

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 November 7, 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: Welcome to our commissioners and our staff
22 and employees and citizens.

23 I will call to order the Lander County Commissioners'
24 meeting, Town Board of Battle Mountain and Austin, Board of
25 County Highway Commissioners for November 7, 2019.

26 Since Veterans Day is coming around the corner and you have
27 your daughter in the active military, I'd like you to lead us in
28 the Pledge of Allegiance --

29 COMMISSIONER ANCHO: All right.

30 CHAIRMAN WAITS: -- if you would, Kathy.
31

32 (Pledge of Allegiance)
33

34 CHAIRMAN WAITS: Thank you. And now if you'll join us in a
35 moment of silence, please.
36

37 (Moment of silence)
38

39 CHAIRMAN WAITS: Thank you.

40 Lander County Commissioners may break for lunch from

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

5
6 **COMMISSIONER REPORTS**
7

8 CHAIRMAN WAITS: So we'll start with commissioners'
9 reports.

10 Judy, I'll start with you. Do you have something to share
11 with us today?

12 COMMISSIONER ALLAN: Not really so much to share in -- in
13 the effect of it's -- it was a conference. But I did attend the
14 Fire West Show in Reno last week through LEPC and attended a
15 couple different classes on IC training, hazmat. Very, very in-
16 -- interesting and lots of different classes that I wish I would
17 have had more time to attend. They had a exhibit -- vendors'
18 exhibits. And it was just fascinating some of the -- the new
19 trucks, equipment for fire trucks, first responders, ambulances,
20 anything to do with that.

21 It -- it just -- lots of really, really neat stuff.

22 So it was really enjoyable.

23 Like I said, it -- it's not something I can present as far
24 as what the classes were, but I would just recommend if anybody
25 had the chance for something like that, it was great.

26 CHAIRMAN WAITS: Thank you.

27 COMMISSIONER ANCHO: Hospital board was last night. The
28 one thing -- most of it's just month-to-month stuff that -- the
29 payment of the bills, and those kind of things.

30 But one thing that the hospital is doing is getting into
31 community service. And a bunch of their employees went to the
32 duck pond and cleaned up all of those Russian olive trees and
33 stuff along the whole -- yeah, around the pond. So the path is
34 there again. So people who want to try walking without getting
35 attacked by geese, the path is back.

36 But, yeah, they spent a whole day and took -- I don't --
37 countless loads to the dump of the debris that was around there
38 and picked up garbage.

39 So they're trying to really focus once a month on doing
40 things for the community. So that was very notable and looked

1 very nice when they were finished. So --
2 COMMISSIONER SPARKS: Nice.
3 COMMISSIONER ANCHO: Yeah. And all done by volunteers from
4 the hospital. So --
5 CHAIRMAN WAITS: Thank you.
6 COMMISSIONER ANCHO: And that's all I have.
7 CHAIRMAN WAITS: Bryan?
8 COMMISSIONER SPARKS: Nothing to report.
9 CHAIRMAN WAITS: Okay. Art?
10 COMMISSIONER CLARK: No. No meetings.
11 CHAIRMAN WAITS: Okay. I do have a coup- -- couple quick
12 things here.
13 The Austin Chamber of Commerce had their annual meeting and
14 also their regular meeting last weekend and Monday.
15 They did revise their bylaws. And their new president is
16 the continuing president, Robyn Veach.
17 On November 4, I did attend the special meeting with the
18 Kingston Town Board and that, of course, is on our agenda.
19 On November 6 -- gee, that was yesterday -- I came up for
20 LEDA but we ended up with no quorum. We thought we were going
21 to have but we couldn't -- couldn't connect. The last two that
22 were going to come in by phone didn't. And so we have so much
23 to do.
24 It -- it's a very thick packet, but we need to decide if
25 we're going ahead with some of these programs. So I'm hoping
26 the December one will be okay and we'll do a quorum.
27 We're still short two people, one from Battle Mountain and
28 one from our southern area. And I think maybe what it's going
29 to take for some of these volunteer positions is some personal
30 one-on-one. I mean, it's one thing to read in the paper that,
31 oh, they need somebody on that board. It's something else when
32 someone says to them personally, "You would be a very valuable
33 member. Would you consider doing that?" and it's a personal
34 invitation. We might be able to fill some boards.
35 So let's kind of take that on and pass it around and see
36 what we can do because we definitely need them.
37 I also had a Justice and Public Safety telephone call.
38 That's my national committee that I sit on. And a couple things
39 I wanted to share with you on that. That was yesterday. They
40 actually are redoing the reform bill for the flood insurance.

1 And that is with the House. Right now it's with the Financial
2 Services Committee in the House. And NACo has realized that
3 there really isn't anything regarding the rates and the
4 affordability of it.

5 And so they've really been working hard with -- with the
6 Financial Services Committee to put that in so that they can put
7 a cap on what some of these prices would be with the flood
8 insurance. And they were very positive. They said even if they
9 can't do it through the House committee, they are sure that the
10 Senate will -- will do that.

11 So that was one of them on the flood insurance. Because it
12 doesn't know any good to be able to have it if you can't afford
13 it. So the rates are extremely important and, I mean, they're
14 on top of that.

15 The other one was one we've been talking about for some
16 time and that's regarding our inmates that are all in pretrial.
17 And we've mentioned it before that we've been working very
18 diligently -- NACo and our legislators -- to actually change
19 that where they don't lose their insurance when they go in.
20 Because Medicare stops, Medicaid stops, Veterans stops,
21 everything, and the county takes care of all these people. And
22 they haven't even been tried yet and they've lost coverage. And
23 it's up to us.

24 Well, the good news is we have two bills, actually, in the
25 Senate that are both addressing that. They're both from -- from
26 senators that are in the East.

27 But one of them, it's Senate Bill 2628. And that one
28 will -- will reestablish the Medicaid so they don't lose
29 Medicaid.

30 But there's another one, a companion bill, that's Senate
31 Bill 2628 that they're working on from another senator that
32 actually says that will restore benefits on Medicare and VA and
33 CHIP and all the rest of them. So it's the first time we've had
34 any bills that are there.

35 So if any of you get a chance to talk to our legislators --
36 and we do have Senator Rosen coming through next Thursday in
37 Battle Mountain. And she'll be in Austin on Tuesday. So we
38 need to -- to get them on board to say when this comes up, this
39 is real important to support.

40 Actually, Senator Rosen is doing her -- her tour of 50 and

1 then back on 80 because of Veterans Day and Veterans Week. So
2 she's really kind of highlighting that part of it.

3 Also, speaking of highlighting, they are highlighting the
4 Austin School on November 18. And we are celebrating the
5 ribbon-cutting of our fiber optic. So this is extremely
6 important. The state superintendent of schools will be there.
7 Of course, our superintendent will be there. And you're all
8 invited down because it -- it is kind of an unprecedented event
9 for us in Austin, anyway.

10 And then we'll be having the library with the fiber optic
11 right behind it.

12 We're also looking at the fiber optic because, I said, when
13 they came in, they're doing not just a few fiber optic things,
14 but they're doing, like -- what did Jojo tell us? Forty-seven
15 to 97 that they would be putting in so that a private contractor
16 could come in and really give -- get us on line for -- for the
17 broadband in the lower area. So we'll see how that goes.

18 The only other thing I wanted to say was to wish you all a
19 happy Veterans Day. For those of you who have served, of
20 course, we are extremely grateful.

21 And regardless of whether you've served or not, we're --
22 we're all connected. We all either have ancestors that have or
23 we have loved ones in the service or -- or we have friends
24 that -- that have served or are in the service. And this goes
25 back to -- what? -- 1918, World War I, actually, would be
26 Monday.

27 So that's kind of exciting time. So I hope that's a
28 beautiful day for you all.

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31 **STAFF REPORTS**

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33 CHAIRMAN WAITS: And with that, we'll go in to our
34 executive director.

35 KEITH WESTENGARD: I attended a HR conference for -- for
36 leadership with POOL/PACT in Reno. I also attended one day of
37 the Fire Show in Reno where we discussed -- I met with some
38 vendors to discuss equipment related to our new Austin fire
39 truck that is here and outfitting -- we'll be outfitting it
40 shortly.

1 I'm happy to report that we did get the wind machine for
2 the Battle Mountain Airport. It's being set up now. Hopefully
3 that will give the FAA the data they need in order to keep
4 Runway 12-30, the crosswind runway open.

5 Our auditors were here all last week. They will be coming
6 to give us a report sometime either the end of November or the
7 first of December.

8 Something I'd like the commissioners to think about is our
9 golf course, what we want -- what you would like to do with
10 that. Are we going to go out to advertise? Or are we going to
11 look at hiring a pro? I've had two different inquiries into it.
12 So I want to see which way to go. So I've got it on the next
13 agen- -- agenda.

14 I do have some things that I need to discuss in a closed --
15 in a litigation related to the Army Corps and our bill with the
16 Army Corps of Engineers and also some water issues that are in
17 litigation in the south.

18 CHAIRMAN WAITS: You want to do that after the meeting?

19 KEITH WESTENGARD: Yeah. That would be fine. Please. I
20 think that's it.

21 CHAIRMAN WAITS: That's it?

22 KEITH WESTENGARD: Yep.

23 CHAIRMAN WAITS: Okay.

24 Thank you.
25
26

27 **PUBLIC COMMENT**

28
29 CHAIRMAN WAITS: We're now open for public comment for
30 nonagendized items only.

31 Persons are invited to submit comments in writing and/or
32 attend and make comments on any nonagenda item on the board
33 meeting, if any, and discussion of those comments at the
34 discretion of the board. All public comment may be limited to
35 three minutes per person, again at the discretion of the board.
36 Reasonable restrictions may be placed on public comments based
37 upon time, place, and manner, but public comment based upon
38 viewpoint may not be restricted.

39 Any public comment this morning?

40 (No comment.)

1 CHAIRMAN WAITS: Okay. Hearing none, we'll move to the
2 consent agenda.

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5 **CONSENT AGENDA**

6 .
7 CHAIRMAN WAITS: All matters listed under the consent
8 agenda are considered routine and may be acted upon by the Board
9 of County Commissioners with one action, without extensive
10 discussion. Any member of the board or any citizen may request
11 that an item be taken from the consent agenda, discussed, and
12 acted upon separately during the meeting. Consent agenda
13 materials are available at the Lander County Clerk's Office for
14 viewing, and copies are available for a nominal charge.

15 Number 1, approval of November 7, 2019, agenda notice;
16 Number 2, approval of May 23, 2019, meeting minutes; Number 3,
17 approval of June 27, 2019, meeting minutes; Number 4, approval
18 of July 11, 2019, meeting minutes; Number 5, approval of July
19 25, 2019, meeting minutes; Number 6, approval of August 8, 2019,
20 meeting minutes; Number 7, approval of September 19, 2019,
21 meeting minutes; Number 8, approval of October 10, 2019, meeting
22 minutes; Number 9, approval of October 24, 2019, meeting
23 minutes; and Number 10, approval of the payment of bills.

24 Okay. We do not have minutes for 2, 3, 4, and 5.

25 So for the approval of the consent agenda, we will do
26 Number 1, the agenda notice; Number 6 and 7, August 8, September
27 19th minutes.

28 And we're going to pull out Number 10, approval of the
29 payment of bills.

30 So we have 1, 6, and 7 for the approval of the consent
31 agenda.

32 COMMISSIONER ALLAN: I'll make that motion.

33 COMMISSIONER ANCHO: Second.

34 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy
35 seconded.

36 Any other discussion?

37 (No comment.)

38 CHAIRMAN WAITS: All in favor?

39 COMMISSIONER ALLAN: Aye.

40 COMMISSIONER SPARKS: Aye.

1 COMMISSIONER ANCHO: Aye.
2 CHAIRMAN WAITS: Aye.
3 COMMISSIONER CLARK: Aye.
4 CHAIRMAN WAITS: Thank you.
5 Okay. For the approval of payment of bills, we have a few
6 checks that we are pulling out. We have Check Number 205410.
7 And that is for Bobby Brooks; right?
8 COMMISSIONER ANCHO: Yes.
9 CHAIRMAN WAITS: Kathy has that one.
10 I'm pulling out Check #205420 for my travel expenses.
11 Check #205336 and 205408 is for Judy. We'll pull those
12 two.
13 And Bryan, 205349 and 205423 for his employer Point S. So
14 approve it and we'll pull that.
15 Anything else?
16 COMMISSIONER ALLAN: 205338.
17 CHAIRMAN WAITS: 205338. That's the one to our executive
18 director?
19 COMMISSIONER ALLAN: Yes.
20 CHAIRMAN WAITS: And pull that one out for discussion.
21 Okay.
22 So if I can have a motion to approve the rest of the bills?
23 COMMISSIONER ANCHO: I'll make a motion to approve the rest
24 of the bills.
25 COMMISSIONER SPARKS: Second.
26 CHAIRMAN WAITS: Thank you. Kathy made the motion. Bryan
27 seconded.
28 Discussion?
29 (No comment.)
30 CHAIRMAN WAITS: All in favor?
31 COMMISSIONER SPARKS: Aye.
32 COMMISSIONER ANCHO: Aye.
33 CHAIRMAN WAITS: Aye.
34 COMMISSIONER CLARK: Aye.
35 CHAIRMAN WAITS: Okay. Thank you.
36 Okay. So the first one we're pulling out is 205338 for
37 Keith. And that's for travel expenses. And you wanted to
38 discuss that, --
39 COMMISSIONER ALLAN: Yes.
40 CHAIRMAN WAITS: -- Judie?

1 COMMISSIONER ALLAN: I did.
2 So one of -- one of the ch- -- or one of the -- the bills
3 was for meal -- meal reimbursement for the NACo conference.
4 KEITH WESTENGARD: Uh-huh.
5 COMMISSIONER ALLAN: You've got that listed as October 17th
6 and the 18th?
7 KEITH WESTENGARD: I -- if that's what it says, yeah.
8 COMMISSIONER ALLAN: And what conference was that?
9 KEITH WESTENGARD: That was the -- let me look --
10 ELIZABETH BARELA: HR.
11 KEITH WESTENGARD: Oh, that was the HR. POOL/PACT HR
12 conference, October 17th and 18th, in --
13 COMMISSIONER ALLAN: Okay.
14 KEITH WESTENGARD: -- Reno.
15 COMMISSIONER ALLAN: So you've got it listed as NACo.
16 KEITH WESTENGARD: Oh. Okay. I'm sorry. It's -- it was
17 POOL/PACT. That --
18 COMMISSIONER ALLAN: Okay.
19 KEITH WESTENGARD: Yeah. It was a POOL/PACT HR conference.
20 I'll make that correction with --
21 COMMISSIONER ALLAN: Okay.
22 KEITH WESTENGARD: -- Finance.
23 COMMISSIONER ALLAN: So then the other question I've got is
24 you did mention that you went to the fire show. You went --
25 KEITH WESTENGARD: Yeah.
26 COMMISSIONER ALLAN: -- one day?
27 KEITH WESTENGARD: I went one day. Yes. Monday. I went
28 Monday. And I did -- and I met with L. N. Curtis to discuss
29 equipment for the Austin fire truck that we just got.
30 COMMISSIONER ALLAN: Okay. Where was L. N. Curtis?
31 KEITH WESTENGARD: At the conference.
32 COMMISSIONER ALLAN: I mean, was he -- the vendors weren't
33 set up yet.
34 KEITH WESTENGARD: I -- I know. He went there Sunday to
35 meet with me Monday.
36 COMMISSIONER ALLAN: Okay.
37 KEITH WESTENGARD: And I met with Rod Lloyd of L. N. Curtis
38 at the conference to discuss the equipment for the fire truck
39 that we just got two weeks ago for Austin.
40 COMMISSIONER ALLAN: And you stayed overnight?

1 KEITH WESTENGARD: I did. Because he -- I needed to sit
2 and talk with him and come up with an equipment list for the
3 fire truck.
4 COMMISSIONER ALLAN: Okay.
5 CHAIRMAN WAITS: Okay. So we need approval on
6 Check #205338.
7 COMMISSIONER SPARKS: I'll make a motion to approve.
8 COMMISSIONER ANCHO: And I'll second.
9 CHAIRMAN WAITS: Bryan made a motion. Thank you. And
10 Kathy seconded.
11 Any other discussion?
12 (No comment.)
13 CHAIRMAN WAITS: All those in favor?
14 COMMISSIONER CLARK: Aye.
15 COMMISSIONER ALLAN: Aye.
16 COMMISSIONER ANCHO: Aye.
17 CHAIRMAN WAITS: Aye.
18 COMMISSIONER SPARKS: Aye.
19 CHAIRMAN WAITS: Any opposed?
20 (No comment.)
21 CHAIRMAN WAITS: Okay. That passes. Thank you.
22 The next check is actually to Bobby Brooks. And that's
23 Check #205410. Need a motion.
24 COMMISSIONER ANCHO: Well, it's --
25 COMMISSIONER SPARKS: I'm --
26 COMMISSIONER ANCHO: -- not to him. It's for training for
27 him.
28 CHAIRMAN WAITS: I'm sorry.
29 COMMISSIONER ANCHO: It's for training for him. It's
30 not --
31 CHAIRMAN WAITS: Oh.
32 COMMISSIONER ANCHO: -- to him.
33 CHAIRMAN WAITS: Oh.
34 COMMISSIONER ANCHO: It's to the Lander County EMS for --
35 CHAIRMAN WAITS: For him.
36 COMMISSIONER ANCHO: -- training.
37 CHAIRMAN WAITS: Thank you.
38 COMMISSIONER SPARKS: I'll make a --
39 COMMISSIONER ANCHO: Okay.
40 COMMISSIONER SPARKS: -- motion to approve.

1 CHAIRMAN WAITS: Okay. Bryan made the motion.
2 COMMISSIONER ALLAN: I'll second.
3 CHAIRMAN WAITS: Thank you. Judie seconded.
4 Any other discussion?
5 (No comment.)
6 CHAIRMAN WAITS: All in favor?
7 COMMISSIONER SPARKS: Aye.
8 COMMISSIONER ALLAN: Aye.
9 CHAIRMAN WAITS: Aye.
10 COMMISSIONER CLARK: Aye.
11 COMMISSIONER ANCHO: Abstain.
12 CHAIRMAN WAITS: Thank you.
13 The next check is to me. It' Check #205420 for travel.
14 COMMISSIONER ALLAN: I'll make a motion to approve that.
15 COMMISSIONER SPARKS: I'll second.
16 COMMISSIONER ANCHO: Second.
17 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy
18 seconded it.
19 All those in favor?
20 COMMISSIONER CLARK: Aye.
21 COMMISSIONER SPARKS: Aye.
22 COMMISSIONER ALLAN: Aye.
23 COMMISSIONER ANCHO: Aye.
24 CHAIRMAN WAITS: And I will abstain. Thank you.
25 The next checks are to Judie: 205336, 205408.
26 COMMISSIONER SPARKS: Motion to approve.
27 COMMISSIONER ANCHO: Second.
28 CHAIRMAN WAITS: Bryan made the motion. And Kathy seconded
29 it.
30 Any discussion?
31 (No comment.)
32 CHAIRMAN WAITS: All in favor?
33 COMMISSIONER SPARKS: Aye.
34 COMMISSIONER ANCHO: Aye.
35 CHAIRMAN WAITS: Aye.
36 COMMISSIONER ALLAN: I'll abstain.
37 CHAIRMAN WAITS: And Judie abstains. Thank you.
38 The next one is to Bryan's employer. And it's
39 Check #205349, 205423.
40 COMMISSIONER ANCHO: I'll make the motion to approve.

1 CHAIRMAN WAITS: Thank you. Kathy made motion.
2 COMMISSIONER ALLAN: Second.
3 CHAIRMAN WAITS: Thank you. Judie seconded.
4 Any discussion?
5 (No comment.)
6 CHAIRMAN WAITS: All in favor?
7 COMMISSIONER ALLAN: Aye.
8 COMMISSIONER ANCHO: Aye.
9 CHAIRMAN WAITS: Aye.
10 COMMISSIONER CLARK: Aye.
11 COMMISSIONER SPARKS: I -- I abstain.
12 CHAIRMAN WAITS: Thank you.
13 Okay. That takes care of our approval of the payment of
14 bills.

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16
17 **COMMISSIONERS**

- 18
19 1) **ASSESSOR: For possible action, the request to**
20 **approve/disapprove the renewal of the modified contract with**
21 **Quest Technology Management for a managed telephone system**
22 **for the Lander County courthouse.**

23
24 CHAIRMAN WAITS: So we move to Number 1 to assessor.
25 For possible action the request to approve or disapprove
26 the renewal of the modified contract With Quest Technology
27 Management for a managed telephone system for the Lander County
28 Courthouse.

29 KEITH WESTENGARD: Well, I -- I don't see the assessor
30 here.

31 This is just a renewal that her and the undersheriff have
32 been working on for -- that -- which is Number 2. So I don't
33 want to get ahead of myself -- but for our telephone system here
34 in the courthouse for the maintenance of it.

35 The -- the contract's been reviewed by the District
36 Attorney's Office. And Lura is completely -- or -- or maybe --
37 did you want to speak on that phone?

38 DISTRICT ATTORNEY HERRERA: It's been slightly modified
39 too. It puts -- puts us in a smaller group of people so that we
40 can get better service.

1 We were in a large group of people and weren't getting
2 one-on-one service. So --
3 CHAIRMAN WAITS: Okay. But the system stays the same.
4 DISTRICT ATTORNEY HERRERA: Yes. It's a renewal and a
5 slight modification. That's why it says modification. But the
6 modification is to put her in -- put us in a small -- smaller
7 subgroup.
8 CHAIRMAN WAITS: Okay.
9 DISTRICT ATTORNEY HERRERA: So -- and -- and the
10 undersheriff and -- and Lura, they are both very happy with the
11 modification.
12 CHAIRMAN WAITS: I see that this doesn't come up until
13 March. So we -- we are not put in any smaller group until next
14 March?
15 DISTRICT ATTORNEY HERRERA: I -- I don't know when.
16 COMMISSIONER ANCHO: Donna.
17 DONNA STIENMETZ: (Off microphone) Lura seemed to think
18 that it's working really well right now. So --
19 CHAIRMAN WAITS: (Indiscernible.)
20 DONNA STIENMETZ: -- I'm not too sure.
21 DISTRICT ATTORNEY HERRERA: Right. So I --
22 DONNA STIENMETZ: (Off microphone, indiscernible.)
23 DISTRICT ATTORNEY HERRERA: -- think they already put us
24 there and that would make --
25 DONNA STIENMETZ: And --
26 DISTRICT ATTORNEY HERRERA: -- it a contract.
27 DONNA STIENMETZ: -- the cost is lower also.
28 CHAIRMAN WAITS: We -- we -- we can't hear you. We need
29 your name and you need to come up. I'm sorry. I know. I'm
30 going to do that to you.
31 DONNA STIENMETZ: So --
32 CHAIRMAN WAITS: Thank you.
33 DONNA STIENMETZ: -- anyway.
34 CHAIRMAN WAITS: You think you can --
35 DONNA STIENMETZ: Donna --
36 CHAIRMAN WAITS: -- short --
37 DONNA STIENMETZ: -- Stienmetz.
38 CHAIRMAN WAITS: -- time us on that.
39 DONNA STIENMETZ: Donna Stienmetz. I'm here to represent
40 the assessor.

1 She seemed to think that it is best -- exactly what Ted
2 said. It's a smaller group, get better service. And so far
3 it's working real well. So I guess that's -- we're in it. I
4 don't know a whole lot about it. And the cost is less.
5 DISTRICT ATTORNEY HERRERA: Right.
6 DONNA STIENMETZ: Right? Yeah.
7 CHAIRMAN WAITS: So we're on it already, Donna?
8 DISTRICT ATTORNEY HERRERA: Yes.
9 DONNA STIENMETZ: I -- I believe so.
10 CHAIRMAN WAITS: Okay. But the contract doesn't renew
11 until March?
12 DISTRICT ATTORNEY HERRERA: Right.
13 CHAIRMAN WAITS: And it renews until 2023?
14 DISTRICT ATTORNEY HERRERA: Right.
15 DONNA STIENMETZ: Right.
16 KEITH WESTENGARD: We were put into the smaller group. But
17 when the -- when the contract renews, they're going to keep us
18 in that group.
19 CHAIRMAN WAITS: Okay. But we're happy with all of that --
20 DISTRICT ATTORNEY HERRERA: Yes.
21 CHAIRMAN WAITS: -- is what --
22 KEITH WESTENGARD: Oh, yeah.
23 CHAIRMAN WAITS: -- we're saying.
24 DONNA STIENMETZ: Uh-huh.
25 KEITH WESTENGARD: Yes.
26 DISTRICT ATTORNEY HERRERA: Very happy.
27 CHAIRMAN WAITS: Okay. I also noticed there was a
28 prepayment discount in there. Do we do that type of thing?
29 KEITH WESTENGARD: For the discount, we have done it in the
30 past.
31 DONNA STIENMETZ: Uh-huh.
32 KEITH WESTENGARD: Yes.
33 CHAIRMAN WAITS: Okay. Do you have any questions?
34 DONNA STIENMETZ: Oh. And then Lura just, you know, of
35 course, the chairman has to sign. She has to send it back to
36 them, and then they'll send it back.
37 So that's it.
38 CHAIRMAN WAITS: Thank you.
39 COMMISSIONER ALLAN: I'll make a motion to approve the
40 renewal of the modified contract with Quest Technology

1 Management.

2 COMMISSIONER ANCHO: Second.

3 CHAIRMAN WAITS: And authorize...

4 COMMISSIONER ALLAN: And authorize the chair to sign.

5 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy

6 seconded that. Any --

7 COMMISSIONER ALLAN: Oh.

8 CHAIRMAN WAITS: -- other --

9 COMMISSIONER ALLAN: Wait a minute. Yeah. Sorry.

10 CHAIRMAN WAITS: Any other discussion?

11 COMMISSIONER ALLAN: Yeah. I'll -- I'll correct that to

12 say for the courthouse because we didn't have it on the next

13 item. So --

14 CHAIRMAN WAITS: Okay. Thank you.

15 All in favor?

16 COMMISSIONER ALLAN: Aye.

17 COMMISSIONER SPARKS: Aye.

18 COMMISSIONER ANCHO: Aye.

19 COMMISSIONER CLARK: Aye.

20 CHAIRMAN WAITS: Aye.

21 Thank you.

22

23 2) **ASSESSOR: For possible action, the request to**

24 **approve/disapprove the renewal of the modified contract with**

25 **Quest Technology Management for a managed telephone system**

26 **for the Lander County Courthouse.**

27

28 CHAIRMAN WAITS: Moving to Number 2. For possible action,

29 the request to approve or disapprove the renewal of the modified

30 contract with Quest Technology Management for a managed

31 telephone system for the Lander County Sheriff's Office.

32 And, again, this is for the same contract time. Do they

33 have any changes in theirs?

34 DISTRICT ATTORNEY HERRERA: The same changes.

35 KEITH WESTENGARD: One down.

36 CHAIRMAN WAITS: Do they also -- we could save a little bit

37 of money and --

38 DISTRICT ATTORNEY HERRERA: Yes.

39 CHAIRMAN WAITS: Okay. Great.

40 COMMISSIONER ALLAN: I'll make a motion to approve the

1 renewal of the modified contract with Quest Technology
2 Management for the Lander County Sheriff's Office.

3 COMMISSIONER ANCHO: I'll second.

4 COMMISSIONER ALLAN: And authorize the chair to sign.

5 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy
6 seconded.

7 Any other discussion?

8 (No comment.)

9 CHAIRMAN WAITS: All those in favor?

10 COMMISSIONER ALLAN: Aye.

11 COMMISSIONER ANCHO: Aye.

12 CHAIRMAN WAITS: Aye.

13 COMMISSIONER SPARKS: Aye.

14 CHAIRMAN WAITS: Thank you.

- 15
16 3) **BATTLE MOUNTAIN CHAMBER OF COMMERCE: For possible action to**
17 **approve/disapprove the Battle Mountain Chamber of Commerce**
18 **Parade of Lights to be held on December 7, 2019, which route**
19 **includes starting at 6:00 p.m. at Royal Inn, 521 East Front**
20 **Street, turning left on Broad Street, passing through the**
21 **Battle Mountain Civic Center, turning right on Palmer Street,**
22 **then right onto Humboldt Street, passing through the Battle**
23 **Mountain General Hospital main entrance onto Sixth Street and**
24 **will be ending at the Civic Center, 625 South Broad Street.**
25 **The commission must approve/disapprove the signing of the**
26 **Agencies Checkoff and Notification List for Temporary**
27 **Right-of-Way Occupancy Permit Application submitted to the**
28 **Nevada Department of Transportation and to approve/disapprove**
29 **the Parade of Lights to proceed on Lander County roads as**
30 **outlined above, and all other matters properly related**
31 **thereto.**
32

33 CHAIRMAN WAITS: Number 3. Battle Mountain Chamber of
34 Commerce. For possible action to approve or disapprove the
35 Battle Mountain Chamber of Commerce Parade of Lights to be held
36 on December 7, 2019, which route includes starting at 6:00 p.m.
37 at Royal Inn, 521 East Front Street, turning left on Broad
38 Street, passing through the Battle Mountain Civic Center,
39 turning right on Palmer Street, then right onto Humboldt Street,
40 passing through the Battle Mountain General Hospital main

1 entrance onto Sixth Street and will be ending at the Civ- --
2 Civic Center, 625 South Broad Street. The commission must
3 approve/disapprove the signing of the Agencies Checkoff and
4 Notification List for Temporary Right-of-Way Occupancy Permit
5 Application submitted to the Nevada Department of Transportation
6 and to approve or disapprove the Parade of Lights to proceed on
7 Lander County roads as outlined above, and all other matters
8 properly related thereto.

9 Falicia, hello.

10 FALICIA OCHOA: Good morning. Falicia Ochoa, for the
11 record.

12 Yes. I'm just looking for approval. I submitted the
13 signed documents from the highway patrol along with the
14 sheriff's department as well. And so we're just looking for
15 approval.

16 COMMISSIONER ALLAN: Do you need -- excuse me -- do you
17 need a commissioner to sign also?

18 FALICIA OCHOA: When I got the documents from -- that
19 has -- that showed check off points or the temporary
20 right-of-way, I had a section for the commissioners, so I'm
21 assuming yes.

22 COMMISSIONER ALLAN: Okay. I'll make a motion --

23 COMMISSIONER ANCHO: Oh, wait. I have a question.

24 COMMISSIONER ALLAN: Oh, sorry.

25 COMMISSIONER ANCHO: Sorry. I --

26 COMMISSIONER ALLAN: No.

27 COMMISSIONER ANCHO: -- didn't speak up fast enough.

28 I don't know if anybody had spoken to yet because I've been
29 trying to catch you up, but I know that you had some issues with
30 your dogs and I'm sorry, very sorry, for that.

31 But about going to the park to --

32 FALICIA OCHOA: Yeah.

33 COMMISSIONER ANCHO: And so --

34 FALICIA OCHOA: So --

35 COMMISSIONER ANCHO: -- what do we do about that if that's
36 something to be -- do we have to come back and have that little
37 bit of road changed? Or --

38 FALICIA OCHOA: No.

39 COMMISSIONER ANCHO: -- what do we do?

40 FALICIA OCHOA: Is -- is what we're thinking is because

1 we're attempting to do, which is still kind of in the works, to
2 do a lighting of the trees in Elquist Park, which is a whole
3 other separate project.

4 But is what we were thinking originally was to have the
5 parade veer towards the Elquist Park. But then really thinking
6 about it, it kind of wouldn't make sense to have all of those
7 big floats go right there by the high school and have to go
8 through the residential areas.

9 So we're going to keep to route as is, ending at the Civic
10 Center, and just have our Santa, which is always the end of the
11 parade -- just have our Santa make their way to the --

12 COMMISSIONER ANCHO: Okay.

13 FALICIA OCHOA: -- tree of light. Or --

14 COMMISSIONER ANCHO: Okay.

15 FALICIA OCHOA: -- to the lighting of the Christmas tree so
16 that we don't have all that congestion.

17 COMMISSIONER ANCHO: Congestion.

18 FALICIA OCHOA: Uh-huh.

19 COMMISSIONER ANCHO: Okay. Very good. I'm sorry.

20 COMMISSIONER ALLAN: No. That's okay.

21 FALICIA OCHOA: Yeah.

22 COMMISSIONER ALLAN: I'll make a motion to approve the
23 Battle Mountain Chamber of Commerce Parade of Lights with the
24 route indicated and authorize the chair to sign the Agency
25 Checkoff and Notification List for Temporary Right-of-Way
26 Occupancy Permit Application.

27 COMMISSIONER ANCHO: I'll second.

28 CHAIRMAN WAITS: Thank you. Judie made the motion. And
29 Kathy seconded that.

30 Any other discussion?

31 (No comment.)

32 CHAIRMAN WAITS: All those in favor?

33 COMMISSIONER ALLAN: Aye.

34 COMMISSIONER SPARKS: Aye.

35 COMMISSIONER ANCHO: Aye.

36 COMMISSIONER CLARK: Aye.

37 CHAIRMAN WAITS: Aye.

38 FALICIA OCHOA: Thank you, --

39 CHAIRMAN WAITS: Thank you, --

40 FALICIA OCHOA: -- guys.

1 CHAIRMAN WAITS: -- Falicia.
2 I can't believe it's Christmas already. But they just put
3 the big snow poles up on Highway 50, coming in.
4 And then, of course, Sirius XM is on their full holiday
5 tradition music.
6 COMMISSIONER ANCHO: Oh.
7 CHAIRMAN WAITS: So it's like, here it is.
8
9 **4) COMMISSIONERS: For possible action, whether to opt out of or**
10 **stay with the current opioid federal lawsuit.**
11
12 CHAIRMAN WAITS: Number 4. Commissioners. For possible
13 action whether to opt out of or stay with the current opioid
14 federal lawsuit.
15 This was brought to our attention by NACo that the federal
16 government has -- well, they have -- actually not the federal
17 government, but that the folks that have done this, did a
18 class-action suit. And so we are automatically included in that
19 for all counties. And so we either have to take action to opt
20 out of that or no decision means we're in it.
21 So we need to discuss this.
22 Actually, the information in your packet shows that on a
23 county level they have a per capita value of what -- if they are
24 successful -- what the county would receive. It's 293 a person.
25 And it comes out to \$17,357 that Lander County would receive if
26 we took no action and stayed in the class-action lawsuit.
27 COMMISSIONER SPARKS: I mean, the only reason really to
28 stay in would be to make a statement, right?
29 I mean, what are the other pros of staying --
30 CHAIRMAN WAITS: Well, if we -- if we opt out, the state
31 also has filed a class ac- -- well, not a class action classic
32 suit. I don't think theirs is class action; is it?
33 DISTRICT ATTORNEY HERRERA: I don't know if it's a class --
34 CHAIRMAN WAITS: I don't --
35 DISTRICT ATTORNEY HERRERA: -- action.
36 CHAIRMAN WAITS: -- know either. But it --
37 DISTRICT ATTORNEY HERRERA: It's a separate --
38 CHAIRMAN WAITS: -- does include --
39 DISTRICT ATTORNEY HERRERA: -- lawsuit.
40 CHAIRMAN WAITS: -- everyone in the state. So it would

1 include us.
2 So if they receive something, we would automatically
3 receive something, which probably still would be higher than the
4 17,000. So --
5 DISTRICT ATTORNEY HERRERA: We can't be in both lawsuits.
6 That's the bottom line.
7 CHAIRMAN WAITS: Yeah. Right. And we're --
8 DISTRICT ATTORNEY HERRERA: We have to --
9 CHAIRMAN WAITS: -- we're on a --
10 DISTRICT ATTORNEY HERRERA: -- choose whichever --
11 CHAIRMAN WAITS: -- time frame to opt out.
12 UNIDENTIFIED PARTICIPANT: Right.
13 CHAIRMAN WAITS: So we need to opt out by --
14 COMMISSIONER SPARKS: November 27th.
15 CHAIRMAN WAITS: -- this month, the 22nd of this month.
16 Yeah.
17 COMMISSIONER ANCHO: And should we -- I mean, is it
18 advisable that we stay with the state? Go with the state
19 lawsuit?
20 Okay.
21 DISTRICT ATTORNEY HERRERA: It's -- it's one of -- I --
22 they --
23 COMMISSIONER ANCHO: A Catch-22?
24 DISTRICT ATTORNEY HERRERA: -- both should be successful,
25 but you never know --
26 COMMISSIONER ANCHO: Okay.
27 DISTRICT ATTORNEY HERRERA: -- in a lawsuit. Just don't
28 know.
29 CHAIRMAN WAITS: Okay. So we have a motion? To opt out?
30 COMMISSIONER ANCHO: I'll make a motion that we opt out of
31 the federal lawsuit, the opioid lawsuit to --
32 COMMISSIONER CLARK: Second.
33 COMMISSIONER ANCHO: -- possibly join the state.
34 COMMISSIONER CLARK: I'll second.
35 COMMISSIONER SPARKS: But if we opt out, we're
36 automatically with the state; correct?
37 COMMISSIONER ANCHO: Okay.
38 DISTRICT ATTORNEY HERRERA: We're with the state.
39 COMMISSIONER ANCHO: Okay.
40 DISTRICT ATTORNEY HERRERA: Then we can --

1 COMMISSIONER ANCHO: So yes. So I --
2 DISTRICT ATTORNEY HERRERA: -- proceed with the state.
3 COMMISSIONER ANCHO: All right.
4 DISTRICT ATTORNEY HERRERA: If we don't opt out, we can't
5 be included in the state one. Because --
6 COMMISSIONER ANCHO: All right.
7 DISTRICT ATTORNEY HERRERA: -- we've already received
8 benefit from the federal.
9 COMMISSIONER ANCHO: Oh.
10 DISTRICT ATTORNEY HERRERA: That's my understanding.
11 COMMISSIONER ANCHO: So for a clearer -- I'll make a motion
12 that we opt out of the current op- -- opioid federal lawsuit.
13 DISTRICT ATTORNEY HERRERA: Right.
14 COMMISSIONER SPARKS: I'll second.
15 CHAIRMAN WAITS: Thank you. Kathy made the motion to opt
16 out and Bryan seconded that.
17 Any other discussion?
18 (No comment.)
19 CHAIRMAN WAITS: All those in favor?
20 COMMISSIONER SPARKS: Aye.
21 COMMISSIONER ANCHO: Aye.
22 COMMISSIONER ALLAN: Aye.
23 COMMISSIONER CLARK: Aye.
24 CHAIRMAN WAITS: Aye.
25 Any opposed?
26
27 5) **COMMISSIONERS: Update on the progress, future plans, and**
28 **budgeted money from the committee on the old courthouse.**
29
30 CHAIRMAN WAITS: Okay. Number 5, update on the progress,
31 future plans, and budgeted money from the committee on the Old
32 Courthouse.
33 KEITH WESTENGARD: They were unable to make it today, but I
34 did want to bring some numbers forth to the -- to the
35 Commission.
36 In 2016, they -- they pa- -- they paid 38 -- or I'm sorry.
37 The county paid --
38 CHAIRMAN WAITS: Keith, --
39 KEITH WESTENGARD: -- thirty --
40 CHAIRMAN WAITS: -- can I get you to speak up a little bit?

1 Austin has a real tough time. You speak so -- so softly.
2 KEITH WESTENGARD: Okay.
3 CHAIRMAN WAITS: Thank you. Just --
4 KEITH WESTENGARD: Yes.
5 CHAIRMAN WAITS: -- throw your voice.
6 KEITH WESTENGARD: All right.
7 I wanted to -- they are unable to make it today so they're
8 going to try to come to a meeting -- I believe it was set for
9 December they're going to come?
10 UNIDENTIFIED PARTICIPANT: December 21st.
11 KEITH WESTENGARD: They're going to come to the meeting in
12 December to actually give a full update.
13 But I wanted to bring forth, in 2016, Lander County paid
14 for a study to be done. It was \$38,000.
15 In '17 they were granted a \$50,000 grant. And to my
16 knowledge -- I don't know -- they have not spent any of that
17 money. So that's what his or her report will contain there --
18 is that. I don't know what their future plans are, but I wanted
19 to get those numbers out. I believe Commissioner Clark did have
20 some questions on -- on the past numbers. So I wanted to get
21 those out to you.
22 COMMISSIONER CLARK: Yeah. Where'd they get the \$38,000
23 for the 2016 study?
24 KEITH WESTENGARD: They came to the commissioners and they
25 asked if they could do a study and if the commission would pay
26 for it. So it did come out of -- that was before they got the
27 grant --
28 COMMISSIONER ANCHO: So --
29 COMMISSIONER CLARK: And then we gave them 50-?
30 KEITH WESTENGARD: Yes.
31 COMMISSIONER CLARK: I thought we gave them 50- and 50-.
32 DISTRICT ATTORNEY HERRERA: Fifty and --
33 KEITH WESTENGARD: No.
34 DISTRICT ATTORNEY HERRERA: -- thirty-eight.
35 KEITH WESTENGARD: Yeah.
36 COMMISSIONER CLARK: Thirty eight and then 50-.
37 KEITH WESTENGARD: The 38- was for the -- for the study
38 that they did. And then the 50,000 was in the following year
39 that was given in a grant.
40 COMMISSIONER ANCHO: So is the study complete? Are we

1 aware of that?
2 KEITH WESTENGARD: Yes. It --
3 COMMISSIONER ANCHO: And --
4 KEITH WESTENGARD: -- is.
5 COMMISSIONER ANCHO: -- do we have -- oh, it has -- can we
6 get a copy of that --
7 KEITH WESTENGARD: Sure.
8 COMMISSIONER ANCHO: -- and see what that --
9 KEITH WESTENGARD: Yeah.
10 COMMISSIONER ANCHO: -- entailed, please?
11 Thank you.
12 CHAIRMAN WAITS: For our back up for the agenda item?
13 COMMISSIONER ANCHO: Yes.
14 COMMISSIONER CLARK: So since '17 they haven't done
15 anything.
16 KEITH WESTENGARD: I -- I don't -- I do not --
17 COMMISSIONER CLARK: Okay.
18 KEITH WESTENGARD: I'm not aware of them doing anything --
19 COMMISSIONER CLARK: Because --
20 KEITH WESTENGARD: since then.
21 COMMISSIONER CLARK: Because this was -- this was my
22 committee. I put this together to save -- to give people a
23 chance to volunteer and save that building. And it just seems
24 like it's kind of dwindled.
25 And, you know, we need to follow up on this and see if
26 they're going to follow through or put a fence around it until
27 we find people that are going to do it. Do something here.
28 KEITH WESTENGARD: I -- I -- I don't know what they --
29 what -- what or if they've done anything. But they did get a
30 \$50,000 grant in 2017.
31 CHAIRMAN WAITS: But they are going to be here in December?
32 KEITH WESTENGARD: Yes.
33 CHAIRMAN WAITS: Great.
34 KEITH WESTENGARD: They were unable to make it today. But,
35 like I said, I left it on so that I could pass on some of these
36 numbers that were questioned in the last commission meeting.
37 Thank you.
38
39
40

1 **6) FISCAL OFFICER: Update for the current FY 2019 financials.**

2
3 CHAIRMAN WAITS: Moving on to Number 6. Our fiscal
4 officer. Update for the current fiscal year 2019 financials.
5 Your presence is requested, Cindy.

6 CINDY BENSON: Sorry.

7 CHAIRMAN WAITS: Good morning.

8 CINDY BENSON: Good morning.

9 Cindy Benson, for the record.

10 I just have a little update.

11 On our accounts receivables for the first quarter for
12 fiscal year of '19/'20, the Water and Sewer was \$423,169.16;
13 Water and Sewer Miscellaneous, \$11,870.80; Landfill \$33,958.94.
14 And that gives us a total of our accounts receivable at
15 468,998.90

16 The quarterly fund balance report for the first quarter,
17 fiscal year '19/'20 is as follows: The total revenue -- revenue
18 for the first quarter is \$3,209,816, which is down 7.2- -- -21
19 percent compared to last year's first quarter.

20 The total expenses for the first quarter in -- is
21 \$7,678,458, which is up by 13.29 percent compared to last year's
22 first quarter.

23 We also received a few more grants for the fiscal year
24 '18/'19, Battle Mountain Airport: one for \$24,346.94, one for
25 \$5,944.89, and one for \$66,773.98 for a total of \$97,065.81.

26 And we also received one more grant for fiscal year '18/'19
27 for the Austin Airport in the amount of \$53,904.42.

28 And that's all I have.

29 COMMISSIONER ANCHO: Thank you.

30 COMMISSIONER ALLAN: Cindy?

31 CINDY BENSON: Yes.

32 COMMISSIONER ALLAN: You didn't get to escape anything.

33 So do you have any idea, you know, what -- it doesn't seem
34 like much, 7.21 percent, but why are -- our revenues are down?

35 CINDY BENSON: In the first quarter is mostly it could be
36 just timing on when they're actually posted into the system.

37 COMMISSIONER ALLAN: Okay.

38 Without, you know, remembering what happened last year, I
39 mean, is it typical? Is this normal that our revenues are --
40 are down like that?

1 CINDY BENSON: Yeah. In the first quarter.
2 COMMISSIONER ALLAN: Okay. Okay.
3 And then basically the same thing for expenses being up?
4 CINDY BENSON: Yeah.
5 COMMISSIONER ALLAN: Okay. Great. Thank you.
6 CINDY BENSON: (Indiscernible.)
7 CHAIRMAN WAITS: Thank you, Cindy.
8 CINDY BENSON: Thanks.
9

10 7) ARGENTA JUSTICE COURT: For possible action to create and
11 fund a full-time bailiff position within the Argenta District
12 Court. This position will be an hourly position with
13 overtime and benefits.
14

15 CHAIRMAN WAITS: Number 7. Argenta Justice Court. For
16 possible action to create and fund a full-time bailiff position
17 within the Argenta Justice Court. This position will be an
18 hourly position with overtime and benefits.

19 Good morning.

20 JUDGE DENISE FORTUNE: Good morning. Denise Fortune,
21 Argenta Justice Court justice of the peace, for the record.

22 TONIA BAKKER: Tonia Bakker.

23 JUDGE DENISE FORTUNE: And I believe you guys received my
24 information with my research. And I'm here to ask for money.
25 That's why I'm here. Ask for money.

26 I realize it is in between the fiscal year, which is why I
27 gave you guys a heads up that I was coming. And I hate to do
28 that to you guys. I was planning on putting it in my next
29 budget and then coming before you then, but we had some laws
30 change that made my intentions needed now.

31 So bottom line is Argenta Justice Court needs a bailiff. I
32 don't have the money for a bailiff. And that's why I'm here.

33 CHAIRMAN WAITS: Thank you.

34 I did read in some of it, though, that there's some extra
35 money with the district court that was willing to fund a little
36 bit of something; right?

37 JUDGE DENISE FORTUNE: I believe that's our jury trials.
38 District --

39 CHAIRMAN WAITS: Right.

40 JUDGE DENISE FORTUNE: -- court -- yeah. The law changed

1 that justice courts, who don't do jury trials, now have to do
2 jury trials on domestic --

3 COMMISSIONER SPARKS: Domestic.

4 JUDGE DENISE FORTUNE: -- violence cases. And not on all
5 of them, just if they're requested by the defendant and the
6 attorney.

7 District Court, thank goodness, has the money at least for
8 now. I mean, I'm sure next budget I'll be coming before you
9 guys again, saying, hey, now I need a line for jury trials.

10 But for now Judge Shirley has enough in there, has a jury
11 commissioner, has met with myself and my criminal clerk a couple
12 of times. We're trying to get that -- all justice court judges
13 are scrambling right now because we've never done jury trials.
14 We don't know how to do -- do jury trials. And we don't have
15 the money for jury trials.

16 CHAIRMAN WAITS: And that will help with the expense of the
17 summons and things like that (indiscernible).

18 JUDGE DENISE FORTUNE: Summons, to pay the jurors, all of
19 that. I have to have a bailiff in there. And Judge Shirley,
20 thank goodness for him right now, has the money to cover us at
21 least for the next six months in between the budget. So I'm
22 good on that.

23 My problem is a bailiff.

24 CHAIRMAN WAITS: Yes.

25 JUDGE DENISE FORTUNE: And I have had several meetings with
26 Ron and Robert who have been very good to me. They'll cover
27 when they can. Unfortunately, they're short-staffed also. And
28 district court takes precedence over my court.

29 If they are short-staffed, district court has scheduled
30 court every other Tuesday. Judge Shirley also comes over on
31 Mondays, Wednesdays, Thursdays, Fridays. I have court Monday
32 through Friday, not scheduled court, but I have scheduled court
33 Monday, Tuesday, and Wednesday, some Thursdays, some Fridays.

34 My clerks and myself have me -- have felt for a while and
35 have had a couple instances come up in the last few months. We
36 need a bailiff in our courtroom when we are having court. We
37 need that, not only for our protection but for the community's
38 protection, for everybody's protection.

39 CHAIRMAN WAITS: I -- I think the commission is -- is -- is
40 certainly feeling what you -- what you're asking for. And I

1 thought your report was very thorough. Thank you, Judge.
2 I do have a question, though, on the Austin. Have you been
3 in touch with our judge in Austin?
4 And I know they won't hold as many, but if something should
5 happen that they would have a trial in the Austin court, would
6 your bailiff be available?
7 JUDGE DENISE FORTUNE: That is something to be looked at.
8 Billy -- I'm sorry Mr. Gandolfo and I have not discussed that.
9 This is an Argenta Justice Court position, not a county
10 position, not to cover both counties. I want this to be Argenta
11 Justice Court is going to be their top priority.
12 CHAIRMAN WAITS: No, I -- I understand that. But I also
13 wanted to throw out the fact that if we did have something like
14 that, perhaps the bailiff might be able to -- depending on your
15 court schedules, but, I mean, they don't have that many, but
16 things could come up --
17 JUDGE DENISE FORTUNE: Yes.
18 CHAIRMAN WAITS: -- with a few.
19 JUDGE DENISE FORTUNE: Absolutely. And he's --
20 CHAIRMAN WAITS: And --
21 JUDGE DENISE FORTUNE: -- and he's going to be in the same
22 boat. Yes.
23 CHAIRMAN WAITS: Yeah.
24 JUDGE DENISE FORTUNE: And if I don't need him and he does
25 need him and the county has a way to transport him or her,
26 whoever, up there to do court, if they -- if he feels that he
27 needs court, that's something that can definitely be addressed.
28 I -- I did think of that. It's not in here because it's
29 not my place to say, --
30 CHAIRMAN WAITS: Right.
31 JUDGE DENISE FORTUNE: -- Billy, you know, here's a bailiff
32 you might be able to share, you know. And, you know, that will
33 be up to him to come before you guys with his needs, not --
34 not --
35 CHAIRMAN WAITS: No, I wanted to --
36 JUDGE DENISE FORTUNE: -- my --
37 CHAIRMAN WAITS: -- throw it --
38 JUDGE DENISE FORTUNE: -- place --
39 CHAIRMAN WAITS: -- out while we were discussing --
40 JUDGE DENISE FORTUNE: Right.

1 CHAIRMAN WAITS: -- it to see --
2 JUDGE DENISE FORTUNE: Right.
3 CHAIRMAN WAITS: -- if it's a possibility that it might
4 work out.
5 The other question I have is under the -- the new law of
6 the risk assessment research --
7 JUDGE DENISE FORTUNE: Yes.
8 CHAIRMAN WAITS: -- and the expense with that.
9 JUDGE DENISE FORTUNE: Yes.
10 CHAIRMAN WAITS: And you mentioned that a couple times in
11 here. Do you see the bailiff actually doing some of that
12 research --
13 JUDGE DENISE FORTUNE: Yes.
14 CHAIRMAN WAITS: -- for you?
15 JUDGE DENISE FORTUNE: Yes. Yes. And being my risk
16 assessment officer.
17 I have two employees. Tonia is one of them. I have
18 another employee.
19 There's some paperwork that has to be done on these
20 arrests. And Monday through Friday the girls in the office can
21 do some of the paperwork.
22 What the girls can't do -- and they can do the -- the
23 criminal background checks, which will help getting the -- this
24 risk assessment form done.
25 The problem is, is if I OR somebody because they fall under
26 that guideline and I OR somebody, there has to be a way for me
27 to send somebody to go test them, to make sure that they're not
28 drinking, to make sure that they're at work, to make sure that
29 they're doing the conditions of their pretrial release while I'm
30 not about to send my girls knocking on somebody's door,
31 wherever, and say, here, you know, breathe or give me some urine
32 or -- you know what I --
33 CHAIRMAN WAITS: No. This is --
34 JUDGE DENISE FORTUNE: -- mean. So --
35 CHAIRMAN WAITS: -- an expense -- yeah. It's an added
36 expense and a surprise to all of the courts --
37 JUDGE DENISE FORTUNE: It is.
38 CHAIRMAN WAITS: -- to have to --
39 JUDGE DENISE FORTUNE: Yes.
40 CHAIRMAN WAITS: -- do --

1 JUDGE DENISE FORTUNE: And we knew --
2 CHAIRMAN WAITS: -- that. We understand --
3 JUDGE DENISE FORTUNE: -- it was --
4 CHAIRMAN WAITS: -- that.
5 JUDGE DENISE FORTUNE: -- coming. And we've known that it
6 is -- it is coming. And I did -- Tony and I had a meeting with
7 Judge Shirley Tuesday morning? Tuesday morning. And he did
8 ask, will my bailiff and pre-risk assessment person also be at
9 his disposal if he calls me and says, hey, I've got John Smith
10 out on a pre-trial risk assessment, can your bailiff go test
11 them for me? And we did confirm with him that, yes, unless
12 we're in court, Judge Shirley will also be able to utilize that
13 part of it. And he won't have a lot.
14 When people get arrested and they're released -- could
15 possibly be released, that's in our court. It's not district
16 court. Everything starts with --
17 CHAIRMAN WAITS: Yes.
18 JUDGE DENISE FORTUNE: -- us.
19 So if somebody's released, usually on a pre-trial risk
20 assessment case, it's from our court, not the district court.
21 CHAIRMAN WAITS: Yes. We understand that. Thank you.
22 Do you have any questions?
23 COMMISSIONER SPARKS: Does -- the pay schedule you came up
24 with, Denise, is that -- is -- that's contractual? That pay
25 schedule? The -- for --
26 COMMISSIONER CLARK: Is it in the contract?
27 COMMISSIONER SPARKS: Yeah. Is it in the --
28 COMMISSIONER CLARK: Is it --
29 COMMISSIONER SPARKS: -- contract? How did we come up with
30 that schedule? is what I'm asking.
31 JUDGE DENISE FORTUNE: I actually -- Liz Barela, HR, helped
32 me get to these numbers. We looked at Elko's because Elko just
33 hired bailiffs throughout their county because of these new
34 laws.
35 And so we looked at their fees. And then I went and had a
36 meeting with Liz. And she looked at it and -- and looked in her
37 book -- because it's not a union position.
38 COMMISSIONER SPARKS: It's not organized.
39 JUDGE DENISE FORTUNE: Argenta Justice Court is an
40 at-will --

1 COMMISSIONER SPARKS: Okay.

2 JUDGE DENISE FORTUNE: -- because we're under the court.
3 We don't -- our -- nobod- -- none of us fall under the union.
4 We follow the union just to keep it pretty fair with the rest of
5 the county. And -- but we don't fall under the union. We are
6 at-will employees.

7 But when it comes to wages, I always go to Liz and say,
8 look, where should I be?

9 COMMISSIONER SPARKS: Okay. So that's standard pay for a
10 bailiff that you found, Liz?

11 ELIZABETH BARELA: (Off microphone) Yes.

12 COMMISSIONER SPARKS: Okay.

13 ELIZABETH BARELA: (Off microphone) For the new bailiffs
14 that they've been doing around and --

15 COMMISSIONER SPARKS: Okay.

16 ELIZABETH BARELA: (Off microphone) -- hiring for all the
17 (indiscernible).

18 JUDGE DENISE FORTUNE: For this, yeah. Because everybody's
19 scrambling and -- and doing it. Elko County just hired bailiffs
20 for all of theirs. Well, as you can see in my paperwork,
21 there's only three of us in the state that don't have security.
22 I'm the first one. The other one is Pershing. And they're
23 saying there's just not money. I don't know what they're going
24 to be able to do.

25 And Hawthorne, which is Mineral County, is the same thing.
26 And we're the three that do not have security.
27 And I did call the supreme court. And -- and they know.
28 I've been dealing with the supreme court for 25 years. They've
29 always been amazed that we do not have security in this
30 courthouse.

31 And it's not just about us. It's about everybody. You
32 know, courthouses have security for a reason.

33 COMMISSIONER SPARKS: Didn't we -- with the court trials
34 and stuff that we've had in the past, didn't we have a -- a --
35 deputies to sit in?

36 JUDGE DENISE FORTUNE: We've only --

37 COMMISSIONER SPARKS: Or --

38 JUDGE DENISE FORTUNE: -- had a deputy in there if they are
39 in custody. And the sheriff's --

40 COMMISSIONER SPARKS: Oh.

1 JUDGE DENISE FORTUNE: -- office has always been very good
2 to me.

3 COMMISSIONER SPARKS: Hm.

4 JUDGE DENISE FORTUNE: We just had a sentencing hearing or
5 a trial, something last week, was with a defendant that we have
6 had problems with in the courtroom.

7 And my clerk actually called me at home the night before
8 and said, look, we've got so-and-so tomorrow, can I call the
9 jail and get some bailiffs over here? And we did. We called
10 the jail. And Ron and Robert -- I had not only one, but I had
11 two bailiffs in court because we did not feel safe. And that's
12 happened a couple times.

13 And I've always thought that the court should have a
14 bailiff.

15 Max, he was an ex-cop. He didn't feel that he needed a
16 bailiff. I feel that we need a bailiff. I've always felt that
17 we need a bailiff and not just for our security, but there's a
18 lot of people in the courtroom. I think everybody should be
19 secure when they're in court. You just -- you don't want to
20 wait for something to happen and then say, huh, I guess they
21 should have had some security in there.

22 And, again, not just for us. You know, I was trying to
23 justify a full-time position because I'm not in court all
24 day, --

25 COMMISSIONER SPARKS: Right.

26 JUDGE DENISE FORTUNE: -- every day. So that's why we put
27 the pre-trial risk assessment in there, also can help with that.

28 But if they're not in court and being utilized by the
29 Argenta Justice Court for either pre-risk or in court, they will
30 be patrolling the courthouse. Or we can put them in a chair out
31 in the foyer and just have an officer's presence --

32 COMMISSIONER SPARKS: Presence.

33 JUDGE DENISE FORTUNE: -- there, which if somebody is
34 thinking about coming in here and raising heck with the
35 treasurer or the clerk or whoever, at least there's a known
36 presence in here.

37 When NHP moved into the courthouse, I was thrilled. I'm
38 like, Thank God I've got cops down the hall from me that have
39 guns. Yay.

40 But they're out doing their job. They're not in here very

1 often.

2 And besides, what am I going to do? You know. Hey.

3 CHAIRMAN WAITS: No, we understand.

4 Did you have any comments at all, Counselor?

5 DISTRICT ATTORNEY HERRERA: No. This is --

6 CHAIRMAN WAITS: Okay.

7 DISTRICT ATTORNEY HERRERA: -- new. And -- and she's

8 exactly right.

9 CHAIRMAN WAITS: Okay.

10 COMMISSIONER ANCHO: And I think it is nice to have

11 security in the building because there -- I've been -- you know,

12 I'm not in here all the time, obviously, and there's some --

13 been people in here at times that -- whether it be down at DMV,

14 that, I mean, they've -- you know somebody thinks they're being

15 wronged for something, they go sideways, and it just is a little

16 bit more -- a better feeling having somebody roaming the halls,

17 you know, and more of a deterrent --

18 JUDGE DENISE FORTUNE: Uh-huh.

19 COMMISSIONER ANCHO: -- from something happening.

20 JUDGE DENISE FORTUNE: Right.

21 CHAIRMAN WAITS: Keith, did you have any comments on it?

22 KEITH WESTENGARD: Nope. I think it's a good idea.

23 And I think Denise and I have talked about it. And I think

24 it's good. It'd be a benefit. And, like she said, when it's --

25 when they're not being used upstairs, it will be a -- a

26 deterrent within the entire courthouse. And it's a good idea.

27 CHAIRMAN WAITS: Thank you.

28 Are we ready for a motion?

29 COMMISSIONER CLARK: Well, I'll make a motion that we fund

30 a bailiff for the Argenta Justice Court.

31 COMMISSIONER ANCHO: I'll second.

32 COMMISSIONER CLARK: The way it's -- the way it's presented

33 by Judge Fortune.

34 CHAIRMAN WAITS: Thank you. Art made the motion. Kathy

35 seconded that.

36 I think it's long overdue.

37 Any other discussion?

38 (No comment.)

39 CHAIRMAN WAITS: All in favor?

40 COMMISSIONER SPARKS: Aye.

1 COMMISSIONER CLARK: Aye.
2 COMMISSIONER ANCHO: Aye.
3 CHAIRMAN WAITS: Aye.
4 Okay. Thank you. We move --
5 JUDGE DENISE FORTUNE: Thank you.
6 CHAIRMAN WAITS: -- on to Number 8.
7 JUDGE DENISE FORTUNE: I'm sorry. While we're on that, I
8 just want to state on the record in front of the commissioners
9 that I had a lot of help putting this together.
10 And so I wanted to publicly thank Liz Barela in HR, Cindy
11 Benson in Finance, and Ron and Robert from the Sheriff's Office.
12 They -- they were a great help to me. So I just want to
13 publicly say thank you to them.
14 COMMISSIONER ANCHO: Very nice. Thank you.
15 CHAIRMAN WAITS: Thank you, Judge.
16 COMMISSIONER SPARKS: Thanks, Denise.

17
18 **8) ARGENTA JUSTICE COURT: For possible action to create and**
19 **fund a budget line item for the bailiff position backup.**
20

21 CHAIRMAN WAITS: Number 8. Argenta Justice Court. For
22 possible action to create and fund a budget line item for the
23 bailiff position backup. When they are out of the area on
24 vacation or ill or something, we need someone to step in.

25 So we need to look at that.

26 JUDGE DENISE FORTUNE: Okay. In that instance, right now
27 I'm worrying about -- now that you've -- oh, you know, approved
28 to fund it for me, I need to find a bailiff. That may not be
29 easy. It may be hard. I don't know yet. But we need
30 somebody -- you can't just have one person. People are going to
31 get sick. People are going to have family emergencies. People
32 are going to go on vacation.

33 I have talked to Ron and Robert about this. And at the
34 drop of a hat, usually if somebody gets ill and they call in
35 that day, you know, you can't plan for that. I need an officer
36 today at 10:00 o'clock. The Sheriff's Office will cover me as
37 much as they can, but when they cannot, I would like to -- after
38 I find a bailiff, go back out. I just don't want to have to
39 come before you again and ask later.

40 After I find a bailiff, if I find a bailiff, I'd like to go

1 back out and try to find a relief bailiff, not necessarily
2 falling under the same criteria, has to be a CAT 1 or a CAT 2.
3 I may be able to just get away with a CAT -- a CAT 3, just to
4 have another presence in there for while that bailiff is
5 unavailable.

6 It's not a salaried position. It's nothing. It'll just be
7 like a -- kind of like a contracted position to where if at the
8 last minute I call somebody and say, you know, John Smith, my
9 bailiff called in, can you come in and do court for an hour?
10 That they could come in, just cover court. They won't do the
11 courthouse. They won't do the pre-risk assessment. They won't
12 do any of that. They will just physically be in the courtroom
13 while we're having court.

14 So we're not talking a lot of time. But I would just like
15 to have some money. I'd like to create a new line in my budget
16 and just throw some money in there just in case, to where I can
17 pay them. And it'll just be hourly, you know, like 30 bucks an
18 hour for a couple hours every now and then.

19 I just need to have some kind of backup.

20 TONIA BAKKER: (To Judge Fortune) You have to have two in
21 the jury trials.

22 JUDGE DENISE FORTUNE: And I have to have two in the jury
23 trials when I have a jury trial.

24 Jury trials are going to be -- I hope and pray -- few and
25 far between. My bailiff will always be in there. But during a
26 jury trial, I need two. I will utilize the sheriff's office
27 when I can. If I cannot, then I may also need to use the relief
28 bailiff for that.

29 COMMISSIONER ANCHO: Now is that someone that you can
30 contract that's -- my only concern about that is the training.
31 If you have a person that doesn't have any training that you
32 call in for a bailiff and something goes sideways, they don't
33 know what they're supposed to do.

34 JUDGE DENISE FORTUNE: They'll be trained. It'll -- I
35 mean, they'll -- do you mean like by the court --

36 COMMISSIONER ANCHO: Yeah.

37 JUDGE DENISE FORTUNE: -- I've led --

38 COMMISSIONER ANCHO: Like --

39 JUDGE DENISE FORTUNE: -- to do --

40 COMMISSIONER ANCHO: Well --

1 JUDGE DENISE FORTUNE: -- or as an officer?
2 COMMISSIONER ANCHO: Well, yeah. As if it's -- if it's --
3 is it somebody you're going to use from maybe overtime from the
4 sheriff's office that's not working?
5 Because if -- at a drop of a hat, you know, for a year and
6 a half you don't need somebody, then a drop of a hat you call
7 someone that, you know, who isn't -- who's not going to be
8 employed that's going to be readily available at a drop of a hat
9 for you? That's my only --
10 COMMISSIONER SPARKS: That's --
11 COMMISSIONER ANCHO: -- concern.
12 COMMISSIONER SPARKS: Yeah. That's my co- -- that's --
13 you --
14 JUDGE DENISE FORTUNE: I'm hoping that it'll be somebody --
15 I've had a few people approach me that are about to retire from
16 the Lander County Sheriff's Office. That's what I'm reaching
17 out to is it will be somebody that is an officer that has
18 already been in our court for years and already knows that. I
19 may not get that. I just know I have had a couple of people
20 reach out to me and say, hey, I can be your relief. They are
21 already trained and familiar with the court, what to do, and the
22 court procedures.
23 If I don't get anybody like that, yeah, I'm going to have
24 to start all over again and try to figure it out.
25 The reason why I'm hoping to get somebody who has law
26 enforcement training and who has been in our courtrooms before
27 and understands everything is so that when I do call them,
28 they're ready to go, you know. They're already POST certified.
29 They're already familiar with the court procedures. And like I
30 said, they're not going to do the rest of it. It's just at the
31 drop of a hat, basically, when I don't have a bailiff.
32 COMMISSIONER CLARK: So how much money do you want in that
33 line item?
34 JUDGE DENISE FORTUNE: I was trying to figure it out. And
35 because it's six months or seven months -- I don't know how
36 quickly, if I'm going to be able to even --
37 COMMISSIONER CLARK: If there's anything left, then you
38 just roll it over --
39 JUDGE DENISE FORTUNE: Yes. Yes.
40 COMMISSIONER CLARK: Yeah.

1 JUDGE DENISE FORTUNE: And then I would just roll it --
2 COMMISSIONER CLARK: It'd just be --
3 JUDGE DENISE FORTUNE: -- over to the -- to --
4 COMMISSIONER CLARK: Yeah.
5 JUDGE DENISE FORTUNE: -- the next year.
6 I was thinking possibly a thousand dollars should be more
7 than enough.
8 COMMISSIONER CLARK: Oh, I don't think that'd be enough.
9 JUDGE DENISE FORTUNE: I -- I think it would at least for
10 the --
11 COMMISSIONER CLARK: A thousand --
12 JUDGE DENISE FORTUNE: -- next --
13 COMMISSIONER CLARK: -- dollars?
14 JUDGE DENISE FORTUNE: -- few -- I think it will for the
15 next few months. After that, probably not. But I think for the
16 next few months, it's going to be because -- and here's the
17 reason -- if I hire a bailiff, this is a new position. It's an
18 Argenta Justice Court position. They're on probation like every
19 other Argenta Justice Court employee. They're not getting time
20 off for six months unless it's an emergency.
21 COMMISSIONER CLARK: Yeah. Yeah.
22 JUDGE DENISE FORTUNE: No.
23 COMMISSIONER CLARK: A person --
24 JUDGE DENISE FORTUNE: -- so that's --
25 COMMISSIONER CLARK: Yeah.
26 JUDGE DENISE FORTUNE: -- why I budgeted that so --
27 COMMISSIONER CLARK: A thousand?
28 JUDGE DENISE FORTUNE: -- low --
29 COMMISSIONER CLARK: You're sure?
30 JUDGE DENISE FORTUNE: -- is because for six months, I --
31 COMMISSIONER CLARK: Okay.
32 JUDGE DENISE FORTUNE: -- don't -- I'm hoping the sheriff's
33 office and with my bailiff not being able to go off to Aruba for
34 two weeks for six months, I'm not --
35 COMMISSIONER CLARK: But if you --
36 JUDGE DENISE FORTUNE: -- going to have them --
37 COMMISSIONER CLARK: -- if you bring somebody from the
38 S.O., then you're going to have to pay them out of your fund;
39 right?
40 JUDGE DENISE FORTUNE: No. No. If they're -- Ron and

1 Robert, they're on duty at the Lander County Sheriff's Office.
2 If I need somebody and they --
3 COMMISSIONER SPARKS: Uh-huh.
4 JUDGE DENISE FORTUNE: -- can give me somebody, they're
5 going to -- they're going to give me that --
6 COMMISSIONER CLARK: Okay.
7 JUDGE DENISE FORTUNE: -- person. I don't have to pay
8 them.
9 COMMISSIONER SPARKS: And is that going to be our first
10 attempt?
11 JUDGE DENISE FORTUNE: That is going to -- yes, that --
12 COMMISSIONER SPARKS: Okay.
13 JUDGE DENISE FORTUNE: -- will always be --
14 COMMISSIONER SPARKS: So we wouldn't --
15 JUDGE DENISE FORTUNE: -- our first --
16 COMMISSIONER SPARKS: -- default to automatically calling
17 this person? We're always going to call the Sheriff's --
18 JUDGE DENISE FORTUNE: We're always --
19 COMMISSIONER SPARKS: -- Department? Do you have a free --
20 JUDGE DENISE FORTUNE: -- going to call --
21 COMMISSIONER SPARKS: -- guy?
22 JUDGE DENISE FORTUNE: -- the Sheriff's Office --
23 COMMISSIONER SPARKS: Okay.
24 JUDGE DENISE FORTUNE: -- first. Yes. I will --
25 COMMISSIONER SPARKS: All right.
26 JUDGE DENISE FORTUNE: -- always -- and like I said, Ron
27 and Robert have been very good to me and have always been very
28 good to --
29 COMMISSIONER CLARK: Okay.
30 JUDGE DENISE FORTUNE: -- justice court.
31 COMMISSIONER SPARKS: Well, I'll make a motion that we put
32 a thousand dollars in the bailiff backup position at Judge
33 Fortune's request.
34 I think we should put more, but we'll honor her request.
35 COMMISSIONER SPARKS: I'll second it.
36 CHAIRMAN WAITS: I have a question on the way the motion is
37 brought forward because it really isn't clarified that it's a
38 new bailiff position backup.
39 DISTRICT ATTORNEY HERRERA: We need to create --
40 CHAIRMAN WAITS: So maybe if we could just rephrase that a

1 little bit to make sure, not just the amount, but the bailiff
2 position backup --

3 COMMISSIONER CLARK: Okay.

4 CHAIRMAN WAITS: -- is approved.

5 COMMISSIONER CLARK: Yeah. Okay. Then we'll -- my motion
6 will be modified to approve the funding for the newly created
7 bailiff backup position for Judge Denise Fortune at \$1,000 per
8 her request.

9 COMMISSIONER SPARKS: Second.

10 CHAIRMAN WAITS: Thank you. Art made the motion. Bryan
11 seconded that.

12 Any other discussion?

13 (No comment.)

14 CHAIRMAN WAITS: All in favor?

15 COMMISSIONER CLARK: Aye.

16 COMMISSIONER ANCHO: Aye.

17 COMMISSIONER SPARKS: Aye.

18 CHAIRMAN WAITS: Aye.

19 Any opposed?

20 (No comment.)

21 CHAIRMAN WAITS: Thank you.

22
23 9) **ARGENTA JUSTICE COURT: For possible action to approve the**
24 **use of a vacant office on the second floor of the**
25 **Administration/Courthouse Building to be designated and**
26 **utilized as the new bailiff office.**
27

28 CHAIRMAN WAITS: And one more, Number 9, for Argenta.

29 Argenta Justice Court. For possible action to approve the
30 use of a vacant office on the second floor of the
31 administrations/courthouse building to be designated and
32 utilized as the new bailiff office.

33 And we tried to keep that as general as we could because we
34 weren't real sure. So it'll just work with our executive
35 director and give them some office space of what will work out.

36 COMMISSIONER CLARK: We need a motion for that?

37 CHAIRMAN WAITS: Yes.

38 JUDGE DENISE FORTUNE: Well, it's -- it's the media room is
39 what I'm requesting. I'm requesting the media room upstairs.
40 It's two doors down from the Argenta Justice Court.

1 CHAIRMAN WAITS: Okay. For right now, we're going to do
2 the -- the motion for a vacant office. And you can --
3 JUDGE DENISE FORTUNE: Oh, gotcha.
4 CHAIRMAN WAITS: -- work with --
5 JUDGE DENISE FORTUNE: Okay.
6 CHAIRMAN WAITS: -- Keith on the media room. Because, I
7 mean, what if that changes at some point? We'd have to come
8 back and change our motion da --
9 COMMISSIONER CLARK: Yeah.
10 CHAIRMAN WAITS: -- ta da.
11 JUDGE DENISE FORTUNE: Well, I --
12 CHAIRMAN WAITS: So --
13 JUDGE DENISE FORTUNE: -- went to him first.
14 CHAIRMAN WAITS: No, I understand --
15 JUDGE DENISE FORTUNE: Oh, okay.
16 CHAIRMAN WAITS: -- that. I understand that. That's fine.
17 But we want to leave it general here and let you two work it
18 out.
19 JUDGE DENISE FORTUNE: Okay.
20 CHAIRMAN WAITS: Okay?
21 COMMISSIONER ANCHO: I make a motion to approve the use of
22 a vacant office on the second floor or within the building for
23 Argen- -- to be utilized as a new bailiff office.
24 COMMISSIONER SPARKS: I'll second that.
25 CHAIRMAN WAITS: Thank you, Kathy. She made the motion and
26 Bryan seconded that.
27 Any other discussion?
28 (No comment.)
29 CHAIRMAN WAITS: All in favor?
30 COMMISSIONER SPARKS: Aye.
31 COMMISSIONER ANCHO: Aye.
32 COMMISSIONER CLARK: Aye.
33 CHAIRMAN WAITS: Aye.
34 JUDGE DENISE FORTUNE: Okay.
35 CHAIRMAN WAITS: Thank you.
36 JUDGE DENISE FORTUNE: Thank you.
37 CHAIRMAN WAITS: We're going to take a quick 10-minute
38 break.
39
40 (Break taken between 9:59 a.m. and 10:06 a.m.)

1 **10) COUNTY MANAGER: For possible action to modify the NV Energy**
2 **Franchise Agreement to exclude the Town of Kingston from the**
3 **new agreement and approve the option they request.**
4

5 CHAIRMAN WAITS: And we are starting with Number 10. Under
6 the County Manager. For possible action to modify the Nevada
7 Energy Franchise Agreement to exclude the Town of Kingston from
8 the new agreement and approve the option they request.

9 Background on this for us is that when we took Option 1,
10 which was not to charge our Nevada Energy customers the 2
11 percent that they had and are being charged, we knew that the
12 school district was separate and that was so noted in our
13 franchise agreement.

14 What we did not realize was that the Town of Kingston,
15 being separate, we have collected for them. And we have always
16 sent that money directly to them. That's part of their budget.

17 So when I attended one of their meetings and said, hey,
18 this was our decision and -- and all you folks are going to have
19 2 percent savings on your Nevada Energy coming up, and they --
20 and Shannon said to me, Oh, my goodness. That's part of our
21 budget. And I thought, we never ever considered that.

22 So I -- I called Nevada Energy. I spoke with Linda
23 Bissett, the government liaison that was here before us and
24 said, Is this possible to pull out? And how do we do that? And
25 what can we do? She said, Absolutely. It's no trouble at all.
26 You just -- has to come through the commissioners. We have to
27 make that decision, of course.

28 So because of the time frame, Kingston Board had a special
29 meeting to see what they would like to do, if -- and that they
30 had the three options. They could go along with us and say no
31 more.

32 However, it turns out that the exact amount of money was
33 like \$2,664 that they collected in 2018, which is 8 percent of
34 their budget. Their budget's --

35 COMMISSIONER ANCHO: Oh, wow.

36 CHAIRMAN WAITS: -- about \$35,000.

37 COMMISSIONER ANCHO: That's a lot --

38 CHAIRMAN WAITS: And to --

39 COMMISSIONER ANCHO: -- for them.

40 CHAIRMAN WAITS: -- lose that every year was kind of scary

1 for them.

2 So they voted for Option 3, which is to remain at the 2
3 percent, not to increase it -- that was the other option -- but
4 just to leave it was. And so their folks wouldn't get any
5 notice if we approve that to exclude them from our franchise
6 agreement.

7 And this goes back to the one that we had before us on
8 September 19 for the records.

9 COMMISSIONER ALLAN: I'll make a motion to modify Nevada
10 Energy Franchise Agreement and exclude the Town of Kingston.

11 CHAIRMAN WAITS: And approve the option?

12 COMMISSIONER ALLAN: And approve the option --

13 COMMISSIONER ANCHO: That they were --

14 COMMISSIONER ALLAN: -- that they requested.

15 COMMISSIONER ANCHO: I'll second.

16 CHAIRMAN WAITS: Thank you.

17 I'm -- I know they'll be ti- -- tickled about that.

18 Judie made the motion. Kathy seconded.

19 Any other discussion? Did we clarify that for everybody?

20 (No comment.)

21 CHAIRMAN WAITS: Okay. All in favor?

22 COMMISSIONER SPARKS: Aye.

23 COMMISSIONER ALLAN: Aye.

24 CHAIRMAN WAITS: Aye.

25 COMMISSIONER CLARK: Aye.

26 CHAIRMAN WAITS: Thank you.

27

28

29 **CORRESPONDENCE**

30

31 CHAIRMAN WAITS: We are on Number 11. Correspondence,
32 reports, potential upcoming agenda items.

33 I know NACo has asked to be on our agenda. They do a -- a
34 yearly -- try every other year. The year that the legislature
35 is in meeting, we -- they try and get out after that finishes
36 to -- to just kind of stop and visit with us and give us some
37 information of what's going on and bring us up to date.

38 So I know that's one that will be on.

39 KEITH WESTENGARD: Yep. That's correct.

40 CHAIRMAN WAITS: We have asked for the evaluation for our

1 executive director to be on.
2 KEITH WESTENGARD: I've been served.
3 CHAIRMAN WAITS: That will be next time.
4 DISTRICT ATTORNEY HERRERA: And the -- he has been served,
5 Commissioner.
6 CHAIRMAN WAITS: He has been served?
7 DISTRICT ATTORNEY HERRERA: Yes.
8 CHAIRMAN WAITS: Thank you.
9 Then that -- that's a go.
10 KEITH WESTENGARD: We have two ordinances hearings -- or
11 public meetings that will be on --
12 CHAIRMAN WAITS: Okay.
13 KEITH WESTENGARD: -- there.
14 DISTRICT ATTORNEY HERRERA: Presentations of the
15 ordinances.
16 KEITH WESTENGARD: Yeah.
17 DISTRICT ATTORNEY HERRERA: No. Yeah.
18 KEITH WESTENGARD: Yeah. The public --
19 JEANNE FALZONE: The public hearing.
20 KEITH WESTENGARD: -- public hearing.
21 DISTRICT ATTORNEY HERRERA: Public hearing.
22 KEITH WESTENGARD: Two of them.
23 DISTRICT ATTORNEY HERRERA: For the -- for the --
24 KEITH WESTENGARD: IBs of the building codes.
25 DISTRICT ATTORNEY HERRERA: And the public hearing for
26 the --
27 KEITH WESTENGARD: Town of -- or the Water --
28 DISTRICT ATTORNEY HERRERA: The bu- --
29 KEITH WESTENGARD: -- and Sewer 2.
30 DISTRICT ATTORNEY HERRERA: The busi- -- and the business
31 license --
32 KEITH WESTENGARD: Uh-huh.
33 DISTRICT ATTORNEY HERRERA: -- impacts.
34 KEITH WESTENGARD: Impacts.
35 DISTRICT ATTORNEY HERRERA: Business impact statement.
36 KEITH WESTENGARD: Public hearing.
37 CHAIRMAN WAITS: Business impact statement.
38 COMMISSIONER ALLAN: Speaking of ordinances, is we never
39 completed the ordinance for the dogs park. We -- it -- it's
40 never been finished. We don't have a dog park, legally.

1 DISTRICT ATTORNEY HERRERA: Well, no one has an ordinance
2 to cover dog parks in the state. That -- and --
3 COMMISSIONER ALLAN: We started the process.
4 DISTRICT ATTORNEY HERRERA: No. We -- but there's no
5 ordinance --
6 COMMISSIONER ALLAN: Well --
7 DISTRICT ATTORNEY HERRERA: -- that covers dog parks
8 anywhere in the state.
9 COMMISSIONER ALLAN: So -- but we still have to change the
10 ordinance about dogs at large.
11 COMMISSIONER SPARKS: Would it --
12 CHAIRMAN WAITS: Can ru- --
13 COMMISSIONER SPARKS: -- be more --
14 CHAIRMAN WAITS: -- can --
15 COMMISSIONER SPARKS: -- of a --
16 CHAIRMAN WAITS: -- run in a designated --
17 COMMISSIONER SPARKS: -- county code?
18 CHAIRMAN WAITS: -- area.
19 COMMISSIONER CLARK: No, you don't. You --
20 CHAIRMAN WAITS: Is that --
21 COMMISSIONER CLARK: -- don't need --
22 CHAIRMAN WAITS: -- what we're --
23 COMMISSIONER CLARK: -- to change --
24 CHAIRMAN WAITS: -- saying?
25 COMMISSIONER CLARK: -- anything with the dog ordinance
26 because we have a dog park.
27 COMMISSIONER ANCHO: Dogs at large usually follows under
28 unleashed dogs that are running down the street not --
29 DISTRICT ATTORNEY HERRERA: Do we --
30 COMMISSIONER ANCHO: -- in a contained area.
31 DISTRICT ATTORNEY HERRERA: Do -- but that's not a dog park
32 ord- -- we can change that, Commissioner.
33 COMMISSIONER ANCHO: Well --
34 DISTRICT ATTORNEY HERRERA: But -- but you all --
35 COMMISSIONER ALLAN: I mean, this is a process we started
36 and -- and you were going to write an ordinance.
37 DISTRICT ATTORNEY HERRERA: And I -- I talked -- I talked
38 to Patsy about this and said, no one -- I -- I can't find an
39 ordinance in the state of Nevada that -- on dog parks only.
40 COMMISSIONER ALLAN: Okay.

1 DISTRICT ATTORNEY HERRERA: And there just isn't one. So
2 -- but if -- if you want to go into dogs at large and stuff --
3 COMMISSIONER ALLAN: Well --
4 DISTRICT ATTORNEY HERRERA: -- we -- we can change that
5 ordinance.
6
7 (Phone ringing.)
8
9 COMMISSIONER ALLAN: And -- and that -- that's just it
10 is -- is --
11 CHAIRMAN WAITS: So if we modify that where -- where we
12 acknowledge that we do have a dog park and that citations will
13 now be given for dogs running at large in the dog park --
14 COMMISSIONER CLARK: But they're --
15 CHAIRMAN WAITS: -- or the --
16 COMMISSIONER CLARK: -- not at --
17 CHAIRMAN WAITS: -- designated --
18 COMMISSIONER CLARK: -- large.
19 CHAIRMAN WAITS: -- area.
20 COMMISSIONER CLARK: They're not --
21 CHAIRMAN WAITS: Something --
22 COMMISSIONER CLARK: -- at large. They're contained within
23 a fence. I think you're talking about a leash law.
24 CHAIRMAN WAITS: You have -- right.
25 COMMISSIONER ALLAN: Well --
26 CHAIRMAN WAITS: Right. Thank you.
27 COMMISSIONER CLARK: Joe.
28 DISTRICT ATTORNEY HERRERA: So the --
29 COMMISSIONER CLARK: Joe -- Joe's --
30 DISTRICT ATTORNEY HERRERA: But that's why --
31 COMMISSIONER CLARK: -- in charge --
32 DISTRICT ATTORNEY HERRERA: -- you don't --
33 COMMISSIONER CLARK: -- of the --
34 DISTRICT ATTORNEY HERRERA: -- have a dog park ordinance
35 because they just don't exist.
36 COMMISSIONER CLARK: In charge of the --
37 DISTRICT ATTORNEY HERRERA: And --
38 COMMISSIONER CLARK: -- the -- cou- -- you're still --
39 DISTRICT ATTORNEY HERRERA: -- I didn't --
40 COMMISSIONER CLARK: -- in charge of --

1 DISTRICT ATTORNEY HERRERA: -- know if --
2 COMMISSIONER CLARK: -- the coun- --
3 DISTRICT ATTORNEY HERRERA: -- you wanted to go off --
4 SERGEANT JOE JONES: I am.
5 DISTRICT ATTORNEY HERRERA: -- that.
6 SERGEANT JOE JONES: Sergeant Jones of the Sheriff's
7 Office.
8 COMMISSIONER CLARK: Okay. Give this a little
9 clarification on the leash law and dog at large?
10 Because I don't see that if a dog is in the dog park that
11 that's --
12 SERGEANT JOE JONES: But that's -- it's -- if it's in the
13 park, that's fine. But it does -- in the statute says,
14 contained with its own residence.
15 COMMISSIONER CLARK: And if it's not contained, then it's
16 at large.
17 SERGEANT JOE JONES: That's correct.
18 COMMISSIONER CLARK: Right.
19 SERGEANT JOE JONES: But if the park is not its own
20 residence so you might want to change that --
21 COMMISSIONER CLARK: Yeah.
22 SERGEANT JOE JONES: -- leash law.
23 DISTRICT ATTORNEY HERRERA: The -- the leash law.
24 COMMISSIONER ALLAN: And -- and maybe that's it. It --
25 it's --
26 DISTRICT ATTORNEY HERRERA: Okay.
27 COMMISSIONER ALLAN: But -- but, like I said, it was --
28 this was one of the things that kind of got started, and then,
29 you know, --
30 DISTRICT ATTORNEY HERRERA: Well, we --
31 COMMISSIONER ALLAN: -- it wasn't --
32 DISTRICT ATTORNEY HERRERA: -- dis- -- we discussed having
33 an ordinance for the dog park. But they -- those don't exist,
34 Commissioner Allan, --
35 COMMISSIONER ALLAN: Right. And I --
36 DISTRICT ATTORNEY HERRERA: -- is what I'm telling you.
37 COMMISSIONER ALLAN: -- and I understand what you're
38 saying, Counselor.
39 DISTRICT ATTORNEY HERRERA: So I just -- I mean, you --
40 COMMISSIONER ALLAN: Right.

1 DISTRICT ATTORNEY HERRERA: -- give me direction, I'll do
2 it.
3 COMMISSIONER ALLAN: No. Is -- is I understand what you're
4 saying. And I didn't know why it didn't proceed. But I knew
5 that -- that there needed to be something because otherwise why
6 would we section off a piece of the park if you can just let
7 your dogs run anyway? So we need to change the law or -- no --
8 DISTRICT ATTORNEY HERRERA: Okay.
9 COMMISSIONER ALLAN: -- to --
10 DISTRICT ATTORNEY HERRERA: I'll look --
11 COMMISSIONER ALLAN: -- to --
12 DISTRICT ATTORNEY HERRERA: -- into --
13 COMMISSIONER ALLAN: -- allow --
14 DISTRICT ATTORNEY HERRERA: -- that --
15 COMMISSIONER ALLAN: -- that.
16 DISTRICT ATTORNEY HERRERA: -- part of it. I'll look into
17 our county codes and see what needs to be changed some.
18 COMMISSIONER ALLAN: I mean, it's -- it's --
19 DISTRICT ATTORNEY HERRERA: Okay.
20 COMMISSIONER ALLAN: -- not that big a deal. But yet if
21 you want to follow the -- the rules, you need to, you know,
22 cross your t's and dot your i's and make things legit.
23 And that's just why I brought it up --
24 DISTRICT ATTORNEY HERRERA: Okay.
25 COMMISSIONER ALLAN: -- is it needs to be cleaned up.
26 DISTRICT ATTORNEY HERRERA: Okay.
27 CHAIRMAN WAITS: Okay. Anything else on the upcoming
28 agendas?
29 COMMISSIONER SPARKS: Back to the evaluation of our
30 executive director or county --
31 CHAIRMAN WAITS: Yes.
32 COMMISSIONER SPARKS: -- manager. Are we just doing it as
33 a open, like, discussion? Are we going to have some form we're
34 going to --
35 COMMISSIONER CLARK: Oh, there's a forum. And --
36 COMMISSIONER SPARKS: Okay. There are? So that --
37 CHAIRMAN WAITS: We have --
38 COMMISSIONER SPARKS: -- will be in our packet?
39 COMMISSIONER CLARK: Has --
40 CHAIRMAN WAITS: Yeah.

1 COMMISSIONER CLARK: -- been.
2 COMMISSIONER SPARKS: Okay.
3 CHAIRMAN WAITS: No.
4 COMMISSIONER SPARKS: That's what --
5 CHAIRMAN WAITS: It'll be sent to you in --
6 ELIZABETH BARELA: (Off microphone) I --
7 CHAIRMAN WAITS: -- advance.
8 ELIZABETH BARELA: (Off microphone) -- I'll send the --
9 COMMISSIONER SPARKS: Okay.
10 ELIZABETH BARELA: (Off microphone) -- forms.
11 COMMISSIONER SPARKS: Pardon?
12 ELIZABETH BARELA: (Off microphone) I'll send the forms to
13 all of --
14 COMMISSIONER SPARKS: Okay.
15 ELIZABETH BARELA: (Off microphone) -- you.
16 COMMISSIONER SPARKS: Thank you.
17 CHAIRMAN WAITS: That was this Liz Barela, our HR. And she
18 will send us --
19 COMMISSIONER SPARKS: Thank you, Liz.
20 CHAIRMAN WAITS: -- she will send us the information out
21 ahead of time. And then we do that in an open meeting, though.
22 COMMISSIONER SPARKS: Yes.
23 DISTRICT ATTORNEY HERRERA: Yes.
24 CHAIRMAN WAITS: Yeah.
25 COMMISSIONER CLARK: Yeah. We have to.
26 CHAIRMAN WAITS: Okay. Anything else on the --
27 COMMISSIONER CLARK: We --
28 CHAIRMAN WAITS: -- agenda?
29 COMMISSIONER CLARK: -- still advertising for SLUAC?
30 KEITH WESTENGARD: I'll -- if it hasn't been filled, it's
31 being advertised regularly, --
32 COMMISSIONER CLARK: Yeah.
33 KEITH WESTENGARD: -- as well as LEDA's being advertised.
34 COMMISSIONER CLARK: It would be --
35 KEITH WESTENGARD: And I believe --
36 COMMISSIONER CLARK: -- one more --
37 KEITH WESTENGARD: -- that Austin Airport has an opening
38 that we're advertising for.
39 COMMISSIONER CLARK: Okay.
40 CHAIRMAN WAITS: Okay. If there's nothing else, I'll move

1 into public comment for nonagenda -- -agendized items only.

2
3
4 **PUBLIC COMMENT**

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

14 Any public comment?

15 (No comment.)
16
17

18 **ADJOURNMENT**

19
20 COMMISSIONER CLARK: Make a motion to adjourn.

21 COMMISSIONER ANCHO: I'll second.

22 COMMISSIONER SPARKS: I'll second.

23 CHAIRMAN WAITS: It's been moved and seconded we adjourn.

24 And don't forget to stay after --

25 COMMISSIONER CLARK: We have a --

26 CHAIRMAN WAITS: -- for a --

27 COMMISSIONER CLARK: -- litigation --

28 CHAIRMAN WAITS: -- litigation meeting.

29 All in favor?

30 COMMISSIONER ALLAN: Aye.

31 COMMISSIONER SPARKS: Aye.

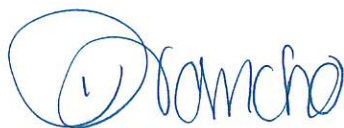
32 COMMISSIONER CLARK: Aye.

33 COMMISSIONER ANCHO: Aye.

34 CHAIRMAN WAITS: Aye.
35

36 (Meeting was adjourned at 10:15 a.m.)
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**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.

1 STATE OF UTAH)
2) ss.
3 COUNTY OF DAVIS)
4
5
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"
10
11 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE
12
13 THE 7TH DAY OF NOVEMBER, 2019, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO/VIDEO RECORDING ALLOWED.
20

21
22 DATED AT _____
23 THIS _____ DAY OF _____
24

25
26 _____
27 TIFFANY ELKINGTON, CCR #930
28
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CHAIRMAN WAITS: [229] CINDY BENSON: [8] 24/6 24/8 24/31 24/35 25/1 25/4 25/6 25/8 COMMISSIONER ALLAN: [78] COMMISSIONER ANCHO: [88] COMMISSIONER CLARK: [85] COMMISSIONER SPARKS: [77] DISTRICT ATTORNEY HERRERA: [82] DONNA STIENMETZ: [16] 13/17 13/20 13/22 13/25 13/27 13/31 13/33 13/35 13/37 13/39 14/6 14/9 14/15 14/24 14/31 14/34 ELIZABETH BARELA: [9] 9/10 30/11 30/13 30/16 47/6 47/8 47/10 47/12 47/15 FALICIA OCHOA: [12] 17/10 17/18 17/32 17/34 17/38 17/40 18/13 18/15 18/18 18/21 18/38 18/40 JEANNE FALZONE: [1] 42/19 JUDGE DENISE FORTUNE: [85] KEITH WESTENGARD: [64] SERGEANT JOE JONES: [6] 45/4 45/6 45/12 45/17 45/19 45/22 TONIA BAKKER: [2] 25/22 34/20 UNIDENTIFIED PARTICIPANT: [2] 20/12 22/10	18 [1] 5/4 18th [2] 9/6 9/12 19 [2] 7/20 41/8 1918 [1] 5/25 19th [1] 7/27 1:15 [1] 2/1
	2
	2016 [3] 21/36 22/13 22/23 2017 [1] 23/30 2018 [1] 40/33 2019 [16] 1/4 1/25 7/15 7/16 7/17 7/18 7/19 7/19 7/20 7/21 7/22 16/18 16/36 24/1 24/4 50/13 2023 [1] 14/13 205336 [2] 8/11 11/25 205338 [4] 8/16 8/17 8/36 10/6 205349 [2] 8/13 11/39 205408 [2] 8/11 11/25 205410 [2] 8/6 10/23 205420 [2] 8/10 11/13 205423 [2] 8/13 11/39 21 [1] 24/18 21st [1] 22/10 22 [1] 20/23 22nd [1] 20/15 23 [1] 7/16 24 [1] 7/22 25 [2] 7/19 30/28 2628 [2] 4/27 4/31 27 [1] 7/17 27th [1] 20/14 293 [1] 19/24
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\$1,000 [1] 38/7 \$11,870.80 [1] 24/13 \$17,357 [1] 19/25 \$2,664 [1] 40/33 \$24,346.94 [1] 24/24 \$3,209,816 [1] 24/18 \$33,958.94 [1] 24/13 \$35,000 [1] 40/36 \$38,000 [2] 22/14 22/22 \$423,169.16 [1] 24/12 \$5,944.89 [1] 24/25 \$50,000 [2] 22/15 23/30 \$53,904.42 [1] 24/27 \$66,773.98 [1] 24/25 \$7,678,458 [1] 24/21 \$97,065.81 [1] 24/25	30 [2] 6/4 34/17 305 [1] 1/4 38 [2] 21/36 22/37
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-21 [1] 24/18 -agendized [1] 48/1	7.2 [1] 24/18 7.21 [1] 24/34 7TH [1] 50/13
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10 [5] 7/21 7/23 7/28 40/1 40/5 10-minute [1] 39/37 10:00 [1] 33/36 10:06 [1] 39/40 10:15 [1] 48/36 11 [2] 7/18 41/31 12-30 [1] 6/4 12:00 [1] 2/1 13.29 [1] 24/21 17,000 [1] 20/4 17th [2] 9/5 9/12	80 [1] 5/1 8:59 [1] 1/4
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	930 [2] 1/5 50/27 97 [1] 5/15 9:59 [1] 39/40
	A
	above [2] 16/30 17/7 abstain [4] 11/11 11/24 11/36 12/11

<p>A</p> <p>abstains [1] 11/37 ac [1] 19/31 accounts [2] 24/11 24/14 acknowledge [1] 44/12 acted [2] 7/8 7/12 action [24] 7/9 12/19 12/25 15/23 15/28 16/16 16/34 19/9 19/13 19/18 19/19 19/26 19/26 19/31 19/32 19/35 25/10 25/16 33/18 33/22 38/23 38/29 40/1 40/6 active [1] 1/27 added [1] 28/35 addressed [1] 27/27 addressing [1] 4/25 adjourn [2] 48/20 48/23 adjourned [1] 48/36 Administration [2] 1/3 38/25 Administration/Courthouse [1] 38/25 administrations [1] 38/31 administrations/courthouse [1] 38/31 advance [1] 47/7 advertise [1] 6/10 advertised [2] 47/31 47/33 advertising [2] 47/29 47/38 advisable [1] 20/18 afford [1] 4/12 affordability [1] 4/4 agen [1] 6/13 Agencies [2] 16/26 17/3 Agency [1] 18/24 agenda [17] 2/1 2/3 3/18 6/13 7/2 7/5 7/8 7/11 7/12 7/15 7/25 7/26 7/31 23/12 41/32 41/33 47/28 agendas [1] 46/28 agendized [1] 48/1 ago [1] 9/39 agreement [7] 40/2 40/3 40/7 40/8 40/13 41/6 41/10 Airport [4] 6/2 24/24 24/27 47/37 all of [1] 47/13 ALLAN [2] 1/9 45/34 Allegiance [2] 1/28 1/32 allow [1] 46/13 ALLOWED [1] 50/19 along [3] 2/33 17/13 40/30 always [13] 18/10 30/7 30/29 31/1 31/13 31/16 34/25 37/13 37/17 37/18 37/26 37/27 40/15 amazed [1] 30/29 ambulances [1] 2/19 amount [3] 24/27 38/1 40/32 ancestors [1] 5/22 ANCHO [1] 1/11 annual [1] 3/13 Application [3] 16/27 17/5 18/26 approach [1] 35/15 approval [18] 7/15 7/16 7/17 7/17 7/18 7/19 7/20 7/21 7/22 7/23 7/25 7/28 7/30 8/5 10/5 12/13 17/12 17/15 approve [30] 8/14 8/22 8/23 10/7 10/40 11/14 11/26 11/40 12/20 12/25 14/39 15/24 15/29 15/40 16/17 16/25 16/28 16/34 17/3 17/6 18/22 38/6 38/23 38/29 39/21 40/3 40/8 41/5 41/11 41/12 approve the [1] 39/21 approve/disapprove [6] 12/20 15/24 16/17 16/25 16/28 17/3 approved [2] 33/27 38/4 area [6] 3/28 5/17 33/23 43/18 43/30 44/19 areas [1] 18/8 Argen [1] 39/23 ARGENTA [19] 25/10 25/11 25/15 25/17 25/21 25/31 27/9 27/10 29/39 31/29 32/30 33/18 33/21 36/18 36/19 38/23</p>	<p>38/28 38/29 38/40 Army [2] 6/15 6/16 arrested [1] 29/14 arrests [1] 28/20 ART [4] 1/8 3/9 32/34 38/10 Aruba [1] 36/33 assessment [8] 28/6 28/16 28/24 29/8 29/10 29/20 31/27 34/11 assessor [5] 12/19 12/24 12/29 13/40 15/23 assuming [1] 17/21 attacked [1] 2/35 attempt [1] 37/10 attempting [1] 18/1 attend [5] 2/13 2/17 3/17 6/32 48/7 attended [4] 2/14 5/35 5/36 40/17 attention [1] 19/15 attorney [2] 1/14 26/6 Attorney's [1] 12/36 AUDIO [2] 50/11 50/19 AUDIO/VIDEO [2] 50/11 50/19 auditors [1] 6/5 August [2] 7/19 7/26 Austin [16] 1/18 1/24 3/13 4/37 5/4 5/9 5/38 9/29 9/39 22/1 24/27 27/2 27/3 27/5 47/37 49/40 authorize [4] 15/3 15/4 16/4 18/24 automatically [4] 19/18 20/2 20/36 37/16 available [4] 7/13 7/14 27/6 35/8 aware [2] 23/1 23/18 away [1] 34/3 Aye [69]</p> <hr/> <p>B</p> <p>background [2] 28/23 40/9 backup [7] 33/19 33/23 34/19 37/32 37/38 38/2 38/7 bailiff [41] 25/11 25/16 25/31 25/32 26/19 26/23 26/36 27/6 27/14 27/31 28/11 29/8 29/10 30/10 31/14 31/16 31/16 31/17 32/30 33/19 33/23 33/28 33/38 33/40 33/40 34/1 34/4 34/9 34/25 34/28 34/32 35/31 36/17 36/33 37/32 37/38 38/1 38/7 38/26 38/32 39/23 bailiffs [5] 29/33 30/13 30/19 31/9 31/11 Bakker [1] 25/22 balance [1] 24/16 Barela [3] 29/31 33/10 47/17 Battle [16] 1/3 1/24 3/27 4/37 6/2 16/16 16/17 16/21 16/22 16/33 16/35 16/38 16/40 18/23 24/24 49/40 beautiful [1] 5/28 behind [1] 5/11 believe [7] 14/9 19/2 22/8 22/19 25/23 25/37 47/35 benefit [2] 21/8 32/24 benefits [3] 4/32 25/13 25/18 Benson [2] 24/9 33/11 best [1] 14/1 better [3] 12/40 14/2 32/16 big [3] 18/7 19/3 46/20 bill [5] 3/40 4/27 4/30 4/31 6/15 bills [10] 2/29 4/24 4/34 7/23 7/29 8/5 8/22 8/24 9/2 12/14 Billy [2] 27/8 27/31 Bissett [1] 40/23 bit [6] 15/36 17/37 21/40 25/36 32/16 38/1 board [20] 1/1 1/24 1/24 2/27 3/18 3/31 4/38 6/32 6/34 6/35 7/8 7/10 40/28 48/8 48/9 48/10 49/20 49/22 49/39 49/39 boards [1] 3/34 boat [1] 27/22 Bobby [2] 8/7 10/22 body [1] 2/2 book [1] 29/37</p>
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<p>B</p> <p>break [3] 1/40 39/38 39/40 breathe [1] 28/31 bring [4] 21/34 22/13 36/37 41/37 Broad [4] 16/20 16/24 16/37 17/2 broadband [1] 5/17 Brooks [2] 8/7 10/22 brought [3] 19/15 37/37 46/23 BRYAN [10] 1/10 3/7 8/13 8/26 10/9 11/1 11/28 21/16 38/10 39/26 Bryan's [1] 11/38 bu [1] 42/28 bucks [1] 34/17 budget [9] 25/29 26/8 26/21 33/19 33/22 34/15 40/16 40/21 40/34 budget's [1] 40/34 budgeted [3] 21/28 21/31 36/26 building [7] 1/3 23/23 32/11 38/25 38/31 39/22 42/24 bunch [1] 2/31 busi [1] 42/30 business [3] 42/30 42/35 42/37 bylaws [1] 3/15</p>	<p>citizens [1] 1/22 Civ [1] 17/1 Civic [5] 16/21 16/24 16/38 17/2 18/9 clarification [1] 45/9 clarified [1] 37/37 clarify [1] 41/19 CLARK [2] 1/8 22/19 class [6] 19/18 19/26 19/31 19/31 19/32 19/33 class-action [2] 19/18 19/26 classes [3] 2/15 2/16 2/24 classic [1] 19/31 cleaned [2] 2/32 46/25 clearer [1] 21/11 clerk [6] 1/13 26/11 31/7 31/35 49/26 50/17 Clerk's [1] 7/13 clerks [1] 26/34 closed [1] 6/14 co [1] 35/12 code [1] 43/17 codes [2] 42/24 46/17 collected [2] 40/15 40/33 combined [1] 2/2 comment [27] 6/27 6/29 6/34 6/37 6/39 6/40 7/37 8/29 10/12 10/20 11/5 11/31 12/5 16/8 18/31 21/18 32/38 38/13 38/20 39/28 41/20 48/1 48/4 48/9 48/12 48/14 48/15 comments [10] 6/31 6/32 6/33 6/36 32/4 32/21 48/6 48/7 48/8 48/11 Commerce [6] 3/13 16/16 16/17 16/34 16/35 18/23 commission [7] 1/2 16/25 17/2 21/35 22/25 23/36 26/39 commissioner [12] 1/7 1/8 1/9 1/10 1/11 2/6 17/17 22/19 26/11 42/5 43/32 45/34 commissioners [17] 1/1 1/18 1/21 1/25 1/40 6/8 7/9 12/17 17/20 19/9 19/12 21/27 22/24 33/8 40/26 49/21 49/39 commissioners' [2] 1/23 2/8 committee [7] 3/38 4/2 4/6 4/9 21/28 21/31 23/22 community [2] 2/31 2/40 community's [1] 26/37 companion [1] 4/30 compared [2] 24/19 24/21 complete [1] 22/40 completed [1] 42/39 completely [1] 12/36 concern [2] 34/30 35/11 conditions [1] 28/29 conference [8] 2/13 5/35 9/3 9/8 9/12 9/19 9/31 9/38 confirm [1] 29/11 congestion [2] 18/16 18/17 connect [1] 3/21 connected [1] 5/22 consent [7] 7/2 7/5 7/7 7/11 7/12 7/25 7/30 consider [1] 3/33 consideration [1] 2/2 considered [2] 7/8 40/21 contain [1] 22/17 contained [4] 43/30 44/22 45/14 45/15 continuing [1] 3/16 contract [13] 12/20 12/26 13/26 14/10 14/17 14/40 15/24 15/30 15/32 16/1 29/26 29/29 34/30 contract's [1] 12/35 contracted [1] 34/7 contractor [1] 5/15 contractual [1] 29/24 cop [1] 31/15 copies [1] 7/14 cops [1] 31/38 copy [1] 23/6</p>
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