at.

25 But I think that in a rural community -- and I know that  
26 the government has made noises about the -- about the fact that  
27 people in rural areas are underserved.

28 This is one of those examples of us being underserved. We  
29 have -- we have a transport system that's running right through  
30 our town and is not able to be accessed by our -- the members in  
31 the town.

32 So I've asked quite a few patients would they use Amtrak,  
33 if they could, to get either to Salt Lake City or to Reno. And  
34 many people have said they absolutely would use it because it is  
35 convenient. It requires, obviously, some very interesting  
36 infrastructure changes to be made.

37 Obviously, what I call the northern line, the one that  
38 usually takes people from east to west, doesn't have a proper  
39 shelter and no means of getting people necessarily into the town  
40 from there.

1 But I think these things can all be addressed if we can  
2 just get Amtrak to -- to stop here on a -- on a regular basis, I  
3 think this would serve the community well.

4 It doesn't have to be just for patients either, obviously.

5 But I've felt very bad for many people who've missed their  
6 appointments. They couldn't get to the VA. They couldn't get  
7 into Salt Lake.

8 And it just seems so terrible to have something that is  
9 right here on our doorstep and we can't access it.

10 So I wanted to come to you and -- and express this. It's a  
11 passion for me to -- to see our patients who are, you know,  
12 in -- in the poverty level denied even further access to care.

13 That -- that's really is heartbreaking.

14 COMMISSIONER ANCHO: And on that, I've been working on this  
15 as well.

16 DR. ROBIN WILLCOURT: Thank you.

17 COMMISSIONER ANCHO: And at the -- in the last -- at the  
18 last NACo meeting, I started speaking with Alexis  
19 Hansen, assemblywoman, to find out -- well, I spoke with  
20 several -- we've spoken to several -- had conversations with  
21 several people on trying to figure out how to get this worked  
22 out.

23 And the information I got back just the other day from Alexis  
24 Hansen was for me to start working with Mark Amodei out of Elko  
25 and see the congressman out of Elko to see where we can get --  
26 because this is also an ADA issue.

27 So there's so many -- and since it's federal and there's  
28 federally funds that are tied into this, it gives us a little  
29 bit more of a -- some strength to try to get something worked  
30 out on this.

31 So I will be contacting Mark Amodei as soon as possible to  
32 find out what he can do to help us.

33 Because this is ridicul- -- it's absolutely ridiculous that  
34 we don't have any service to get people out of this tow- -- out  
35 of this town.

36 And so you know that I'm -- been trying to work on this --

37 DR. ROBIN WILLCOURT: Yes.

38 COMMISSIONER ANCHO: -- for the last handful of months and  
39 haven't gotten anywhere.

40 But finally I tied her down at the NACo and said, hey,

1 somebody has to help us, you know, because it's gone on deaf  
2 ears until this point.

3 So I'm going to try, like I said, starting with Mark  
4 Amodei. And then if I can't go get that, then I have some fre-  
5 -- friends in the news media to get some blurps out that --  
6 because that always works -- has worked for me in the past.

7 DR. ROBIN WILLCOURT: Uh-huh.

8 KATHLEEN ANCHO: And when that gets out there and there's a  
9 little -- little bit of an embarrassment that nobody wants to  
10 help you, then everybody wants to help you.

11 So I'm going to try to see what we can do to get this  
12 worked on.

13 So much appreciate you bringing this up. And so --

14 COMMISSIONER CLARK: And now you have a little bit more  
15 information that we have disadvantaged people that need --

16 COMMISSIONER ANCHO: Oh. And --

17 COMMISSIONER CLARK: -- transportation.

18 COMMISSIONER ANCHO: -- VA. Yes.

19 COMMISSIONER CLARK: And our veterans.

20 COMMISSIONER ANCHO: Yes.

21 COMMISSIONER CLARK: So --

22 COMMISSIONER ANCHO: Absolutely.

23 COMMISSIONER CLARK: -- that should be, you know, help us  
24 there.

25 COMMISSIONER ANCHO: Yes. So --

26 COMMISSIONER CLARK: And -- and when I -- when we talked  
27 about the train depots in Winnemucca, it was 11 years ago, and  
28 they had the same thing as Elko. I saw the new train depot.  
29 That's really nice.

30 DR. ROBIN WILLCOURT: It's excellent.

31 COMMISSIONER CLARK: Oh, that's nice. Yeah.

32 DR. ROBIN WILLCOURT: Yeah.

33 COMMISSIONER CLARK: If we could get something here,  
34 that --

35 DR. ROBIN WILLCOURT: Yes. The one --

36 COMMISSIONER CLARK: -- might help.

37 DR. ROBIN WILLCOURT: -- at Elko is rather despicable that  
38 it's been allowed to lapse into dilapidation.

39 But the Winnemucca station is superb. And I've used it  
40 many times myself when I've had some medical care that I needed

1 to have taken care of in San Francisco. I've used Amtrak every  
2 time. It makes that trip so much better than driving.

3 COMMISSIONER CLARK: Oh.

4 DR. ROBIN WILLCOURT: But -- and I'm just one person. But  
5 I mentioned it to many patients. And -- and they've all said it  
6 would be great to have had a good public transport system to  
7 connect us to the two major cities that serve us medically.

8 COMMISSIONER ANCHO: So yeah. And we've actually have had  
9 some of the congress people come out here when they -- they came  
10 across the United States. And they used -- they actually used  
11 the Amtrak to see, you know, about the stops. So they've been  
12 riding them to see how it works as well.

13 So I will -- like I said, I will be jumping on this right  
14 away to see if I can get Mark Amodei to help us.

15 And as soon as you say VA or ADA, --

16 DR. ROBIN WILLCOURT: Yes.

17 COMMISSIONER ANCHO: -- like I said, you -- it just has a  
18 lot more of a bite --

19 DR. ROBIN WILLCOURT: Yes.

20 COMMISSIONER ANCHO: -- to it. So I will be working on  
21 this. So thank you very, very much.

22 DR. ROBIN WILLCOURT: All right.

23 COMMISSIONER ANCHO: All right?

24 COMMISSIONER SPARKS: Thank you, Doctor.

25 CHAIRMAN WAITS: Thank you for --

26 COMMISSIONER ANCHO: Thank --

27 DR. ROBIN WILLCOURT: Thank --

28 COMMISSIONER ANCHO: -- you.

29 DR. ROBIN WILLCOURT: -- you so --

30 CHAIRMAN WAITS: -- coming --

31 DR. ROBIN WILLCOURT: -- much for having me --

32 CHAIRMAN WAITS: -- and joining --

33 DR. ROBIN WILLCOURT: -- here --

34 CHAIRMAN WAITS: -- us.

35 DR. ROBIN WILLCOURT: -- today. Thank you.

36 COMMISSIONER ANCHO: Thank you.

37 CHAIRMAN WAITS: While we're working on the train system,  
38 let me also ask, it certainly wouldn't be to Salt Lake City, but  
39 it does say to explore some other transit systems. And is there  
40 something we can do perhaps with NDOT?

1 KEITH WESTENGARD: So if you'll remember, the commission at  
2 budget time gave 150,000 -- put \$150,000 in the bu- -- in the  
3 budget for a senior transport bus.

4 So that might be something. I know the community health  
5 nurse has asked me about local transport to the -- to our  
6 community health center north of the railroad tracks there.

7 So we're looking at some different options that we might be  
8 able to set up some type of a in-community transport with -- with  
9 this bus that we're looking at for the senior center.

10 The other thing that's very, very preliminary right now --  
11 and Kyla just brought this to me yesterday -- has to do with our  
12 industrial park and a possible spur.

13 Northwest of town here, out by our sewer plants, where  
14 the -- in between the two tracks, that's county land. We were  
15 talking about putting a rail spur there. And it did come up  
16 about getting with Amtrak and having some type of a -- a stop.  
17 We'd have to work something out with Amtrak, of course. We'd  
18 have to have an agreement. And both their north and south  
19 lines.

20 So we're looking at different options.

21 COMMISSIONER CLARK: Where is the county property?

22 KEITH WESTENGARD: It's north. It -- it's just outside of  
23 the sewer ponds there. We -- we -- we can bring it at a future  
24 agenda item --

25 COMMISSIONER CLARK: Okay.

26 KEITH WESTENGARD: -- and actually show it in the maps.  
27 You know, we were talking about the industrial park by the  
28 airport. We're running into issues with FAA. We're -- we're  
29 trying to get through some -- some requirements that FAA has.

30 When Kyla come -- came up across this piece of land, it's  
31 four -- a little -- around 400 acres out -- outside of the -- of  
32 town here that the county owns. But it's -- railroad tracks  
33 run -- run right through it.

34 COMMISSIONER CLARK: And that's --

35 KEITH WESTENGARD: The --

36 COMMISSIONER CLARK: -- when we talked about the spur a  
37 couple years ago, that's where we could have put it. Huh?

38 KEITH WESTENGARD: Well, the other spur we talked about a  
39 few years back was out here north of Battle Mountain -- or north  
40 of I-80. But that was the Nevada Lands property.

1 COMMISSIONER CLARK: Okay.

2 KEITH WESTENGARD: This land over here is Lander County  
3 property right now and adja -- it's adjacent to colony land to  
4 the land out there, the Indian colony land. So we're in --  
5 we're looking at some different options.

6 COMMISSIONER CLARK: Okay.

7 KEITH WESTENGARD: We're also looking at the bus option for  
8 a local transport and -- or some type of transport to Elko or  
9 Winnemucca.

10 We haven't expanded our transport discussions past that  
11 now. We're still very initial in the discussions.

12 COMMISSIONER CLARK: Good.

13 CHAIRMAN WAITS: I'm still going to go back and ask if  
14 maybe you could contact NDOT to see if there's anything.  
15 Because I know in a lot of different areas, they do use the NDOT  
16 transportation for medical services for senior citizens,  
17 for medical services, things like that.

18 KEITH WESTENGARD: And we did talk -- I did talk with Lee  
19 Bonner, actually, several times. And Kyla's, I think, talked  
20 with him as well over -- it's the -- called the TIGER grant.  
21 It's a tra- -- transportation grant that we've looked at.

22 I'm not sure what -- what -- what information you got,  
23 Commissioner. But when we met with Senator Cortez Masto and  
24 then the week before we met with her Washington, D.C. staff  
25 regarding this, they -- the discussion we had was they were  
26 pretty limited because of the -- there is no -- they're not --  
27 it's a private corporation, Amtrak. But there's no federal  
28 funding.

29 COMMISSIONER ANCHO: There is federal funding for them.

30 KEITH WESTENGARD: Okay.

31 COMMISSIONER ANCHO: There's no federal funding for the bus  
32 system.

33 DISTRICT ATTORNEY HERRERA: Right.

34 KEITH WESTENGARD: Oh. Maybe I got it mixed up --

35 COMMISSIONER ANCHO: Yeah.

36 KEITH WESTENGARD: -- then.

37 COMMISSIONER ANCHO: The buses --

38 KEITH WESTENGARD: Okay.

39 COMMISSIONER ANCHO: -- that -- we can't do anything  
40 about --

1 KEITH WESTENGARD: Okay.  
2 COMMISSIONER ANCHO: -- the bus --  
3 KEITH WESTENGARD: All right.  
4 COMMISSIONER ANCHO: -- system. But there is federal  
5 finding that goes into Amtrak.  
6 KEITH WESTENGARD: Okay. All right. So then -- then there  
7 would be some leverage --  
8 COMMISSIONER ANCHO: Uh-huh. Yes.  
9 KEITH WESTENGARD: -- there --  
10 COMMISSIONER ANCHO: And that's what --  
11 KEITH WESTENGARD: -- for --  
12 COMMISSIONER ANCHO: -- this letter also says from Alexis  
13 Hansen, it -- assemblywoman. She said there is a leverage in  
14 there because of the federal funding.  
15 KEITH WESTENGARD: Okay.  
16 COMMISSIONER ANCHO: So --  
17 KEITH WESTENGARD: All right.  
18 COMMISSIONER SPARKS: Bring those --  
19 KEITH WESTENGARD: -- we're -- we --  
20 COMMISSIONER SPARKS: Greyhound stopped coming. Has  
21 anybody reached out to them to find out why they stopped the  
22 run? To maybe potentially secure them for --  
23 CHAIRMAN WAITS: We did at the time; --  
24 COMMISSIONER ANCHO: Yeah.  
25 CHAIRMAN WAITS: -- didn't we?  
26 KEITH WESTENGARD: Right.  
27 COMMISSIONER ANCHO: At the time.  
28 CHAIRMAN WAITS: Yes. Yes.  
29 KEITH WESTENGARD: And it -- it had to do with -- they were  
30 talking about -- and this has been several months back -- just a  
31 summer stop in Battle Mountain. But it's the -- it's the winter  
32 driving, I think, that they're -- has their concern when they  
33 get out to northeastern Nevada.  
34 So there has been no other discussion.  
35 COMMISSIONER ANCHO: As they cut us -- they cut out  
36 basically almost everybody off on I-80.  
37 KEITH WESTENGARD: Yes.  
38 COMMISSIONER ANCHO: They're not stopping in Winnemucca or  
39 Elko. And they're not interested --  
40 KEITH WESTENGARD: Right.



1 COMMISSIONER ANCHO: -- in it.  
2 And when we spoke to Cortez Masto, she's like, there is  
3 nothing we can do to -- I mean, it's a private industry. That  
4 goes on deaf ears where the Amtrak is different. So we --  
5 KEITH WESTENGARD: By the (indiscernible).  
6 COMMISSIONER ANCHO: -- try to put our energy that way.  
7 KEITH WESTENGARD: Okay.  
8 CHAIRMAN WAITS: When we heard they were -- they were going  
9 to stop, we were quite active on it at the time and --  
10 COMMISSIONER ANCHO: Yeah.  
11 CHAIRMAN WAITS: -- did all the outreaches we could.  
12 And there was nothing, unfortunately. It all fell on deaf  
13 ears.  
14 COMMISSIONER ANCHO: Yeah.  
15 CHAIRMAN WAITS: But -- but that doesn't mean that we can't  
16 continue with what we're doing now and --  
17 COMMISSIONER ANCHO: Uh-huh.  
18 CHAIRMAN WAITS: -- and look.  
19 And the thing about if -- if we could get a -- the small  
20 bus, whether we use the senior center or whatever, the nice  
21 thing about that is that they can actually -- when -- if they  
22 have to go to Elko for a medical appointment, they can wait for  
23 them and pick them up again.  
24 COMMISSIONER ANCHO: Uh-huh.  
25 CHAIRMAN WAITS: Where, of course, the time of day that the  
26 trains run are another whole thing. But getting them to  
27 San Francisco and Salt Lake City are the big ones on that.  
28 KEITH WESTENGARD: Right.  
29 CHAIRMAN WAITS: But any- -- anybody else locally here,  
30 whether they're going to -- to Winnemucca or to -- to Elko would  
31 be most efficient if we had a bus of some type.  
32 So alternate transportation, I guess. Okay.  
33 DISTRICT ATTORNEY HERRERA: They -- they could always --  
34 those -- that bus could always transport people to catch the  
35 train in Winnemucca too.  
36 COMMISSIONER ANCHO: Yeah.  
37 CHAIRMAN WAITS: Yes.  
38 COMMISSIONER ANCHO: Yeah. That's a great idea.  
39 CHAIRMAN WAITS: Plus people have appointments in Reno too.  
40 And the train to Reno, of course, --

1 DISTRICT ATTORNEY HERRERA: Right.  
2 CHAIRMAN WAITS: -- would be great.  
3 Okay.  
4 COMMISSIONER CLARK: Patsy, can the vets go to any doctor  
5 now?  
6 CHAIRMAN WAITS: Yes.  
7 COMMISSIONER CLARK: Okay. But when they have procedures,  
8 they have to go to the vet hospital?  
9 CHAIRMAN WAITS: Not always.  
10 COMMISSIONER CLARK: Okay.  
11 CHAIRMAN WAITS: If they're over a hundred miles from one  
12 of the VA facilities, --  
13 COMMISSIONER CLARK: Okay.  
14 CHAIRMAN WAITS: -- they have the exception.  
15 COMMISSIONER CLARK: Okay.  
16 CHAIRMAN WAITS: So --  
17 Which is wonderful.  
18  
19

20 **BUILDING DEPARTMENT**

21  
22 10) **For possible action, the proposed Ordinance 2019-01 amending**  
23 **Title 15, Chapter 12, of the Lander County Code by repeal and**  
24 **amendment, to adopt the latest building codes and provide**  
25 **simpler updating thereof.**  
26

27 CHAIRMAN WAITS: Number 10. Building Department. For  
28 possible action, the proposal of Ordinance 2019-01 amending  
29 Title 15, Chapter 12, of the Lander County Code by repeal and  
30 amendment, to adopt the latest building codes and provide  
31 simpler updating thereof.

32 COMMISSIONER ANCHO: So this was the discussion we had --

33 COMMISSIONER SPARKS: Uh-huh.

34 COMMISSIONER ANCHO: -- just a couple of weeks ago. This  
35 is --

36 KEITH WESTENGARD: Yes.

37 COMMISSIONER ANCHO: -- an --

38 KEITH WESTENGARD: This is --

39 COMMISSIONER ANCHO: -- updated --

40 KEITH WESTENGARD: -- from the last --

1 COMMISSIONER ANCHO: -- version.  
2 KEITH WESTENGARD: -- meeting.  
3 COMMISSIONER ANCHO: Okay.  
4 KEITH WESTENGARD: Uh-huh.  
5 COMMISSIONER ANCHO: Okay.  
6 KEITH WESTENGARD: Some -- some clarification in the  
7 language.  
8 ANNA PENOLA: Anna Penola with the Building Department.  
9 COMMISSIONER SPARKS: Good morning, Anna.  
10 ANNA PENOLA: Good morning.  
11 CHAIRMAN WAITS: So this is the amendment of our -- of our  
12 first resolution this year. Right?  
13 ANNA PENOLA: This is the beginning.  
14 COMMISSIONER ALLAN: Do we need to read this?  
15 JEANNE FALZONE: Do they have to read it?  
16 COMMISSIONER SPARKS: Patsy, does it need to be read in, in  
17 the --  
18 JEANNE FALZONE: It needs to be --  
19 CHAIRMAN WAITS: No. The resolution's already passed. We  
20 have to do the amendment.  
21 DISTRICT ATTORNEY HERRERA: This is the proposal of the new  
22 ordinance. So if -- if you're -- go for it, it has to be read  
23 by title.  
24 CHAIRMAN WAITS: Has to be read by...  
25 DISTRICT ATTORNEY HERRERA: Title.  
26 CHAIRMAN WAITS: By title?  
27 DISTRICT ATTORNEY HERRERA: Yeah. You have to read the  
28 title of it into the record because --  
29 COMMISSIONER ANCHO: Oh.  
30 DISTRICT ATTORNEY HERRERA: -- this is -- this the  
31 ordinance, the actual ordinance.  
32 CHAIRMAN WAITS: Okay. So --  
33 DISTRICT ATTORNEY HERRERA: You have representative --  
34 CHAIRMAN WAITS: -- you -- you -- we have to read the  
35 ordinance in?  
36 COMMISSIONER SPARKS: No, just the --  
37 COMMISSIONER ANCHO: No.  
38 COMMISSIONER SPARKS: -- title.  
39 COMMISSIONER ALLAN: Just the --  
40 COMMISSIONER ANCHO: Just the --

1 COMMISSIONER ALLAN: -- title.  
2 COMMISSIONER ANCHO: -- title.  
3 CHAIRMAN WAITS: Just the title? Okay.  
4 DISTRICT ATTORNEY HERRERA: And it's ordinance number --  
5 CHAIRMAN WAITS: Great.  
6 DISTRICT ATTORNEY HERRERA: -- 2019-01.  
7 CHAIRMAN WAITS: Okay. Well, that sounds good enough.  
8 That's short.  
9 COMMISSIONER ALLAN: I'll make a motion we approve  
10 ordinance number 2019 zero dash -- is that dash zero one --  
11 titled an ordinance amending Title 15, Chapter 12, of the Lander  
12 County Code by repeal and amendment to adopt the latest building  
13 codes, provide simpler updating therefore of -- thereof, and  
14 other matters related thereto.  
15 COMMISSIONER ANCHO: I'll --  
16 COMMISSIONER SPARKS: I'll --  
17 COMMISSIONER ANCHO: -- second.  
18 COMMISSIONER SPARKS: -- second.  
19 Kathy seconds.  
20 CHAIRMAN WAITS: Judie made the motion. Kathy seconded.  
21 Okay. Any other information we need on that?  
22 DISTRICT ATTORNEY HERRERA: That's all we need to do for --  
23 for that.  
24 CHAIRMAN WAITS: For right now?  
25 DISTRICT ATTORNEY HERRERA: For the --  
26 CHAIRMAN WAITS: Okay.  
27 DISTRICT ATTORNEY HERRERA: -- first thing.  
28 CHAIRMAN WAITS: Okay. It's been moved and seconded.  
29 Do we have any other discussion?  
30 (No comment.)  
31 CHAIRMAN WAITS: All those in favor?  
32 COMMISSIONER SPARKS: Aye.  
33 COMMISSIONER ANCHO: Aye.  
34 COMMISSIONER ALLAN: Aye.  
35 CHAIRMAN WAITS: Aye.  
36 COMMISSIONER CLARK: Aye.  
37 CHAIRMAN WAITS: Okay. And that passes unanimously.  
38 We're on our way.  
39  
40

1 11) **BUILDING DEPARTMENT: For possible action to**  
2 **approve/disapprove contractor working for Lander County to be**  
3 **able to store equipment and supplies on county property while**  
4 **working for the county.**  
5

6 CHAIRMAN WAITS: Building Department. For possible action  
7 to approve or disapprove contractor working for Lander County to  
8 be able to store equipment and supplies on county property while  
9 working for the county.

10 KEITH WESTENGARD: So this has come up several times. And  
11 it -- it's related to our -- our tree service, individual that's  
12 parked behind the building.

13 So I got with Anna. And we wanted to bring it before the  
14 commission to get a decision on it.

15 It's -- it's u- -- it's common that we allow a contractor  
16 to store equipment in the back. They -- Public Works has  
17 allowed them to store equipment at the building or at the public  
18 works yard, the road and bridge yard. It's been ongoing for a  
19 long time.

20 The instructor -- or the contractor has insurance. County  
21 has insurance. It's a savings to the county. It would be an  
22 additional charge for either mileage or if we were going to have  
23 him store his equipment outside of the county or property.

24 So I just would like to get some type of a -- of a decision  
25 on if it's okay or not for the contractor to store his equipment  
26 on county property, whether it be here, the road and bridge  
27 yard --

28 COMMISSIONER CLARK: Kingston. Austin.

29 ANNA PENOLA: Austin.

30 KEITH WESTENGARD: The Austin --

31 ANNA PENOLA: Correct.

32 KEITH WESTENGARD: Yeah.

33 COMMISSIONER SPARKS: So let me ask this question. So if  
34 we -- if we do state something that we're -- acceptance of it,  
35 what do you have when somebody comes in that's doing something  
36 for the county that has 50 pieces of equipment? Do we have the  
37 abilities to be able to --

38 KEITH WESTENGARD: We would have -- yeah. We would have  
39 other -- it's not just relat- -- it's any Lander County  
40 property.

1 COMMISSIONER SPARKS: Okay.

2 KEITH WESTENGARD: So if we had, for instance, 50 pieces of  
3 equipment, we -- we've got the land over by the old -- our old  
4 offices there where the community health nurse --

5 COMMISSIONER SPARKS: Gotcha.

6 KEITH WESTENGARD: -- is. There's the rodeo grounds.  
7 There's the seven acres -- I believe, Bert -- is it sev- -- five  
8 or seven acres behind the current road and bridge yard that's --  
9 that's --

10 COMMISSIONER SPARKS: Yeah. I don't have a problem with it  
11 as long as it's -- I mean, if the taxpayers are benefiting,  
12 which it sounds to me like they are because of cost reduction,  
13 I -- I don't have a problem with it.

14 CHAIRMAN WAITS: Well, we have done this in the past. This  
15 isn't --

16 ANNA PENOLA: It's a past --

17 CHAIRMAN WAITS: -- un- -- unusual.

18 ANNA PENOLA: -- precedence.

19 CHAIRMAN WAITS: Right?

20 ANNA PENOLA: Yes. It's been ongoing.

21 CHAIRMAN WAITS: I guess that now that we're making it  
22 formal, though, I guess my question is -- and I know they have  
23 insurance because they have to have if they're contractors with  
24 us.

25 KEITH WESTENGARD: Yes.

26 CHAIRMAN WAITS: But what I am wondering is -- is if we  
27 need contractually a waiver to say that we're not responsible  
28 for your --

29 COMMISSIONER SPARKS: Yeah.

30 CHAIRMAN WAITS: -- equipment.

31 COMMISSIONER SPARKS: If somebody breaks into our yard,  
32 gets in the tree bucket, and gets up there and plays and falls  
33 off and dies, are we going to be liable as a county because it  
34 was on our property?

35 DISTRICT ATTORNEY HERRERA: It would be nice to have a  
36 waiver of liability that goes along with it.

37 COMMISSIONER SPARKS: Yeah. So --

38 CHAIRMAN WAITS: That's all. Just the waiver is the only  
39 thing. Because we --

40 COMMISSIONER ANCHO: Yeah.

1 CHAIRMAN WAITS: -- know that we're covered with insurance  
2 if we're contracted with them.  
3 KEITH WESTENGARD: That'd be simple to write up, Ted?  
4 DISTRICT ATTORNEY HERRERA: Yeah.  
5 KEITH WESTENGARD: And then we could just have the  
6 contractor sign it at the time that the job --  
7 CHAIRMAN WAITS: Just --  
8 KEITH WESTENGARD: -- starts?  
9 CHAIRMAN WAITS: -- just a simple waiver.  
10 KEITH WESTENGARD: And it's a hold --  
11 CHAIRMAN WAITS: They're welcome --  
12 KEITH WESTENGARD: -- harmless type of a --  
13 CHAIRMAN WAITS: -- use our property to leave it here on,  
14 but that they're responsible first and not us.  
15 COMMISSIONER ALLAN: So this is something that -- that I've  
16 had an issue with. And it's really not personal against any  
17 particular company.  
18 I am concerned about the liability. And irregardless of  
19 whether they have their own liability or Lander County has  
20 theirs, it -- it is depriving private business of profit.  
21 There are other places that contractors can store --  
22 securely store their -- their equipment.  
23 And also, you know, basically the statement say- -- stating  
24 you know, they can -- by parking it on county property, they can  
25 do it cheaper, that might be kind of a little fine line between  
26 pushing an NRS violation on competitive business and kickbacks.  
27 So, you know, we've got to be careful with that too because  
28 if you're saying that they're giving us a cheaper bid because  
29 they're parking on county property, it's not legal.  
30 ANNA PENOLA: I'm not saying that at all.  
31 COMMISSIONER ALLAN: Well, kind of what is implied.  
32 DISTRICT ATTORNEY HERRERA: Can --  
33 KEITH WESTENGARD: Let -- let me -- for -- I didn't say it  
34 was a cheaper bid. I said it's a savings because we're -- we're  
35 not paying mileage or -- or travel time or if -- if we say,  
36 okay, go start -- go store your equipment. Can't store it on  
37 county property. Go store it at -- at Clark, as an example, at  
38 Clark's facility. He'll build that -- or the company's going to  
39 build that into their bid, a storage fee.  
40 So it's --

1 COMMISSIONER ALLAN: Well, then.  
2 KEITH WESTENGARD: -- wasn't -- that was not -- I don't  
3 want to make it sound like we're trying to get kickbacks or --  
4 or -- or any --  
5 COMMISSIONER ALLAN: I --  
6 KEITH WESTENGARD: -- kind of a -- a cheaper --  
7 COMMISSIONER ALLAN: I understand --  
8 KEITH WESTENGARD: -- bid.  
9 COMMISSIONER ALLAN: -- that. But it's also -- because we  
10 are giving them that benefit is they are not charging us that.  
11 It -- it's still --  
12 KEITH WESTENGARD: But that's overall --  
13 COMMISSIONER ALLAN: It's not an equal bid.  
14 KEITH WESTENGARD: But -- but it's an overall savings to  
15 the -- to the county taxpayers. That -- that's the bottom line.  
16 It's -- we're not trying to -- I still don't understand the  
17 kickback part of it. That kind of caught my ear, but it's --  
18 it's not --  
19 CHAIRMAN WAITS: Now let me see if -- if I'm understanding  
20 it right.  
21 We've got -- we've got bidders that -- that have been  
22 successful in the past. And they know they can use our county  
23 property and not have to take this couple big machines back and  
24 forth. Okay.  
25 We have two more bidders that have -- have bid us in the  
26 past, have not been successful. They may not know that they can  
27 use the county property. So they're bidding it in their bid to  
28 take the machinery back and forth.  
29 Is that what you're saying?  
30 So it may not be -- we -- we need to be clearer in our bids,  
31 perhaps, so that everybody's on the same plane. Right?  
32 COMMISSIONER ALLAN: Well, I guess --  
33 CHAIRMAN WAITS: Does that make --  
34 COMMISSIONER ALLAN: -- that's a --  
35 CHAIRMAN WAITS: -- sense?  
36 COMMISSIONER ALLAN: -- possibility. I guess the other  
37 thing I have to state --  
38 CHAIRMAN WAITS: Some are building --  
39 COMMISSIONER ALLAN: -- is --  
40 CHAIRMAN WAITS: -- in storage and some are not.



1 COMMISSIONER ALLAN: Right. Is -- I'm sorry --  
2 ANNA PENOLA: No.  
3 COMMISSIONER ALLAN: -- you can go rent a secure storage  
4 spot from Randy Clark for \$50 a month.  
5 ANNA PENOLA: I don't -- excuse me. I don't mean to -- it  
6 has nothing to do with security.  
7 Because he -- they were parking outside the secured area.  
8 And that ended up being a problem too. It has nothing to do with  
9 secure parking or storage or anything else. They just want to be  
10 able to leave their equipment so they can come back and finish the  
11 job.  
12 COMMISSIONER ANCHO: If they've already -- if we've already  
13 put the --  
14 ANNA PENOLA: And this is past precedent.  
15 COMMISSIONER ANCHO: Yeah. If we -- if we've already given  
16 them the contract to do it regardless of who we've given the  
17 contract to, it doesn't -- I -- I don't see where the problem  
18 is, is allowing them with a waiver to park their stuff on the  
19 property.  
20 I mean, I just -- I don't see where there -- it's an -- an  
21 issue unless you had the bid, you looked at the bid and then you  
22 break it down and tell me everything, and they're going to say,  
23 we're going to charge -- you know, we're getting charged \$50  
24 every night for storing our vehicle wherever. I don't see where  
25 that's truly added into the bid. It's just a convenience. And  
26 it's atta- -- as far as kickbacks, I don't understand where our  
27 kickback would be because this is a savings to the county. And  
28 there's not one of us in here that's getting a kickback from it.  
29 If anybody's getting a kickback, it would be the taxpayers. And  
30 I'm sure they appreciate getting -- saving money, if that's  
31 actually the true essence of it, by storing their equipment  
32 there.  
33 I don't know -- I don't understand with just a waiver or  
34 why -- how -- why it has to be truly beat to death and a big deal.  
35 KEITH WESTENGARD: The -- the -- the intent behind this  
36 was, as Commissioner Allan pointed out, that there -- she had an  
37 issue with it. And we've had multiple discussions on it.  
38 And I wanted to come and get the board's decision on what  
39 to do. I'm happy to tell the contractor he can -- he can't  
40 store it on county property or he can or they can or can't store

1 it on county property. I just want the board's decision.  
2 ANNA PENOLA: And this isn't just going to be the tree  
3 trimmer. This is going to be Hunewill. This is going to be --  
4 go ahead, Bert.  
5 BERT RAMOS: So Bert Ramos, for the record.  
6 So we've got to be careful. This is kind of -- we're  
7 beating a dead horse here because every contractor that comes  
8 into Lander County, regardless of who they are, they're leaving  
9 their equipment on county property -- what -- as they're doing  
10 jobs. When they're done digging their trench, putting a --  
11 COMMISSIONER SPARKS: Right.  
12 BERT RAMOS: -- pipeline in, --  
13 COMMISSIONER ANCHO: Exactly.  
14 BERT RAMOS: -- they park their --  
15 COMMISSIONER CLARK: Right.  
16 BERT RAMOS: -- backhoe --  
17 COMMISSIONER CLARK: Right.  
18 BERT RAMOS: -- there overnight and they leave.  
19 COMMISSIONER CLARK: Right.  
20 COMMISSIONER ANCHO: Exactly.  
21 COMMISSIONER SPARKS: It's done -- yeah. We're making it  
22 more than what it is.  
23 COMMISSIONER ALLAN: So --  
24 BERT RAMOS: Yeah. Past --  
25 ANNA PENOLA: Exactly.  
26 BERT RAMOS: -- past practice -- so we've -- we've covered  
27 this a little more in depth previously when the county leant a  
28 piece of equipment to a contractor to finish a job for that day  
29 because one of their pieces of equipment had broke down.  
30 And the -- the previous board had already said that that  
31 was no problem, that with Keith's approval, in an emergency  
32 situation like that, we could do that, which -- which may be  
33 more of a benefit to the contractor at the time if something  
34 were to happen; right?  
35 And -- but that's already been discussed. I think that if  
36 we start venturing down this road, whether we provide a secure  
37 lay down yard or not, they're parking all their equipment on  
38 county property every night when they're done with the --  
39 COMMISSIONER SPARKS: Right.  
40 BERT RAMOS: -- job.

1 COMMISSIONER CLARK: Yeah. They are.  
2 COMMISSIONER ANCHO: Yeah, they are.  
3 COMMISSIONER ALLAN: So I'd like to -- to kind of clarify  
4 something on that. Is when -- when you issue a contract on  
5 public works, et cetera, basically that may be county property.  
6 That property falls under the responsibility of the contractor  
7 at that time. And in some respects they own that property. Is  
8 they are liable for it until the contract is complete.  
9 And so, you know, parking it alongside the road, parking it  
10 out, you know, when you're doing a -- a pipeline, water line,  
11 whatever, that's a different aspect or scenario than parking it in  
12 a secure, gated, locked county property.  
13 ANNA PENOLA: He's -- he'll park out front.  
14 BERT RAMOS: I think -- I think we've got to remember too  
15 that this could become something to where we are giving a local  
16 contractor an undue advantage. Say they do have a locked,  
17 secure yard and how do we get an outside bidder to come in and  
18 compete with them if they do have that and we aren't willing to  
19 make it and even playing field for everybody.  
20 COMMISSIONER SPARKS: Right.  
21 COMMISSIONER ALLAN: It's \$50 a month to go rent a spot to  
22 park a vehicle.  
23 ANNA PENOLA: I think it's good business.  
24 COMMISSIONER ALLAN: I think we're --  
25 COMMISSIONER SPARKS: I don't think it's --  
26 COMMISSIONER ALLAN: Well, and you're --  
27 COMMISSIONER SPARKS: -- an issue.  
28 COMMISSIONER ALLAN: -- entitled to your opinion and I'm  
29 entitled to mine. I'm just saying that I don't feel it's the  
30 county's responsibility to provide se- -- secure storage for  
31 contractors' equipment.  
32 ANNA PENOLA: No disrespect --  
33 COMMISSIONER ALLAN: And as far as --  
34 ANNA PENOLA: -- but I don't think --  
35 COMMISSIONER ALLAN: -- as --  
36 ANNA PENOLA: -- the county's doing that.  
37 COMMISSIONER ALLAN: I'm not finished, Anna. I will have  
38 to say that, you know, past practice, I'm not sure where you --  
39 you know, how much past you're going into, but I know that that  
40 wasn't always the case, that it hasn't always been past practice

1 to allow that.

2 ANNA PENOLA: From my research it has.

3 COMMISSIONER ALLAN: Okay.

4 KEITH WESTENGARD: Do -- would -- would you --

5 CHAIRMAN WAITS: I think we'll --

6 KEITH WESTENGARD: -- like me --

7 Commissioners, would you like me -- this has to do with the  
8 tree guy. That -- this is all based on -- on the tree guy  
9 because he's parked his equipment in the back. And there was  
10 liability concerns. And Commissioner Allan and I had that  
11 discussion.

12 This guy's from out of the area. There's no question about  
13 it. He beat -- and I hate to say it -- but he beat our local guy  
14 by \$40,000? \$40,000 is what he beat the local guy by.

15 So part of it was we would allow him to store equipment on  
16 county property.

17 COMMISSIONER ALLAN: And there you go. That is back to,  
18 you know, he's getting a preferred benefit --

19 COMMISSIONER SPARKS: Judie! Hold on a second! I don't  
20 see -- this is freaking ridiculous -- for how -- exactly what  
21 Bert said. Contractor's working on it whenever that -- that  
22 equipment is not operating, it's on county property. And we're  
23 making a -- a mountain out of molehill. And it's ridiculous.  
24 Honestly, it is.

25 Sitting here, trying to see both sides, it's ridiculous. I  
26 don't think we need to change a damn thing. We'll just continue  
27 on how we've done it for however long we've been doing it.

28 COMMISSIONER CLARK: Thank you, Bryan.

29 COMMISSIONER SPARKS: Jesus.

30 COMMISSIONER ANCHO: And I know that we've been doing it  
31 for at least 15 or 20 years because working for the county,  
32 there were contractors' vehicles at the old -- at the road and  
33 bridge when they were doing projects. So I know that that --  
34 it's at -- as far as me paying attention where I lived because I  
35 lived down the street from them and they would pull in in the  
36 evening and park in there. So I know -- and at least 15 years.

37 And so I just, like he said, it's -- we're -- we're beating a  
38 dead horse. And let's just get this done and over with and --

39 KEITH WESTENGARD: Commissioners? With -- with your  
40 approval, if you would leave this in my hands or whoever's in

1 this position in the future, leave it in the hands of the county  
2 manager. I think it's clearly an operational issue. I'll work  
3 with the district attorney on a hold-harmless agreement. And  
4 we'll -- we'll cover it from there if -- if that's works for  
5 this commission.

6 COMMISSIONER SPARKS: As long as we have no liability, I  
7 have no problem with it.

8 COMMISSIONER ANCHO: Me either.

9 KEITH WESTENGARD: Okay. Thank you.

10 COMMISSIONER CLARK: Well, I'll make a motion that we give  
11 Keith the authority for a variance, if needed, when we're  
12 talking about these -- these construction companies and needing  
13 to park their equipment on county property.

14 DISTRICT ATTORNEY HERRERA: With -- along with a waiver of  
15 liability.

16 COMMISSIONER CLARK: I can't hear you.

17 DISTRICT ATTORNEY HERRERA: Along with a waiver of the  
18 liability.

19 COMMISSIONER CLARK: Yes, with the waiver of liability.

20 COMMISSIONER ANCHO: I'll second.

21 COMMISSIONER SPARKS: Well, my question: Do we need that  
22 as a motion since we've been doing it all along? Other than  
23 just the fact that we need the waiver of --

24 COMMISSIONER CLARK: Just the --

25 COMMISSIONER SPARKS: -- liability?

26 COMMISSIONER CLARK: Yeah. We need --

27 COMMISSIONER ANCHO: The waiver.

28 CHAIRMAN WAITS: And it clarifies it.

29 COMMISSIONER ANCHO: Yeah.

30 DISTRICT ATTORNEY HERRERA: Since -- since --

31 COMMISSIONER CLARK: Yeah.

32 DISTRICT ATTORNEY HERRERA: -- it's on the agenda,  
33 Bryan, --

34 COMMISSIONER SPARKS: Okay.

35 DISTRICT ATTORNEY HERRERA: -- it -- it's probably a good  
36 idea.

37 COMMISSIONER SPARKS: I'll second the motion.

38 CHAIRMAN WAITS: Okay. So Art made the motion. And Bryan  
39 seconded it.

40 Is there any other discussion?

1 COMMISSIONER ALLAN: Yeah. I would like to say something.  
2 CHAIRMAN WAITS: I'm sorry?  
3 COMMISSIONER ALLAN: Yes. I would like to say something.  
4 You know, I think it was a valid item on the agenda  
5 and legitimate. And -- and to get upset about it -- I'm not  
6 upset. I think it was fine.  
7 We had a discussion. But, you know, if -- if -- you guys are  
8 going to have issues.  
9 CHAIRMAN WAITS: Okay. Thank you.  
10 We have a motion on the floor. I'll call for the vote.  
11 All in favor?  
12 COMMISSIONER ANCHO: Aye.  
13 COMMISSIONER SPARKS: Aye.  
14 COMMISSIONER CLARK: Aye.  
15 CHAIRMAN WAITS: Aye.  
16 Any opposed?  
17 COMMISSIONER ALLAN: Nay.  
18 CHAIRMAN WAITS: Thank you. So recorded.  
19 JEANNE FALZONE: Excuse me, Commissioners. Can I --  
20 CHAIRMAN WAITS: And it does pass. Yes.  
21 JEANNE FALZONE: As a resident of Lander County, this  
22 certain individual, Dave, who trimmed trees, came in at  
23 one-third of the cost to remove a tree from my house when the  
24 local tree trimmer lives a mile from me.  
25 So not only is it a savings to the county and everyone, it is  
26 also a savings to the residents and taxpayers of this county and  
27 other businesses and entities that do -- that are here.  
28 So small steps, but it -- it encompasses everything.  
29 CHAIRMAN WAITS: Thank you. We appreciate --  
30 COMMISSIONER ANCHO: Thank you.  
31 CHAIRMAN WAITS: -- your public --  
32 COMMISSIONER CLARK: Thank you, Jeanne.  
33 CHAIRMAN WAITS: -- comment.  
34 ANNA PENOLA: Thank you, Commission.  
35 CHAIRMAN WAITS: Thank you, Anna.  
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1 **CORRESPONDENCE**

2  
3 **12) Correspondence, reports, potential upcoming agenda items.**

4  
5 CHAIRMAN WAITS: Number 12. We're moving to  
6 correspondence.

7 Correspondence, reports, potential upcoming agenda items.

8 Commissioners, I have the BLM back on the agenda for a  
9 complete update on everything.

10 I also have -- we'll bring the civic center back with an  
11 actual rate chart and make some -- ask you to make some  
12 determination on the 501(c) -- and the nonprofits and so forth.

13 CHAIRMAN WAITS: Along with that, we had asked the civic  
14 center before, when Rita was here, during budget that we do  
15 a quarterly report on that so we know how many nonprofits and  
16 what we're getting charged and everything. We haven't seen  
17 any -- any reports on that.

18 KEITH WESTENGARD: All right.

19 CHAIRMAN WAITS: So perhaps we could have that at the same  
20 time.

21 KEITH WESTENGARD: You're getting our public defender  
22 reports?

23 CHAIRMAN WAITS: I got your public defender's --

24 KEITH WESTENGARD: Yeah. I --

25 CHAIRMAN WAITS: -- report.

26 KEITH WESTENGARD: -- I -- he started sending them.

27 CHAIRMAN WAITS: Thank you.

28 KEITH WESTENGARD: Or they started sending --

29 CHAIRMAN WAITS: Well, that --

30 KEITH WESTENGARD: -- them.

31 CHAIRMAN WAITS: -- is. We asked for that --

32 KEITH WESTENGARD: Yes.

33 CHAIRMAN WAITS: -- quarterly too.

34 KEITH WESTENGARD: Absolutely.

35 CHAIRMAN WAITS: And I --

36 KEITH WESTENGARD: Yep.

37 CHAIRMAN WAITS: -- appreciate that.

38 KEITH WESTENGARD: Okay.

39 CHAIRMAN WAITS: That's the way we keep track of it all.

40 I did notice in the billing, Summit Engineering had another

1 amount in there for Austin.  
2 And I do believe they were supposed to be totally done this  
3 summer. And they're still not. So --  
4 KEITH WESTENGARD: Would you like --  
5 CHAIRMAN WAITS: -- we need --  
6 KEITH WESTENGARD: -- them back?  
7 CHAIRMAN WAITS: -- some kind of an update from Summit of  
8 what in the world is going on. Austin is just beside themselves  
9 trying to --  
10 COMMISSIONER CLARK: With the what, Patsy? I missed it.  
11 CHAIRMAN WAITS: Summit Engineering with --  
12 COMMISSIONER CLARK: Oh.  
13 CHAIRMAN WAITS: -- the --  
14 COMMISSIONER CLARK: Okay.  
15 KEITH WESTENGARD: Realignment?  
16 CHAIRMAN WAITS: -- the alignment for Austin.  
17 COMMISSIONER CLARK: Okay.  
18 CHAIRMAN WAITS: Yeah. Uh-huh.  
19 Also we probably don't need to put it on the agenda, but I  
20 do need to know about the youth center and where we are on that.  
21 So if we want an update on the Austin Youth Center that would  
22 be -- I think that would be good, just to see where we are and  
23 how we're going forward.  
24 KEITH WESTENGARD: And we'll have that resolution -- right?  
25 -- next time for the Water Sewer 2?  
26 CHAIRMAN WAITS: Anything else?  
27 DISTRICT ATTORNEY HERRERA: It depends on how the dates,  
28 we'll need to -- next one will --  
29 COMMISSIONER ANCHO: Indiscernible.)  
30 SADIE SULLIVAN: I'd like to --  
31 DISTRICT ATTORNEY HERRERA: -- be (indiscernible) --  
32 SADIE SULLIVAN: -- add to that --  
33 DISTRICT ATTORNEY HERRERA: -- (indiscernible) --  
34 SADIE SULLIVAN: -- if I may.  
35 DISTRICT ATTORNEY HERRERA: -- (indiscernible).  
36 SADIE SULLIVAN: Just to give you a heads-up or to --  
37 DISTRICT ATTORNEY HERRERA: (Indiscernible.)  
38 KEITH WESTENGARD: Okay.  
39 CHAIRMAN WAITS: I'm sorry. Are you our --  
40 SADIE SULLIVAN: Sadie Sullivan, Lander County --



1 CHAIRMAN WAITS: No, no, no. No.  
2 SADIE SULLIVAN: Oh.  
3 CHAIRMAN WAITS: I thought you gave your name, Sadie. No,  
4 what I meant was we're dealing with agenda item. Is that --  
5 SADIE SULLIVAN: Correct.  
6 CHAIRMAN WAITS: -- that's what you're dealing --  
7 SADIE SULLIVAN: Yeah.  
8 CHAIRMAN WAITS: -- with? Thank you.  
9 SADIE SULLIVAN: Yep. I just want to make sure that on our  
10 advertisement for that ordinance, we'll want to put Item Number  
11 1. I believe it says 9:15 for the ordinance where it's --  
12 UNIDENTIFIED PARTICIPANT: 9:10.  
13 SADIE SULLIVAN: -- a hearing. 9:10? Okay. 9:10.  
14 So on the next agenda for the ordinance, we'll just need to  
15 make sure that we have that for Item Number 1 at 9:10 for the  
16 other --  
17 KEITH WESTENGARD: Oh, for the --  
18 SADIE SULLIVAN: -- next --  
19 KEITH WESTENGARD: -- reading of it.  
20 SADIE SULLIVAN: Correct.  
21 CHAIRMAN WAITS: For the hearing.  
22 KEITH WESTENGARD: Yeah. Okay.  
23 SADIE SULLIVAN: Yeah. For the --  
24 KEITH WESTENGARD: Public comment?  
25 SADIE SULLIVAN: -- hearing, to make sure --  
26 CHAIRMAN WAITS: Yeah.  
27 SADIE SULLIVAN: -- that we --  
28 KEITH WESTENGARD: All right.  
29 SADIE SULLIVAN: -- follow that through legally.  
30 DISTRICT ATTORNEY HERRERA: Through the adoption.  
31 SADIE SULLIVAN: Correct.  
32 CHAIRMAN WAITS: Thank you.  
33 KEITH WESTENGARD: We got it.  
34 SADIE SULLIVAN: Okay. Thank you --  
35 KEITH WESTENGARD: 9:10?  
36 SADIE SULLIVAN: -- much.  
37 COMMISSIONER ANCHO: Thank you.  
38 SADIE SULLIVAN: 9:10, please.  
39 CHAIRMAN WAITS: Okay. Nothing else?  
40 Okay.

1     **PUBLIC COMMENT**

2  
3           CHAIRMAN WAITS: Well, then we move into public comment for  
4 nonagendized items only.

5           Persons are invited to submit comments in writing and/or  
6 attend or 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          (No comment.)

15          CHAIRMAN WAITS: Okay.

16          Hearing --

17          COMMISSIONER CLARK: Nothing --

18          CHAIRMAN WAITS: -- none, --

19          COMMISSIONER CLARK: -- agenda (indiscernible).

20          CHAIRMAN WAITS: -- we'll remind you there is a litigation  
21 meeting. So please stay after we've got everything all signed.  
22 And motion?

23  
24  
25     **ADJOURNMENT**

26  
27           COMMISSIONER ANCHO: I'll make a motion.

28           COMMISSIONER SPARKS: Second.

29           COMMISSIONER CLARK: Second.

30           CHAIRMAN WAITS: Motion to adjourn --

31           COMMISSIONER ANCHO: Adjourn. Sorry.

32           CHAIRMAN WAITS: -- by Kathy. Seconded by Bryan.

33           All in favor?

34           COMMISSIONER SPARKS: Aye.

35           COMMISSIONER ANCHO: Aye.

36           CHAIRMAN WAITS: Aye.

37           COMMISSIONER CLARK: Aye.

38           CHAIRMAN WAITS: Any opposed?

39           (No comment.)

40           CHAIRMAN WAITS: There you go. Thank you so much.

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MITESHELL LANHAM: Bye.  
COMMISSIONER SPARKS: Bye-bye.  
CHAIRMAN WAITS: Thank you, Miteshell.

(Meeting adjourned at 10:54 a.m.)



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

**ATTEST:** Sadie Sullivan  
**LANDER COUNTY CLERK**

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