

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 December 5, 2019, at 8:57 a.m.  
5 Transcript produced by Tiffany Elkington, C.C.R., #930.  
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**  
8 **ART CLARK III, COMMISSIONER**  
9 **JUDIE ALLAN, COMMISSIONER**  
10 **BRYAN SPARKS, COMMISSIONER**  
11 **KATHLEEN ANCHO, COMMISSIONER**  
12 **KEITH WESTENGARD, COUNTY MANAGER**  
13 **SADIE SULLIVAN, COUNTY CLERK**  
14 **THEODORE HERRERA, DISTRICT ATTORNEY**  
15  
16

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

21 CHAIRMAN WAITS: Okay. Our time has arrived.

22 And we will call to order the Lander County Commissioners'  
23 meeting, Town Board of Battle Mountain and Austin, board of  
24 County Highway Commissioners for December 5, 2019.

25 And we welcome you all to our meeting this morning.

26 We are going to start with our Pledge of Allegiance. If  
27 you all would stand in salute of our flag with us.  
28

29 (Pledge of Allegiance)  
30

31 CHAIRMAN WAITS: Thank you. And now if you'll join us in a  
32 moment of silence, please.  
33

34 (Moment of silence)  
35

36 CHAIRMAN WAITS: Thank you, all.

37 Lander County Commissioners may break for lunch from  
38 12:00 p.m. to 1:15 p.m. Any agenda item may be taken out of order,  
39 may be combined for consideration by the public body, and items may  
40 be pulled or removed from the agenda at any time.

1 **COMMISSIONER REPORTS**

2  
3 CHAIRMAN WAITS: Commissioners' reports on meetings,  
4 conferences, and seminars attended.

5 And Commissioner Clark, I'll start with you. Have anything  
6 to report for us?

7 COMMISSIONER CLARK: No. I don't have any meetings.

8 CHAIRMAN WAITS: Okay.

9 COMMISSIONER SPARKS: No report.

10 CHAIRMAN WAITS: No report, Bryan?

11 Kathy?

12 COMMISSIONER ANCHO: Attended the Battle Mountain General  
13 Hospital special meeting last night. And they ended up closing  
14 the Kingston Clinic on January 1st of 2020. So that's --

15 CHAIRMAN WAITS: Thank you.

16 Commissioner Allan?

17 COMMISSIONER ALLAN: I don't have any.

18 CHAIRMAN WAITS: Thank you.

19 I do have just a couple of things.

20 I did attend the Austin Chamber meeting, which was on the  
21 2nd of December. They're getting ready for our nativity, which  
22 actually is next Tuesday at 5:30. It's our live nativity that  
23 we do every year and -- and celebrate with hot chocolate and  
24 cookies and such. So that's our big festivity.

25 Yesterday, on the 4th, I did have a Justice and Public  
26 Safety meeting, a teleconference meeting.

27 I had reported last time, actually, on the Recovery  
28 Disaster Act. And that -- that was passed by the House. It's  
29 been sitting in the Senate for some time. But, hopefully, they  
30 will take some action and it will be housed in an agency that  
31 can handle it, because one of the things that's been the big  
32 concern of NACo is the Recovery Act, for any kind of disaster,  
33 takes forever to roll out the funds. I mean, sometimes up to  
34 two to three years. And -- and that's just really unacceptable  
35 for -- for the public and for the people that are in these types  
36 of disasters.

37 So it's sitting in the Senate. And we have that amendment  
38 to it, hoping it will go through so they can, as I said, house  
39 it with an agency that can roll out the funds rather quickly.

40 So that's the main one we're looking at.

1           Also had a LEDA meeting yesterday. And I did want to  
2 report that, in case you did not know, the governor has  
3 appointed the new director, our new GOED director. And that is  
4 Mike Brown, who has a -- a good history in -- in rural  
5 information too. So hopefully that will work out well.

6           The -- the LEDA committee was very concerned about things  
7 coming up on their new projects and what they were going to put  
8 before us with the budget. So they're working very hard on --  
9 on that to bring us a lot more information.

10          So that's all I have.

11  
12  
13       **STAFF REPORTS**

14  
15          CHAIRMAN WAITS: We'll go to staff reports, our County  
16 Manager Keith.

17          KEITH WESTENGARD: So the biggest thing -- or one of the  
18 biggest things that -- that took place over the last several  
19 months was our audit. And our audit was complete. And we  
20 are -- have done quite -- quite a bit better than we did in --  
21 in past years.

22          We still have some things that we're going to be cleaning  
23 up. There'll be some new policy coming forth to the board to  
24 adopt some recommended policy -- to adopt and move forward with  
25 regarding our credit cards. We need -- we need to come up with  
26 a solid policy on our credit cards and how they're used and --  
27 and tracked and then so forth of that.

28          The other things that were discussed, bank reconciliations  
29 and -- and some water/sewer payments and so forth.

30          We have already had a meeting -- myself, Sadie, Cindy. We  
31 all sat down and -- and Justi, and we discussed wh- -- how we  
32 would better these things for the future.

33          So that will all be coming to you. Probably next meeting  
34 is our -- will be our audit report from our auditors.

35          We have a meeting next week -- myself and Public Works,  
36 Bert -- have a meeting with the Department of Transportation  
37 regarding the Highway 50 project.

38          They're looking for some -- some easements or some  
39 permission to pass through some easements when they do that --  
40 that project in the south.

1 Monday, I'll be attending the tax commission meeting  
2 regarding our -- our tax waiver, our SSCRT tax waiver.

3 We just did receive the attorney general opinion on whether  
4 we can or cannot apply. And I've asked -- I just gave it to Ted  
5 literally ten minutes ago to -- to review.

6 But bottom line is the tax commission is going to tell us  
7 whether we can or cannot -- cannot continue with our tax waiver.

8 So we'll know that Monday by probably about 11:00 o'clock  
9 a.m.

10 Our airports continue to move forward, like I had brought  
11 up the last several meetings. We did get that additional  
12 \$2 million for GA, general aviation airports. We were the only  
13 airport -- Battle Mountain was the only airport in the state to  
14 receive that additional \$2 million.

15 We're looking at the expansion of the taxiways with that  
16 additional money to help out with our air tanker program.

17 Our lands bill. And Kyla's here. Our lands bill is  
18 finally close to being presented. Amodei will present it to  
19 the -- to the House. And Rosen will go to the Senate.

20 And that looks like it'll be the end of December or the  
21 first part of January.

22 So we will be -- our lands bill's moving forward. And  
23 hopefully that will pass through and -- and be adopted into law  
24 and really benefit Lander County.

25 One of the things that we did look at was the Austin  
26 Airport. Austin Airport is a BLM right now. It's a dirt  
27 runway. When -- and one of the things that we have discussed  
28 doing is once -- once the lands bill goes through and if -- if  
29 it's passed and -- and adopted into law, we will be able to  
30 apply for FAA grants for the Austin Airport, which will -- we'd  
31 be able to -- to pave it, which will give access to the air  
32 tankers, which will also give access to our medical transports,  
33 our fixed-wing transports.

34 And that's all I have. Thank you.

35 COMMISSIONER CLARK: Did we get any interest in PLUAC  
36 membership? Anybody come --

37 KEITH WESTENGARD: Has --

38 COMMISSIONER CLARK: -- by?

39 KEITH WESTENGARD: -- has -- have you received anything on  
40 -- on the public lands committees?

1 KARINA CORTES: (Off microphone) No, not yet.  
2 KEITH WESTENGARD: All right.  
3 It's --  
4 KARINA CORTES: (Off microphone) It's always --  
5 KEITH WESTENGARD: -- adver- --  
6 KARINA CORTES: (Off microphone) -- so we --  
7 KEITH WESTENGARD: It's -- it's a continuous  
8 advertisement --  
9 COMMISSIONER CLARK: Yeah.  
10 KEITH WESTENGARD: -- that we do for the boards. It's  
11 in --  
12 COMMISSIONER CLARK: I --  
13 KEITH WESTENGARD: -- every --  
14 COMMISSIONER CLARK: -- I had --  
15 KEITH WESTENGARD: -- newspaper.  
16 COMMISSIONER CLARK: -- two people that said they were  
17 interested. But --  
18 Yeah.  
19 KARINA CORTES: (Off microphone) Yeah. We haven't gotten  
20 any letters yet. So --  
21 COMMISSIONER CLARK: Okay.  
22 KARINA CORTES: (Off microphone) I mean, we can --  
23 CHAIRMAN WAITS: You need to --  
24 KARINA CORTES: (Off microphone) -- always --  
25 CHAIRMAN WAITS: -- identify yourself, Karina, --  
26 KARINA CORTES: (Off microphone) Oh.  
27 CHAIRMAN WAITS: -- please.  
28 KARINA CORTES: (Off microphone) Karina.  
29 If they want to email it to me too. Some people don't know  
30 they can email it so they don't have to come down. They can  
31 email it to me too or to the Clerk's Office and we can go ahead  
32 and get it for them.  
33 COMMISSIONER CLARK: Okay.  
34 KEITH WESTENGARD: Thank you.  
35 CHAIRMAN WAITS: Thank you.  
36  
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1     **PUBLIC COMMENT**

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

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

13           Any public comment?

14           Please come on up.

15           JERRY ANNIS: Thank you. My name is Jerry Annis.

16           You might recall that last year you appointed me as your  
17 representative to the Lander County Conservation District.

18           You haven't seen much of me since, due to my work schedule.

19           I have, however, changed that work schedule specifically so  
20 that I can be more of a -- a presence here.

21           Give you a real quick update.

22           Number one, the Lander County Conservation District was  
23 recently awarded the conservation district -- State Conservation  
24 District of the Year.

25           The plaque that we have is -- should be sitting in Shannon  
26 Berumen's office. She's the keeper at -- at this time.

27           Also want to let you know that we -- we continue to be very  
28 appreciative of the support and -- and funding that -- that the  
29 county commissioners provide to us. And that's a big part of  
30 how -- why we received that award.

31           One -- one of the things that we are doing now -- we  
32 started this year -- is every other month we have a -- for lack  
33 of a better term -- an informational meeting.

34           We don't -- we conduct as little business as possible and  
35 try to bring in speakers that are relevant to our -- to our  
36 goals.

37           This next Tuesday is our next informational meeting,  
38 Tuesday the 10th at 5:30.

39           And we'll have a one-hour presentation by the sage- --  
40 sagebrush ecosystem technical team, which is in the process of

1 putting together the two thousand and -- or 2020 sage-grouse  
2 plan.

3 And so we're looking for a real good attendance.

4 Any of you that might be interested -- only take the --  
5 it'll only take an hour -- please -- please join us at the  
6 extension office.

7 With that, do you have any questions for the CD? Happy to  
8 answer, otherwise I probably almost used up my three minutes.

9 COMMISSIONER CLARK: Thank you --

10 COMMISSIONER SPARKS: Thanks, Jerry.

11 COMMISSIONER CLARK: -- for --

12 COMMISSIONER SPARKS: Congratulations --

13 COMMISSIONER CLARK: Yeah.

14 COMMISSIONER SPARKS: -- on your award.

15 CHAIRMAN WAITS: Thank --

16 COMMISSIONER CLARK: That's --

17 CHAIRMAN WAITS: -- you.

18 COMMISSIONER CLARK: -- that's outstanding. Thanks for  
19 volunteering.

20 JERRY ANNIS: Yeah. Thank you.

21 CHAIRMAN WAITS: We -- we appreciate you coming to give us  
22 the update. And thanks for --

23 JERRY ANNIS: Thank you.

24 CHAIRMAN WAITS: -- your dedication.

25 JERRY ANNIS: Yeah. It -- feel free to contact me any time  
26 if you have any questions.

27 CHAIRMAN WAITS: Thank you.

28 COMMISSIONER ANCHO: Thank you.

29 COMMISSIONER ALLAN: Thank you, Jerry.

30 CHAIRMAN WAITS: Any other public comment?

31 (No comment.)  
32  
33

#### 34 **CONSENT AGENDA**

35  
36 CHAIRMAN WAITS: Okay. We will move to the consent agenda.

37 All matters listed under the consent agenda are considered  
38 routine, may be acted upon by the Board of County Commissioners  
39 with one action, without extensive discussion. Any member of  
40 the board or any citizen may request that an item be taken from

1 the consent agenda, discussed, and acted upon separately during  
2 this meeting. Consent agenda materials are available at the  
3 Lander County Clerk's Office for viewing, and copies are  
4 available for a nominal charge.

5 Number 1 is approval of December 5, 2019, agenda notice  
6 Number; --

7 DISTRICT ATTORNEY HERRERA: If this --

8 CHAIRMAN WAITS: -- Number --

9 DISTRICT ATTORNEY HERRERA: -- could --

10 CHAIRMAN WAITS: -- 2.

11 DISTRICT ATTORNEY HERRERA: -- turn to --

12 CHAIRMAN WAITS: -- approval of May 23, 2019, meeting  
13 minutes; Number -- did I say Number 2? Oh. Okay. Number 3,  
14 approval of June 27, 2019, meeting minutes; Number 4, approval  
15 of July 11, 2019, meeting minutes; Number 5, approval of July  
16 25, 2019, meeting minutes; Number 6, approval of October 10,  
17 2019, meeting minutes; Number 7, approval of October 24, 2019,  
18 meeting minutes; Number 8, approval of November 7, 2019, meeting  
19 minutes; and Number 9, approval of November 25, 2019, special  
20 meeting minutes, and Number 10, approval of payment of bills.

21 We did receive the June 27th meeting minutes, if anybody  
22 has anything on that one. Otherwise, I do need to pull out the  
23 payment of bills. We need to do that separately.

24 So I'm looking for an approval for Number 1 on the agenda  
25 notice and Number 3 for the June 25th -- June 27th meeting  
26 minutes.

27 COMMISSIONER SPARKS: So moved.

28 COMMISSIONER ANCHO: I'll second.

29 CHAIRMAN WAITS: Thank you. Bryan made the motion. Kathy  
30 seconded.

31 Any other discussion?

32 (No comment.)

33 CHAIRMAN WAITS: All in favor?

34 COMMISSIONER CLARK: Aye.

35 COMMISSIONER ANCHO: Aye.

36 COMMISSIONER SPARKS: Aye.

37 COMMISSIONER ALLAN: Aye.

38 CHAIRMAN WAITS: Aye.

39 Thank you.

40 Okay. Moving to the payment of bills. We need to pull out



1 a few checks.  
2 Art, did you have anything to pull out this time?  
3 COMMISSIONER CLARK: I don't think so.  
4 CHAIRMAN WAITS: No? Okay.  
5 Bryan is pulling out Check #205702, 205777. We'll pull  
6 that one.  
7 For Judie, we pull out #205759.  
8 And for me, we pull out 205775.  
9 So if I could have an approval on the rest of the bills.  
10 COMMISSIONER ANCHO: So moved.  
11 COMMISSIONER SPARKS: Second.  
12 CHAIRMAN WAITS: Thank you. Kathy made the motion. Bryan  
13 seconded.  
14 All those in favor?  
15 COMMISSIONER ANCHO: Aye.  
16 COMMISSIONER SPARKS: Aye.  
17 CHAIRMAN WAITS: Aye.  
18 COMMISSIONER ALLAN: Aye.  
19 COMMISSIONER CLARK: Aye.  
20 CHAIRMAN WAITS: Thank you.  
21 Okay. We'll take Commissioner Allan's first. If I could  
22 have a motion to approve Check #205759.  
23 COMMISSIONER SPARKS: So moved.  
24 COMMISSIONER ANCHO: Second.  
25 CHAIRMAN WAITS: Thank you. Bryan made the motion. Kathy  
26 seconded it.  
27 All in favor?  
28 COMMISSIONER SPARKS: Aye.  
29 COMMISSIONER ANCHO: Aye.  
30 COMMISSIONER CLARK: Aye.  
31 CHAIRMAN WAITS: Aye.  
32 COMMISSIONER ALLAN: I abstain.  
33 CHAIRMAN WAITS: Thank you. Judie abstains.  
34 And that passes.  
35 My check is #205775.  
36 COMMISSIONER ANCHO: So moved.  
37 COMMISSIONER SPARKS: Second.  
38 CHAIRMAN WAITS: Thank you. Kathy made the motion. Bryan  
39 seconded.  
40 All those in favor?

1 COMMISSIONER SPARKS: Aye.  
2 COMMISSIONER CLARK: Aye.  
3 COMMISSIONER ANCHO: Aye.  
4 COMMISSIONER ALLAN: Aye.  
5 CHAIRMAN WAITS: Thank you. And I abstain.  
6 And Bryan's check is 205702 and 205777.  
7 COMMISSIONER ANCHO: So moved.  
8 CHAIRMAN WAITS: Kathy, you made the motion?  
9 COMMISSIONER ANCHO: Uh-huh. I did.  
10 COMMISSIONER ALLAN: I'll second.  
11 CHAIRMAN WAITS: Thank you, Judie. All those --  
12 COMMISSIONER SPARKS: I --  
13 CHAIRMAN WAITS: -- in favor?  
14 COMMISSIONER CLARK: Aye.  
15 CHAIRMAN WAITS: Aye.  
16 COMMISSIONER ANCHO: Aye.  
17 COMMISSIONER ALLAN: Aye.  
18 COMMISSIONER SPARKS: I abstain.  
19 CHAIRMAN WAITS: Thank you. And you're abstaining  
20 because...  
21 COMMISSIONER SPARKS: That -- are made to my employer.  
22 CHAIRMAN WAITS: Thank you. And that takes care of all of  
23 our bills.

24  
25  
26 **COMMISSIONERS**

27  
28 1) 9:10 a.m.

29 **PUBLIC HEARING: For discussion and possible action to**  
30 **approve/disapprove the adoption of Ordinance 2019-01 amending**  
31 **Title 15, Chapter 12 of the Lander County Code by repeal and**  
32 **amendment, to adopt the latest building codes and provide**  
33 **simpler updating thereof.**

34  
35 CHAIRMAN WAITS: Moving on to our commissioners' section.  
36 It is 9:10. We're going to do a public hearing.

37 This is for discussion and possible action to approve or  
38 disapprove the adoption of Ordinance 2019-01, amending Title 15,  
39 Chapter 12 of the Lander County Code by repeal and amendment, to  
40 adopt the latest building codes and provide simpler updating

1       thereof.

2           KEITH WESTENGARD: Commissioner, we need to table this  
3 until the 19th. We had some advertising issues that put us  
4 eight days instead of the required 10.

5           Has to do with the way our -- the -- the newspaper  
6 publishes on the holidays.

7           So what we've done to prevent this or to -- to fix this, we  
8 actually have had a call in to the Attorney General's Office  
9 regarding advertising.

10          And we are able to advertise in the *Reno Gazette Journal*.  
11 It is a circulation that's in -- within the county.

12          So it is now in the *Reno Gazette Journal* to meet the  
13 ten-day requirement for advertising.

14          So we did have to put this off.

15          CHAIRMAN WAITS: Okay.

16          With that, does that fall under our next public hearing  
17 too?

18          KEITH WESTENGARD: Yes. And -- and we -- we've dis- --  
19 I've discussed it with the District Attorney so we should be  
20 fine there.

21          DISTRICT ATTORNEY HERRERA: No. It -- it doesn't fall  
22 under the next one if you're referring to Number 2?

23          KEITH WESTENGARD: What -- what --

24          CHAIRMAN WAITS: Number 2 we --

25          KEITH WESTENGARD: -- number?

26          CHAIRMAN WAITS: -- can go on with?

27          DISTRICT ATTORNEY HERRERA: Yes.

28          KEITH WESTENGARD: Yes. Oh, yes. I'm sorry. I'm s- --  
29 yes.

30          CHAIRMAN WAITS: Okay.

31          KEITH WESTENGARD: I --

32          CHAIRMAN WAITS: So we are --

33          KEITH WESTENGARD: -- misunderstood.

34          CHAIRMAN WAITS: -- tabling Number 1?

35          DISTRICT ATTORNEY HERRERA: See Number --

36          CHAIRMAN WAITS: Okay.

37          DISTRICT ATTORNEY HERRERA: -- 2 is not an ordinance,  
38 Commissioner.

39          CHAIRMAN WAITS: Okay.

40          DISTRICT ATTORNEY HERRERA: So it doesn't require the

1 ten days.

2 CHAIRMAN WAITS: Got it.

3 DISTRICT ATTORNEY HERRERA: It -- it only requires  
4 three days under the open meeting laws.

5 CHAIRMAN WAITS: Okay.

6 KEITH WESTENGARD: But back to Number 1, we will meet our  
7 deadline for the ISO, the first week of January and --

8 CHAIRMAN WAITS: That was --

9 KEITH WESTENGARD: -- beyond --

10 CHAIRMAN WAITS: -- postponed till the first of January for  
11 us?

12 KEITH WESTENGARD: Yes. Yes, it was.  
13 They gave -- they gave Anna a -- an extension till the  
14 first week of July.

15 And it is in the *Reno Gazette Journal*; correct, Sadie? You  
16 did get in?

17 So it is in with plenty of -- in excess of ten days. So...  
18 And it's also in the Elko and *The Bugle* papers.

19 CHAIRMAN WAITS: Okay.

20 KEITH WESTENGARD: Thank you.

21 CHAIRMAN WAITS: Thank you.

22 For Number 2, that public hearing is at 9:30. So I'm going  
23 to pass that right now. We'll come back to that at -- on a time  
24 that it was scheduled. And we'll move to Number 3.

25

26 3) **COMMISSIONERS: For possible action to approve/disapprove use**  
27 **of the old jail to the Battle Mountain Sober Seniors for a**  
28 **gift wrapping and storage fundraiser on the weekends through**  
29 **Christmas Eve and to request that water and heat is provided**  
30 **during that time.**

31

32 CHAIRMAN WAITS: Commissioners. For possible action to  
33 approve or disapprove use of the old jail to the Battle Mountain  
34 Sober Seniors for a gift wrapping and storage fundraiser on the  
35 weekends through Christmas Eve and to request that the water and  
36 the heat is provided during that time.

37 COMMISSIONER CLARK: I don't see any problem with doing  
38 this.

39 CHAIRMAN WAITS: Okay. We have verified the -- the  
40 electricity.

1 KEITH WESTENGARD: Yes.  
2 CHAIRMAN WAITS: Actually, the power is on.  
3 KEITH WESTENGARD: Yep.  
4 CHAIRMAN WAITS: So all we're --  
5 KEITH WESTENGARD: Right.  
6 CHAIRMAN WAITS: -- concerned about is to -- is a motion to  
7 turn on the water and heat and -- and let them use the jail?  
8 KEITH WESTENGARD: Correct.  
9 CHAIRMAN WAITS: Thank you.  
10 COMMISSIONER CLARK: Well --  
11 COMMISSIONER SPARKS: I'll make a motion we approve.  
12 COMMISSIONER CLARK: Yeah. I'll second that.  
13 CHAIRMAN WAITS: Okay. Bryan made the motion. Art  
14 seconded it.  
15 Any other discussion?  
16 (No comment.)  
17 CHAIRMAN WAITS: All those in favor?  
18 COMMISSIONER SPARKS: Aye.  
19 COMMISSIONER ANCHO: Aye.  
20 COMMISSIONER CLARK: Aye.  
21 CHAIRMAN WAITS: Aye.  
22 Thank you.  
23  
24 4) **UNIVERSITY OF NEVADA COOPERATIVE EXTENSION: For possible**  
25 **action to approve/disapprove the budget carryover spend-down**  
26 **plan as presented by Holly Gatzke of the University of Nevada**  
27 **Reno Extension.**  
28  
29 CHAIRMAN WAITS: Number 4. University of Nevada  
30 Cooperative Extension.  
31 For possible action to approve or disapprove the budget  
32 carryover spend-down plan as presented by Holly Gatzke of the  
33 University of Nevada Reno Extension.  
34 Here she is. Good morning, Holly.  
35 HOLLY GATZKE: Good morning. Holly -- Holly Gatzke, for  
36 the rec- -- record. Cooperative Extension area director.  
37 It is -- a few -- a couple years ago they passed a  
38 requirement for us to have an audit to make sure that we're  
39 spending county monies properly.  
40 And with that, NSHE passed a motion regarding that they

1 wanted to have some idea of how much carryover was -- was put  
2 into counties.

3 Several counties have actually gotten a little too high in  
4 numbers. And so there was a discomfort with it.

5 They indicated, just as a general rule, 10 percent  
6 carryover for counties unless the counties themselves decide  
7 something differently, which is why I'm here.

8 Being that, you know, Lander County is a bit of a boom-bust  
9 risk depending on how mining's going, 10 percent isn't much of a  
10 carryover in case something happens in -- in the changes in tax  
11 income and such and there- -- therefore impacting the extension  
12 budget.

13 So I wanted to bring forward to you the opportunity for you  
14 all to decide what you would like for a carryover and have it  
15 recorded so that we can say that we're following what the county  
16 wants to do for carryover with your funds.

17 So I proposed and just put a draft out there. I did talk  
18 to Pat and I didn't get the chance to talk to you, Kathy. But I  
19 was hoping to get feedback of whether -- of what would be  
20 comfortable and whether we could get an agreement between us so  
21 that we can plan our budgets going forward.

22 We do have a little more carryover than normal simply  
23 because we've had the extension educator position empty. And --  
24 and that makes it a little harder for the staff to spend out  
25 money. And we want it spent well, not just frivolously, of  
26 course.

27 So if I could get some feedback of the thoughts of what  
28 I've put forward and whether there's a comfort with that type of  
29 discussion. What I've proposed is one year's of expenses being  
30 a maximum amount of carryover.

31 And then if there is any extra beyond that, which we do  
32 have a bit right now, that that would be spent out in  
33 programming in the next five years.

34 And that would actually be excellent right now because we  
35 could bring a new person in -- and I will talk about that in a  
36 bit when -- when we get this done -- and they would have some  
37 money to start up some new programs, which I think is really  
38 needed in -- in Lander County.

39 COMMISSIONER SPARKS: Where we're -- first off was talking  
40 about vegetar- -- I have nothing in my pack that shows their

1 budget, what's spent, so I can make an intelligent decision.  
2 So...

3 COMMISSIONER CLARK: Yeah. I -- my comment too.  
4 CHAIRMAN WAITS: Do we have the amount of carryover?  
5 COMMISSIONER ANCHO: We have nothing.  
6 HOLLY GATZKE: It -- it should have been in that document  
7 that was proposed.  
8 COMMISSIONER SPARKS: I have no document.  
9 COMMISSIONER ANCHO: I have no document.  
10 KEITH WESTENGARD: I -- I -- I -- all I -- I actually  
11 have -- the request I have was actually filled out by Shannon  
12 because we didn't get anything from you, I think.  
13 HOLLY GATZKE: Oh, really? Because it --  
14 KARINA CORTES: Yeah.  
15 HOLLY GATZKE: -- was --  
16 KEITH WESTENGARD: Yeah?  
17 KARINA CORTES: We didn't get anything else.  
18 KEITH WESTENGARD: We didn't --  
19 HOLLY GATZKE: My apologies because I had a document ready  
20 and sent forward, I believed. And so somehow --  
21 KEITH WESTENGARD: Did you send --  
22 HOLLY GATZKE: -- there's a dis- --  
23 KEITH WESTENGARD: -- it to me? Or who did you send it to?  
24 Because I don't have anything from you, Holly. I --  
25 HOLLY GATZKE: Yes.  
26 KEITH WESTENGARD: -- I really --  
27 HOLLY GATZKE: Okay.  
28 KEITH WESTENGARD: -- don't.  
29 HOLLY GATZKE: No, no, no.  
30 KEITH WESTENGARD: And I was thinking --  
31 HOLLY GATZKE: They're --  
32 KEITH WESTENGARD: When you were saying that, I'm thinking,  
33 we never got anything.  
34 HOLLY GATZKE: There --  
35 KEITH WESTENGARD: I hope --  
36 HOLLY GATZKE: -- there --  
37 KEITH WESTENGARD: -- you gave --  
38 HOLLY GATZKE: -- was a --  
39 KEITH WESTENGARD: -- it to --  
40 HOLLY GATZKE: -- disconnect between people, then. And --

1 and I -- I'm going to take blame for that out of my -- my  
2 office.

3 It should have come to you -- a document -- a proposed  
4 document and in that had proposed carryover and everything.

5 And I have to admit, I tried to just pull it up on my  
6 computer. And it's --

7 KEITH WESTENGARD: Okay.

8 HOLLY GATZKE: Yeah.

9 KEITH WESTENGARD: All right. Good.

10 HOLLY GATZKE: So I do have something. But my apologies.

11 CHAIRMAN WAITS: Yeah.

12 HOLLY GATZKE: What I could do is we could decide a comfort  
13 level. So I -- I believe it was around 90,000 was one year's  
14 expenses. And I think you're sitting at about a hundred and  
15 fifty or sixty thousand carryover right now.

16 COMMISSIONER SPARKS: And what's the -- what -- so  
17 10 percent, we would -- we'd be talking 15-, 20,000?

18 HOLLY GATZKE: Ten percent would only be about 8-, 9,000.

19 COMMISSIONER SPARKS: Eight or nine thousand?

20 HOLLY GATZKE: And -- and there's where I feel very  
21 uncomfortable.

22 CHAIRMAN WAITS: Well, the other thing is -- is -- is on --  
23 on the tax roll. I mean, we have a set amount that's put aside  
24 for cooperative --

25 COMMISSIONER SPARKS: Right.

26 CHAIRMAN WAITS: -- extension --

27 HOLLY GATZKE: Right.

28 COMMISSIONER SPARKS: Exactly.

29 CHAIRMAN WAITS: -- that is theirs.

30 And I think you're looking at -- what? -- a new vehicle  
31 also --

32 HOLLY GATZKE: Yes.

33 CHAIRMAN WAITS: -- when we get a new extension educator.

34 HOLLY GATZKE: You know, possibly, needing --

35 CHAIRMAN WAITS: So...

36 HOLLY GATZKE: -- you know --

37 CHAIRMAN WAITS: Yeah. I'm -- I'd be comfortable for  
38 rolling over the whole amount, but --

39 COMMISSIONER SPARKS: Well, I'd -- I'd prefer to have all  
40 the documentation so I can make an informed decision.



1 COMMISSIONER ANCHO: Me too. I would like -- and I have --  
2 for in the future that if it -- we don't have this information  
3 by the time that we set the agenda, then we don't put it on  
4 there just for this happening because things get forgotten. We  
5 sit here like this.  
6 HOLLY GATZKE: Yeah. My -- my apologies. I thought it was  
7 in. So...  
8 COMMISSIONER CLARK: I'll support Kathy and -- and Bryan.  
9 CHAIRMAN WAITS: Okay. So we will defer this. Can we get  
10 it on for the 19th?  
11 KEITH WESTENGARD: We -- we can get it on. Sure. Would  
12 you make sure that I get that like --  
13 HOLLY GATZKE: Oh, most --  
14 KEITH WESTENGARD: -- today?  
15 HOLLY GATZKE: -- definitely. Yes. Yeah. No, --  
16 KEITH WESTENGARD: Okay.  
17 HOLLY GATZKE: -- we've got the document. I thought it  
18 had --  
19 KEITH WESTENGARD: Okay.  
20 HOLLY GATZKE: -- come through. So my apologies. Yes.  
21 Yeah. I can get -- I can get it --  
22 KEITH WESTENGARD: Okay.  
23 HOLLY GATZKE: -- to you right now.  
24 CHAIRMAN WAITS: Okay.  
25 HOLLY GATZKE: So...  
26 KEITH WESTENGARD: Oh, okay.  
27 HOLLY GATZKE: Yeah.  
28 KEITH WESTENGARD: That would be fine.  
29 HOLLY GATZKE: Right. Right.  
30 CHAIRMAN WAITS: I'm sorry. I hope you can. Okay.  
31 HOLLY GATZKE: My apologies. I will while I'm here -- and  
32 I don't know if I'll be able to come back on the 19th because I  
33 believe -- if my memory's right, on my calendar -- I will --  
34 CHAIRMAN WAITS: Perhaps --  
35 HOLLY GATZKE: -- be --  
36 CHAIRMAN WAITS: -- you could call --  
37 HOLLY GATZKE: -- booked.  
38 CHAIRMAN WAITS: -- in.  
39 HOLLY GATZKE: I could call in. So --  
40 COMMISSIONER ANCHO: Okay.

1 HOLLY GATZKE: -- if that's okay with --  
2 COMMISSIONER ANCHO: That's fine.  
3 HOLLY GATZKE: -- you all.  
4 The other thing is, is I do want to give you an update.  
5 We have been going through the hiring process. We really  
6 thought we had a candidate, in fact, an offer out. And it fell  
7 through. And then -- couldn't find housing that suited his  
8 needs.  
9 It was very disappointing, but we have re- -- relaunched  
10 moving forward to open it up and go again.  
11 I do say that we're looking at trying to find a broader  
12 spectrum of -- of applicants that are more -- I guess you would  
13 say -- practical.  
14 I don't know. We tended to get quite technical-thinking  
15 applicants. So we're relooking.  
16 And -- and I'm not just going to run it the same way as I  
17 did last time is what I'm saying. You don't do the same thing  
18 and expect a different result. We're going to try to change it  
19 up.  
20 I've talked to Pat about that, if you have ever any other  
21 feelings too. But I really -- what we're trying to do -- and  
22 the committee members have been excellent. They're volunteering  
23 their time. Local people are on the committee as well.  
24 And so we're going to try -- apply -- put more things in,  
25 in the application, information about population of the  
26 community and the expectation of them thinking about all of the  
27 extension areas: agriculture, natural resources, horticulture.  
28 But youth and family are important and nutrition and health.  
29 So we will be seeking for people to be a little more  
30 community minded is what we're aiming for.  
31 So I will just let you know -- my apologies. I can't tell  
32 you it isn't due to effort. We've been putting a lot of effort  
33 into it. But we're going to get it. And we're going to keep  
34 going until we get a good person for you on the ground. Okay?  
35 COMMISSIONER ANCHO: Very good. Thank you.  
36 COMMISSIONER CLARK: Thank you.  
37 COMMISSIONER ANCHO: And I'm sorry --  
38 COMMISSIONER SPARKS: Thanks, Holly.  
39 COMMISSIONER ANCHO: -- about the inconvenience for you.  
40 HOLLY GATZKE: Okay. No. Well, --

1 CHAIRMAN WAITS: Me too, Holly.  
2 HOLLY GATZKE: -- you know, obviously I think something  
3 might have slipped up in my office. So we'll make sure we get  
4 it right. So...  
5 COMMISSIONER ANCHO: Thank you.  
6 COMMISSIONER CLARK: Thanks --  
7 HOLLY GATZKE: Thank you.  
8 COMMISSIONER CLARK: -- for showing up because that means a  
9 lot.  
10 HOLLY GATZKE: Yes. Okay. Thank you.  
11 CHAIRMAN WAITS: We appreciate it.  
12  
13 5) **RECREATION CENTER: For possible action to approve/disapprove**  
14 **a free day to the public during the all-class reunion on**  
15 **July 25, 2020.**  
16  
17 CHAIRMAN WAITS: Okay. Number 5. Recreation center.  
18 For possible action to approve or disapprove a free day to  
19 the public during the all-class reunion on July 25, 2020.  
20 So --  
21 SEAN BAKKER: Good morning.  
22 CHAIRMAN WAITS: -- I think we have this --  
23 COMMISSIONER ANCHO: Yeah.  
24 UNIDENTIFIED PARTICIPANT: Everybody --  
25 CHAIRMAN WAITS: -- properly --  
26 UNIDENTIFIED PARTICIPANT: -- sees --  
27 CHAIRMAN WAITS: -- agendized.  
28 UNIDENTIFIED PARTICIPANT: -- you.  
29 SEAN BAKKER: Yes. Sean Bakker, for the record.  
30 We were here last meeting. And the all-class reunion  
31 decided they wanted -- or was asking for a free day for the  
32 all-class reunion, the people that were attending.  
33 And then from the direction of this board, you guys wanted  
34 it to be opened up to the community.  
35 So now we're back here with the proper agendize for -- I'm  
36 asking the rec center be free to the community July 25, 2020.  
37 COMMISSIONER SPARKS: So my only question on this is if --  
38 if we approve this, does it open the door for anybody that has  
39 any sort of party that wants to be able to use it type of a  
40 thing?

1 COMMISSIONER ANCHO: That day, you mean.  
2 COMMISSIONER SPARKS: No. I'm just saying for future use  
3 of the rec center is what I'm saying.  
4 COMMISSIONER ANCHO: Well, I think it would have to be on  
5 a -- a case-by-case basis, come in --  
6 COMMISSIONER SPARKS: That's what --  
7 COMMISSIONER ANCHO: -- come in --  
8 COMMISSIONER SPARKS: -- I'm saying.  
9 COMMISSIONER ANCHO: -- come in --  
10 COMMISSIONER SPARKS: If --  
11 COMMISSIONER ANCHO: -- front --  
12 COMMISSIONER SPARKS: -- if --  
13 COMMISSIONER ANCHO: -- of us.  
14 COMMISSIONER SPARKS: -- we do it on a case-and-case basis,  
15 if you approve one organization, would you not approve them all?  
16 I mean, you know, that's -- you're going to get into a  
17 thing that's kind of similar to the civic center. You know?  
18 COMMISSIONER ANCHO: Oh, I see. Yeah.  
19 SEAN BAKKER: Bryan.  
20 COMMISSIONER SPARKS: Yeah.  
21 SEAN BAKKER: And I think approving it for the whole  
22 community as a whole, you're not approving it to this committee.  
23 You're saying it's just open to the community of Lander County.  
24 COMMISSIONER SPARKS: So let's say if we have something  
25 come up in the future where somebody in the public wants to hold  
26 a party for something, we just make it any other community day  
27 for the whole community to use it?  
28 SEAN BAKKER: That -- that would be a possibility. Yeah.  
29 I would stay to --  
30 COMMISSIONER ANCHO: If it's something --  
31 SEAN BAKKER: -- that --  
32 COMMISSIONER ANCHO: -- like a --  
33 COMMISSIONER SPARKS: -- more so than it directing --  
34 singling out one committee. I agree.  
35 COMMISSIONER ALLAN: Well, the Fourth of July we have --  
36 it's open, free to the public.  
37 SEAN BAKKER: Right.  
38 COMMISSIONER ALLAN: So, I mean, there are certain --  
39 certain times. I don't think, you know, private parties are --  
40 as Sean said, this is -- this is open to the entire community.

1 So...

2 SEAN BAKKER: And private parties are usually handled  
3 in-house unless they're asking for it for free. But usually  
4 private parties pay per hour.

5 COMMISSIONER CLARK: Yeah.

6 COMMISSIONER ALLAN: I'll make a motion that we approve a  
7 free day to the public during the all-class reunion on  
8 July 25, 2020.

9 COMMISSIONER ANCHO: I'll second.

10 CHAIRMAN WAITS: Judie made the motion and Kathy seconded  
11 it.

12 Any other discussion?

13 COMMISSIONER CLARK: Yeah. I'm going to say my favorite  
14 famous quote. I think we should be free every day.

15 Aye.

16 COMMISSIONER SPARKS: Aye.

17 COMMISSIONER ANCHO: Aye.

18 CHAIRMAN WAITS: Aye.

19 COMMISSIONER ALLAN: Aye.

20 CHAIRMAN WAITS: Any opposed?

21 Okay. And that passes.

22 SEAN BAKKER: Thank you, Commissioners.

23 CHAIRMAN WAITS: Thank you, Sean.

24 Okay. We are really, really close to 9:30. And I'm not  
25 going to go on to Number 6. I'm going to just -- let's just go  
26 off the record for a few minutes, and we'll wait till 9:30 for  
27 the --

28 COMMISSIONER CLARK: Okay.

29 CHAIRMAN WAITS: -- figuring on Number 2. Okay?

30 That way we can talk and don't have to worry about it being  
31 recorded, right?

32

33 (Break taken between 9:26 a.m. and 9:29 a.m.)

34

35 CHAIRMAN WAITS: Thank you, Jeanne.

36 It is 9:30. And we are calling our meeting back to order.  
37 9:30 is our time for a public hearing.

38

39

40

1 2) 9:30 a.m.

2 PUBLIC HEARING: For possible action to approve/disapprove  
3 the acceptance of a business impact statement with a motion,  
4 if approved, stating, "This rule DOES NOT impose a direct and  
5 significant economic burden upon a business, nor does it  
6 directly restrict the formation, operation or expansion of a  
7 business; therefore, we approve moving forward with an  
8 ordinance initiating the dissolution of the Lander County  
9 Combined Sewer and Water District #2 General Improvement  
10 District and its board of trustees."

11  
12 CHAIRMAN WAITS: Number 2.

13 For possible action to approve or disapprove the acceptance  
14 of a business impact statement with a motion, if approved,  
15 stating, This rule does not impose a direct and significant  
16 economic burden upon a business, nor does it directly restrict  
17 the information [verbatim], operation, or expansion of a  
18 business; therefore, we approve moving forward with an ordinance  
19 initiating the dissolution of the Lander County Combined Sewer  
20 and Water District #2 General Improvement District and its board  
21 of trustees.

22 COMMISSIONER SPARKS: So why the change of heart all of a  
23 sudden?

24 DISTRICT ATTORNEY HERRERA: In -- in what regard?

25 COMMISSIONER SPARKS: On their -- on their part? The  
26 letter. I mean, they were fighting us and then all of a sudden  
27 it's --

28 DISTRICT ATTORNEY HERRERA: Oh.

29 COMMISSIONER SPARKS: -- complete acceptance?

30 CHAIRMAN WAITS: Oh, this -- this doesn't have anything to  
31 do --

32 DISTRICT ATTORNEY HERRERA: It had --

33 CHAIRMAN WAITS: -- with their change of --

34 DISTRICT ATTORNEY HERRERA: -- nothing --

35 CHAIRMAN WAITS: -- heart.

36 DISTRICT ATTORNEY HERRERA: -- to do with this. But they  
37 -- what they wanted to do, they -- their change of heart is  
38 because they want the county to hire their employees.

39 COMMISSIONER SPARKS: Oh. Okay.

40 DISTRICT ATTORNEY HERRERA: And I said we can't negotiate

1 that.

2 And I said, plus your change of heart is not going to alter

3 the county's path or procedure in --

4 COMMISSIONER SPARKS: Got you.

5 DISTRICT ATTORNEY HERRERA: -- this because you had 90 days

6 in which to agree.

7 COMMISSIONER SPARKS: Right. Okay.

8 DISTRICT ATTORNEY HERRERA: You chose not to.

9 So we're proceeding in directing the --

10 COMMISSIONER SPARKS: I see.

11 DISTRICT ATTORNEY HERRERA: -- proceeding. And part of

12 that direction is -- is a business impact statement the staff

13 has determined by a report. Keith has signed it, attested to

14 the --

15 COMMISSIONER SPARKS: Right.

16 DISTRICT ATTORNEY HERRERA: -- to the accuracy of that

17 report.

18 And the statute says that at the meeting immediately

19 preceding the adoption of the initiating statute, they must

20 determine by motion -- and the motion's set forth in the --

21 COMMISSIONER SPARKS: Right.

22 DISTRICT ATTORNEY HERRERA: -- agenda -- that it's no

23 economic impact. Or if it is, that --

24 COMMISSIONER SPARKS: Right.

25 DISTRICT ATTORNEY HERRERA: -- it is. But they've de- --

26 the staff has determined that it's not.

27 We haven't received any -- any letters, I -- I believe,

28 that -- I think the -- the only information we received is

29 positive.

30 COMMISSIONER SPARKS: Right.

31 DISTRICT ATTORNEY HERRERA: But the business owners have

32 not given any negative --

33 COMMISSIONER SPARKS: Okay.

34 DISTRICT ATTORNEY HERRERA: -- responses back.

35 If that answers your question.

36 COMMISSIONER SPARKS: Yes, it does. Thanks, Ted.

37 CHAIRMAN WAITS: And because the rule is now we have to do

38 business impact statements on our ordinances, that's why.

39 COMMISSIONER SPARKS: Got you.

40 CHAIRMAN WAITS: So...

1 COMMISSIONER ALLAN: So do we just need a motion? Or --  
2 CHAIRMAN WAITS: I -- we --  
3 COMMISSIONER ALLAN: -- do we need --  
4 CHAIRMAN WAITS: -- need a --  
5 COMMISSIONER ALLAN: -- to read --  
6 CHAIRMAN WAITS: -- motion --  
7 COMMISSIONER ALLAN: -- this?  
8 CHAIRMAN WAITS: -- with exactly what it says on the --  
9 DISTRICT ATTORNEY HERRERA: Yeah.  
10 CHAIRMAN WAITS: -- agenda.  
11 DISTRICT ATTORNEY HERRERA: Please.  
12 COMMISSIONER ALLAN: Okay. But we don't have to read  
13 anything?  
14 DISTRICT ATTORNEY HERRERA: No.  
15 CHAIRMAN WAITS: No.  
16 DISTRICT ATTORNEY HERRERA: No. You'd have --  
17 CHAIRMAN WAITS: No.  
18 DISTRICT ATTORNEY HERRERA: No.  
19 COMMISSIONER ALLAN: Okay.  
20 I'll make a motion that we approve the business impact  
21 statement. This rule does not impose a direct and significant  
22 economic burden upon a business, nor does it directly restrict  
23 the formation, operation, or expansion of a business; therefore,  
24 we approve moving forward with an ordinance initiating the  
25 dissolution of the Lander County Combined Sewer and Water  
26 District #2 General Improvement District and its board of  
27 trustees.  
28 COMMISSIONER ANCHO: I'll second.  
29 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy  
30 seconded.  
31 Any other discussion?  
32 (No comment.)  
33 CHAIRMAN WAITS: All in favor?  
34 COMMISSIONER SPARKS: Aye.  
35 COMMISSIONER ANCHO: Aye.  
36 COMMISSIONER ALLAN: Aye.  
37 COMMISSIONER CLARK: Aye.  
38 CHAIRMAN WAITS: Aye.  
39 Thank you. And that passes.  
40 DISTRICT ATTORNEY HERRERA: Since it is a public hearing,



1 if -- if you -- for on the record, call and see if anyone has  
2 any -- any statements.  
3 CHAIRMAN WAITS: Okay. Are there --  
4 DISTRICT ATTORNEY HERRERA: I don't think --  
5 CHAIRMAN WAITS: -- any --  
6 DISTRICT ATTORNEY HERRERA: -- anyone's --  
7 CHAIRMAN WAITS: -- statements --  
8 DISTRICT ATTORNEY HERRERA: -- here.  
9 CHAIRMAN WAITS: -- from the public regarding our public  
10 hearing on this agenda item?  
11 (No comment.)  
12 COMMISSIONER ALLAN: Okay.  
13 DISTRICT ATTORNEY HERRERA: Thank you, Commissioner.  
14 COMMISSIONER ALLAN: Do I need to add in there: Authorize  
15 the county manager and Kyla to sign?  
16 DISTRICT ATTORNEY HERRERA: Well, the county manager, under  
17 the NRS, has a duty to sign it prior to your signature.  
18 COMMISSIONER ALLAN: Okay. I was just -- you know, in the  
19 document in the -- in the backup, it's got Keith and Kyla both  
20 listed so...  
21 DISTRICT ATTORNEY HERRERA: But that's because you were  
22 given a copy rather than the original.  
23 COMMISSIONER ALLAN: Okay.  
24 DISTRICT ATTORNEY HERRERA: And he's already signed it,  
25 Commissioner.  
26 COMMISSIONER ALLAN: He's -- okay.  
27 Thank you.  
28 CHAIRMAN WAITS: Thank you.  
29 Miteshell, do we have anyone from Austin that wants to make  
30 any comments?  
31 MITESHELL LANHAM: No. Nobody's here.  
32 CHAIRMAN WAITS: Okay. Thank you.  
33 Well, with that, we will close our public hearing and move  
34 on to Agenda Item Number 6.  
35  
36  
37  
38  
39  
40

1       6)    SHERIFF OFFICE: For possible action, pre-budgetary approval  
2           request for FY 2020-2021 in the amount of \$15,000 each year  
3           for a period of five years for the Sheriff's Office Taser  
4           replacement program or to fully fund the program in FY  
5           2020-2021 budget in the amount of \$74,600.  
6

7           CHAIRMAN WAITS: Sheriff's Office.

8           For possible action, pre-budgetary approval request for  
9           fiscal year 2020-2021 in the amount of \$15,000 each year for a  
10          period of five years for the Sheriff's Office Taser replacement  
11          program or to fully fund the program in fiscal year 2020-2021  
12          budget in the amount of \$74,600.

13          Good morning.

14          UNDERSHERIFF ROBERT QUICK: Good morning, Commissioners.

15          So we brought this forward to you. This is a -- a fiscal  
16          impact for the fiscal year of 2020-2021. However, in the backup  
17          documentation you saw there's two quotes that we received from  
18          Taser. And there's approximately \$10,000 difference in that.

19          And the reason behind that is if we enter into the  
20          agreement prior to the end of December, we receive an additional  
21          discount in that amount.

22          It'd still only impact of the -- the budget until the July  
23          1st, 2020, budget. But we do want to -- or did want to bring it  
24          to the commission to see if you would pre-approve that  
25          particular budget item we intend to put in so that the sheriff  
26          can sign the -- the agreement.

27          So a little history on this. About 4 1/2 years ago, we  
28          entered into a Taser replacement program with now a company  
29          called now Axon from Taser. And it's for less lethal equipment  
30          for the police officers that work the streets and the jails.

31          And we make yearly payments to that program for over the  
32          past five years.

33          That particular program is ending. And the Tasers we now  
34          use are at -- what they call end of life. So we are due to  
35          either replace them with a -- a current version of that or to  
36          enter into the new program that they -- that they are  
37          implementing now.

38          So we would prefer to enter into the new program, which  
39          would provide the newest equipment they have to offer as well as  
40          all of the training and live equipment that we would need as

1 well.

2 We've budgeted in the past five year- -- fiscal years for  
3 about \$6,000 per year. And we had an additional upfront cost  
4 4 1/2 years ago as well.

5 They were -- if you look at the quotes, the discounts, they  
6 are providing roughly \$24,000 credit for what we've paid over  
7 the five years, as well as training.

8 W- -- if we are able to enter into the agreement for the  
9 new equipment before December 31, then they will add that  
10 additional discount of about \$10,000 based on the quotes that we  
11 have.

12 So we're asking just for a pre-approval for the next fiscal  
13 year for this particular budget item, that you would permit some  
14 funding, whether it's the full amount or the -- the yearly for  
15 the five-year program.

16 COMMISSIONER SPARKS: If we do the full funding, we save;  
17 right?

18 UNDERSHERIFF ROBERT QUICK: It is -- it doesn't matter  
19 which way you go.

20 COMMISSIONER SPARKS: So just as long as --

21 UNDERSHERIFF ROBERT QUICK: That particular --

22 COMMISSIONER SPARKS: -- we enter --

23 UNDERSHERIFF ROBERT QUICK: -- program --

24 COMMISSIONER SPARKS: -- into --

25 UNDERSHERIFF ROBERT QUICK: As long as --

26 COMMISSIONER SPARKS: -- the contract before the end of the  
27 year.

28 UNDERSHERIFF ROBERT QUICK: As long as we agree to enter  
29 the contract, we save roughly \$10,000 --

30 COMMISSIONER SPARKS: Yeah. I mean --

31 UNDERSHERIFF ROBERT QUICK: -- more.

32 COMMISSIONER SPARKS: -- if you need the Taser, I say we  
33 just fund them now. I mean, there's no sense in stretching it.

34 COMMISSIONER ALLAN: Well, no he doesn't need them funded  
35 now. It's just pre-approval.

36 COMMISSIONER SPARKS: Well, pre-approval for the '20 and  
37 '21 --

38 COMMISSIONER ALLAN: Right.

39 COMMISSIONER SPARKS: -- budget. Yeah. That's what I'm  
40 saying.

1           UNDERSHERIFF ROBERT QUICK: Yeah. And then you can  
2 actually decide which way you want to go when we have our budget  
3 hearings.

4           COMMISSIONER SPARKS: Right.

5           COMMISSIONER CLARK: So with the new Tasers comes a new  
6 experience for the officers?

7           UNDERSHERIFF ROBERT QUICK: And --

8           COMMISSIONER CLARK: It's fun.

9           COMMISSIONER ALLAN: I'll make a motion that we pre-approve  
10 the pre-budgetary request by the Sheriff's Office for the fiscal  
11 year 2020 for the Taser program.

12          COMMISSIONER ANCHO: I'll second.

13          COMMISSIONER SPARKS: Do we need an amount in that?

14          DISTRICT ATTORNEY HERRERA: No. We can't have an amount.

15          COMMISSIONER SPARKS: Can't have an amount.

16          DISTRICT ATTORNEY HERRERA: Legally, we can't -- we're not  
17 in the budget process so we can't approve any dollar amount in  
18 the budget.

19          But it's my understanding that he's asking for pre-approval  
20 of -- of a direction rather than the amount.

21          COMMISSIONER SPARKS: Right.

22          DISTRICT ATTORNEY HERRERA: And in the budgetary process,  
23 you can certainly approve the amount.

24          COMMISSIONER SPARKS: Okay.

25          KEITH WESTENGARD: Just as a suggestion for the budget  
26 process, rather than approving the -- the 15,000 a year, because  
27 this is a five-year period, the recommendation -- I did speak to  
28 Cindy about this -- would be to fund the whole 74,6- and just  
29 put it into Robert's budget and allow him to roll it over rather  
30 than you, the Commission, approving five years' worth of --

31          COMMISSIONER SPARKS: But we're not doing that.

32          COMMISSIONER ALLAN: Well, we're going to --

33          KEITH WESTENGARD: No. I --

34          COMMISSIONER SPARKS: We can't --

35          COMMISSIONER ALLAN: Yeah.

36          COMMISSIONER SPARKS: -- have an amount.

37          KEITH WESTENGARD: I'm just saying as a recommendation --

38          COMMISSIONER SPARKS: Oh.

39          KEITH WESTENGARD: -- for the budget workshop --

40          DISTRICT ATTORNEY HERRERA: At the --

1 COMMISSIONER ALLAN: Well, you --  
2 KEITH WESTENGARD: -- just to get it --  
3 COMMISSIONER SPARKS: Oh.  
4 COMMISSIONER ALLAN: -- bring --  
5 KEITH WESTENGARD: -- back in --  
6 COMMISSIONER ALLAN: -- that back --  
7 KEITH WESTENGARD: -- in your mind.  
8 COMMISSIONER ALLAN: -- during the budget --  
9 COMMISSIONER SPARKS: Yeah.  
10 COMMISSIONER ALLAN: -- hearings.  
11 COMMISSIONER ANCHO: Okay.  
12 COMMISSIONER SPARKS: So I'll second Judie's motion.  
13 CHAIRMAN WAITS: Okay. So Judie's motion actually was  
14 under into the contact -- did you say under the budget? How did  
15 you --  
16 COMMISSIONER ALLAN: No, I said that we're going to  
17 pre-approve for the budget for fiscal year 2021 for the Taser  
18 program.  
19 So we're -- we're basically saying --  
20 CHAIRMAN WAITS: But --  
21 COMMISSIONER ALLAN: -- yes, --  
22 CHAIRMAN WAITS: -- the (indiscernible).  
23 COMMISSIONER ALLAN: -- we pre-approve this.  
24 CHAIRMAN WAITS: Got it. We'd just be approving the  
25 contract.  
26 Okay.  
27 COMMISSIONER ANCHO: All right.  
28 CHAIRMAN WAITS: And Bryan seconded it.  
29 Any other discussion?  
30 I just have a quick question. And that's -- there's only a  
31 couple companies that do Tasers; is that correct?  
32 UNDERSHERIFF ROBERT QUICK: There's one.  
33 CHAIRMAN WAITS: This is it?  
34 UNDERSHERIFF ROBERT QUICK: This is it.  
35 CHAIRMAN WAITS: Well, that's a choice; isn't it?  
36 Well, it's nice they're working with us.  
37 Okay. I'll call for the vote.  
38 All in favor?  
39 COMMISSIONER CLARK: Aye.  
40 COMMISSIONER SPARKS: Aye.

1 COMMISSIONER ANCHO: Aye.  
2 COMMISSIONER ALLAN: Aye.  
3 CHAIRMAN WAITS: Aye.  
4 Okay. Thank you.  
5 UNDERSHERIFF ROBERT QUICK: Thank you, Commission.  
6 And I think I missed it. So it's -- my name's Robert Quick  
7 for the Sheriff's Office. I think I missed that in the  
8 beginning.  
9 CHAIRMAN WAITS: Thank you.

10  
11 7) **PLANNING: For possible action to approve/disapprove a parcel**  
12 **map application for Riley Synek to combine two (2) parcels**  
13 **into one (1) parcel, located at 670 Faded Sage Drive and**  
14 **685 Yellow Brick Road in Battle Mountain, APN 010-280-29 and**  
15 **010-280-30, zoned A-1.**  
16

17 CHAIRMAN WAITS: We are moving into Planning, Number 7.  
18 For possible action to approve or disapprove a parcel map  
19 application for Riley Synek to combine two parcels into one  
20 parcel, located at 670 Faded Sage Drive and 685 Yellow Brick  
21 Road in Battle Mountain. The APN 010-280-29 and 010-280-30.  
22 It's zoned A-1.

23 Ms. Kyla.

24 KYLA BRIGHT: Kyla Bright, for the record.

25 Unfortunately, the person couldn't be here today because  
26 they had a family emergency.

27 I hope that doesn't cause an issue in moving forward with  
28 this.

29 It was approved at the last planning commission.

30 This is just because he's -- he's putting his house in the  
31 middle of his two parcels. So he needs to combine them so he's  
32 able to put his house.

33 There's no additional wells being put in. No additional  
34 septic. You're actually taking away the possibility of an  
35 extra septic out there.

36 Everything is -- looked great on the map.

37 And so just asking for approval of his combination.

38 COMMISSIONER ALLAN: I'll make a motion that we approve the  
39 combination of two parcels located at 670 Faded Sage Drive and  
40 685 Yellow Brick Road, APN 010-280-29 and 010-280-30.

1 COMMISSIONER ANCHO: I'll second.  
2 CHAIRMAN WAITS: Thank you. Judie made the motion and  
3 Kathy seconded.  
4 And is there any other discussion?  
5 (No comment.)  
6 CHAIRMAN WAITS: All in favor?  
7 COMMISSIONER SPARKS: Aye.  
8 COMMISSIONER ANCHO: Aye.  
9 COMMISSIONER CLARK: Aye.  
10 CHAIRMAN WAITS: Aye.  
11 COMMISSIONER CLARK: Aye.  
12 CHAIRMAN WAITS: Thank you. And that passes.  
13 Thank you, Kyla.  
14  
15 8) **COUNTY MANAGER: Update regarding the Battle Mountain**  
16 **Christmas Festival funding.**  
17  
18 CHAIRMAN WAITS: Number 8. County manager.  
19 Update regarding the Battle Mountain Christmas festival  
20 funding.  
21 KEITH WESTENGARD: So last meeting you asked me to come  
22 back with the -- the -- where we were going to get the money  
23 from for the Christmas program.  
24 I sat with Cindy. We discussed it. And we will take it  
25 out of the 029 Equipment Fund, which the money is in there  
26 currently to cover this.  
27 CHAIRMAN WAITS: And for the record, that is this Friday?  
28 COMMISSIONER ANCHO: Uh-huh.  
29 CHAIRMAN WAITS: Would --  
30 COMMISSIONER ANCHO: At 6:00.  
31 CHAIRMAN WAITS: -- the special --  
32 KEITH WESTENGARD: We could bring --  
33 CHAIRMAN WAITS: -- lighting --  
34 KEITH WESTENGARD: -- goats.  
35 CHAIRMAN WAITS: -- of the tree?  
36 KEITH WESTENGARD: Yes.  
37 CHAIRMAN WAITS: Right?  
38 COMMISSIONER ANCHO: Yes.  
39 KEITH WESTENGARD: Friday. The festival starts at 6:00 and  
40 the tree lighting is at 7:00.

1           And then the -- the Parade of Lights is for the Saturday  
2 evening.

3           CHAIRMAN WAITS: So it is exciting. And we hope that all  
4 of our citizens were able to hear about this ahead of time since  
5 we -- we kind of put it together rather quickly.

6           But what -- what a job and what you've all done. So it's  
7 exciting to -- to start a- -- another tradition.

8           KEITH WESTENGARD: And the tree is up if you get a chance  
9 to drive by. It's next -- next to the -- the statute -- what's  
10 the statue?

11          CHAIRMAN WAITS: Veterans.

12          KEITH WESTENGARD: Veterans statue -- thank you -- in the  
13 park.

14          Apologies.

15          CHAIRMAN WAITS: Thank you.

16          Any other comments on that?

17          CINDY CLARK: (Off microphone) I have a comment.

18          Cindy Clark, for the record.

19          I think that if we're going to do --

20          COMMISSIONER ALLAN: Cindy, --

21          CINDY CLARK: (Off microphone) -- this for --

22          COMMISSIONER ALLAN: -- could you --

23          CINDY CLARK: (Off microphone) -- Battle Mountain, we need  
24 to do this for Austin.

25          CHAIRMAN WAITS: Thank you.

26          I sincerely appreciate that. As a matter of fact, it was  
27 brought up. And Austin is on target.

28          CINDY CLARK: (Off microphone) Okay.

29          CHAIRMAN WAITS: We won't be able to hold any kind of a  
30 tree lighting ceremony this year.

31          CINDY CLARK: Right. Because it's only 19 days --

32          CHAIRMAN WAITS: Right.

33          CINDY CLARK: -- till Christmas.

34          CHAIRMAN WAITS: But we are doing the tree. And that will  
35 be part of our tradition again --

36          CINDY CLARK: Okay.

37          CHAIRMAN WAITS: -- up in --

38          CINDY CLARK: Because last week I heard a comment in the  
39 audience that it was going to be a Lander County tree and Austin  
40 was going to be expected to drive --



1 COMMISSIONER ANCHO: Oh.  
2 CINDY CLARK: -- here. And I just don't think that's  
3 feasible in the winter, much less it's 180 miles.  
4 COMMISSIONER ANCHO: Yeah.  
5 CINDY CLARK: So I think Austin should have one. I  
6 actually think Kingston should have one, but that's my own  
7 opinion.  
8 CHAIRMAN WAITS: Thank you, Cindy.  
9 We appreciate that.  
10 Actually, we -- we did not do one for Kingston, but -- but  
11 they are their own -- their own town board. So we are doing it  
12 for the -- for the two areas. And we're excited about that too.  
13 So...  
14 What a way to celebrate Christmas. Thank you.  
15  
16 9) **COUNTY MANAGER: For possible action to approve/disapprove an**  
17 **increase to the Nationwide Preferred Compensation account**  
18 **(PERS) from 28 percent to 29.25 percent for Patsy Waits and**  
19 **Art Clark to bring them in compliance with other county**  
20 **employees.**  
21  
22 CHAIRMAN WAITS: Number 9. County manager.  
23 For possible action to approve or disapprove an increase to  
24 the Nationwide Preferred Compensation account, which is for  
25 PERS, from 28 percent to 29.25 percent for Patsy Waits and Art  
26 Clark to bring them in compliance with the other county  
27 employees.  
28 And that is actually in lieu of PERS because we are not  
29 qualified for PERS.  
30 And the PERS amount went out -- went up -- went out? --  
31 went up the 1.25 difference. So that's what this agenda item is  
32 on.  
33 KEITH WESTENGARD: Yes. That's correct.  
34 So when the PERS went up, all the PERS-qualified employees  
35 were brought up as per the budget and the -- the requirement by  
36 PERS. But it was not covered in the Nationwide, which  
37 Commissioner Waits and Commissioner Clark were in, due to the  
38 fact that they are PERS retirees.  
39 So it's a deferred compensation account. It's just to  
40 bring them up to the -- the 29.25 percent deposit that -- that

1 everybody else gets in their PERS. They will get that in their  
2 -- in their deferred comp.  
3 COMMISSIONER SPARKS: But you -- why did you say you're not  
4 eligible for PERS?  
5 CHAIRMAN WAITS: Right. Neither one of us.  
6 COMMISSIONER ANCHO: Because they --  
7 COMMISSIONER CLARK: Once you're --  
8 COMMISSIONER ANCHO: -- already draw --  
9 COMMISSIONER CLARK: -- out -- once you're -- once you're  
10 in PERS, that's it unless it's a hard-to-fill. So you get  
11 deferred compensation at the same rate of PERS.  
12 COMMISSIONER SPARKS: So you -- we're -- we're talking  
13 you're increasing the rate of 1 1/4 percent as your time as  
14 commissioners?  
15 CHAIRMAN WAITS: No.  
16 KEITH WESTENGARD: No.  
17 COMMISSIONER CLARK: No. No, no, no.  
18 CHAIRMAN WAITS: No.  
19 COMMISSIONER SPARKS: So --  
20 CHAIRMAN WAITS: PERS had an increase to all employees in  
21 July.  
22 KEITH WESTENGARD: Yes.  
23 CHAIRMAN WAITS: But ours -- since we were with PERS and we  
24 get it in lieu of PERS, didn't go up. And they noticed that it  
25 had not gone --  
26 COMMISSIONER SPARKS: So it's --  
27 CHAIRMAN WAITS: -- up.  
28 COMMISSIONER SPARKS: -- just something that was missed?  
29 CHAIRMAN WAITS: Yes.  
30 COMMISSIONER SPARKS: Got --  
31 COMMISSIONER ANCHO: Uh-huh.  
32 COMMISSIONER SPARKS: -- you.  
33 KEITH WESTENGARD: And it's 1.25 --  
34 CHAIRMAN WAITS: And that --  
35 KEITH WESTENGARD: -- percent.  
36 CHAIRMAN WAITS: -- makes us in --  
37 COMMISSIONER SPARKS: One point --  
38 CHAIRMAN WAITS: -- the same --  
39 COMMISSIONER SPARKS: Yeah.  
40 CHAIRMAN WAITS: -- amount as all the other --

1 COMMISSIONER SPARKS: Yes.  
2 CHAIRMAN WAITS: -- county --  
3 COMMISSIONER SPARKS: I see.  
4 CHAIRMAN WAITS: -- employees.  
5 COMMISSIONER SPARKS: I got it. I understand.  
6 CHAIRMAN WAITS: Okay.  
7 COMMISSIONER ANCHO: I'll make a motion to approve the  
8 increase to the Nationwide Preferred Compensation plan from  
9 28 percent to 29.25 for Patsy Waits and Art Clark.  
10 COMMISSIONER SPARKS: I'll second.  
11 CHAIRMAN WAITS: Thank you. Kathy made the motion and  
12 Bryan seconded that.  
13 Any other discussion?  
14 (No comment.)  
15 CHAIRMAN WAITS: All in favor?  
16 COMMISSIONER ANCHO: Aye.  
17 COMMISSIONER ALLAN: Aye.  
18 COMMISSIONER SPARKS: Aye.  
19 CHAIRMAN WAITS: Thank you. And I will recuse --  
20 COMMISSIONER CLARK: Aye.  
21 CHAIRMAN WAITS: -- myself. And --  
22 COMMISSIONER CLARK: For the obvious, I'm not saying  
23 anything.  
24 CHAIRMAN WAITS: Okay. Well, thank you.  
25  
26 10) **COUNTY MANAGER: For possible action to give direction to the**  
27 **county manager to advertise for an independent contractor to**  
28 **manage the Mountain View Golf Course clubhouse starting**  
29 **spring 2020.**  
30  
31 CHAIRMAN WAITS: Number 10. County Manager.  
32 For possible action to give direction to the county manager  
33 to advertise for an independent contractor to manage the  
34 Mountain View Golf Course clubhouse starting spring 2020.  
35 KEITH WESTENGARD: So --  
36 COMMISSIONER CLARK: All I can say is amen. This --  
37 KEITH WESTENGARD: Well --  
38 COMMISSIONER CLARK: -- should cure the problems.  
39 KEITH WESTENGARD: Yes. So we -- we do have -- the golf  
40 course is open. We don't -- do not have anyone with a current

1 contract.

2 So I'd like to get it out early enough to where whoever  
3 does get the contract, they have plenty of time to go in there  
4 and prepare for the season.

5 We are in the middle of either buying the golf course or it  
6 is in our lands bill.

7 COMMISSIONER SPARKS: Where are we -- where are we at on  
8 that process?

9 KEITH WESTENGARD: They -- we're probably about three weeks  
10 to a month out from the BLM getting back to us on where it's at.  
11 They were finishing up one of their studies.

12 COMMISSIONER SPARKS: Oh. I just thought that's where we  
13 were last month.

14 KEITH WESTENGARD: Well, --

15 COMMISSIONER SPARKS: I'm --

16 KEITH WESTENGARD: -- it -- I believe it was a 60-day study  
17 they had to do.

18 DISTRICT ATTORNEY HERRERA: Yeah.

19 KEITH WESTENGARD: And so that's what we're --

20 COMMISSIONER SPARKS: Got you.

21 KEITH WESTENGARD: -- waiting on is them to get back to us.  
22 But it is -- it's in the possibility of purchasing it or it's in  
23 our lands bill.

24 COMMISSIONER SPARKS: Okay.

25 DISTRICT ATTORNEY HERRERA: Yeah. Commissioners, I was  
26 talking to Kyla about this. And if -- if -- it is in our lands  
27 bill. And we are trying to buy it. I think with -- with your  
28 understanding and agreement that -- that part of the negotiating  
29 process with the BLM is to try to get some clause in there or to  
30 see if it's possible to -- if -- if we buy it from the BLM and  
31 the lands bill goes through, to try to see if we can get back  
32 any of our money at that point.

33 CHAIRMAN WAITS: The other thing is to hold up on our  
34 actual contract to see if we do get it under the lands bill.

35 And then -- I mean, I can't see buying anything from BLM if  
36 we can most certainly get it through the lands bill.

37 DISTRICT ATTORNEY HERRERA: But I -- but I don't anticipate  
38 the lands bill could go through that fast. So -- so --

39 COMMISSIONER CLARK: Yeah.

40 CHAIRMAN WAITS: But we haven't had the golf course in a

1 long, long time. It's still under our older lease. I mean,  
2 whether we buy it today or whether we buy it two years from now,  
3 is it going to make a lot of difference? Because we haven't  
4 made conditions for a while.

5 Actually, this is a whole other agenda item. Maybe we want  
6 to put it on the agenda and discuss it?

7 Because right now the agenda item is just actually to go  
8 out for an independent contractor, not the lands bill.

9 And that --

10 DISTRICT ATTORNEY HERRERA: Well, if we --

11 CHAIRMAN WAITS: And so we shouldn't even be discussing it.

12 DISTRICT ATTORNEY HERRERA: Well, the independent  
13 contractor, it falls within the -- the guidelines of the -- of  
14 an independent contractor.

15 Can we legally hire an independent contractor? I mean,  
16 that's certainly within the confines of this agenda item. And  
17 technically, no, we can't even legally have the club --

18 COMMISSIONER CLARK: Yeah.

19 DISTRICT ATTORNEY HERRERA: -- house.

20 CHAIRMAN WAITS: Right. But we've been doing that for  
21 years.

22 DISTRICT ATTORNEY HERRERA: We've been doing it, --

23 CHAIRMAN WAITS: Absolutely.

24 DISTRICT ATTORNEY HERRERA: -- and BLM's tired of it  
25 because they're getting in trouble for it.

26 CHAIRMAN WAITS: Well, then we go legally into a  
27 (indiscernible). I mean, there's so many things that we'd have  
28 to consider and --

29 DISTRICT ATTORNEY HERRERA: This is why --

30 CHAIRMAN WAITS: -- discuss.

31 DISTRICT ATTORNEY HERRERA: -- we -- we need to negotiate  
32 with the BLM so we -- we both have the same understanding of  
33 what's going down.

34 We have to get their approval to do this.

35 COMMISSIONER CLARK: Yeah. We -- we've waited a long time  
36 to get to this point. And hiring an independent contractor will  
37 eliminate a lot of the problems that we've faced in the past.  
38 This is -- this is a good move for the county.

39 COMMISSIONER SPARKS: So how was -- so the independent  
40 contractor, how is it different than what we just had in there?

1 DISTRICT ATTORNEY HERRERA: What -- what we've been doing  
2 for years, I mean, 20 years --  
3 COMMISSIONER SPARKS: Right.  
4 DISTRICT ATTORNEY HERRERA: -- is -- it's not consistent  
5 with the land that was given to us by the BLM.  
6 COMMISSIONER CLARK: Right.  
7 CHAIRMAN WAITS: The conditions. We have not been  
8 following the --  
9 COMMISSIONER SPARKS: So the independent --  
10 CHAIRMAN WAITS: -- conditions.  
11 COMMISSIONER SPARKS: -- contractor would be responsible  
12 for the whole thing?  
13 DISTRICT ATTORNEY HERRERA: No. Just -- just for the --  
14 just for the clubhouse and the golfing, which we have to get --  
15 we would have to get permission. If we didn't buy it yet or it  
16 hasn't gone to the lands bill. We would have to get permission  
17 from the BLM in order to do this.  
18 COMMISSIONER SPARKS: Well, I understand that. But I'm  
19 saying -- so what I'm trying to clarify is how is that any  
20 different than what we've had? We've had a person that's been  
21 in there handling the club. And the county --  
22 DISTRICT ATTORNEY HERRERA: It's no different. We've been  
23 doing it illegally.  
24 COMMISSIONER SPARKS: Oh. I got you.  
25 COMMISSIONER ALLAN: But I thought last --  
26 COMMISSIONER CLARK: Last time we were okay.  
27 COMMISSIONER ALLAN: Well, that's what I was going to say  
28 is I thought last time -- because we -- we did it on a lease  
29 basis --  
30 DISTRICT ATTORNEY HERRERA: It was --  
31 COMMISSIONER ALLAN: -- is --  
32 DISTRICT ATTORNEY HERRERA: -- the most legal way we could  
33 do it.  
34 COMMISSIONER CLARK: Right.  
35 COMMISSIONER ALLAN: Right.  
36 So we're -- we're making some progress in that --  
37 DISTRICT ATTORNEY HERRERA: We're making --  
38 COMMISSIONER ALLAN: -- re- --  
39 DISTRICT ATTORNEY HERRERA: And BLM --  
40 COMMISSIONER ALLAN: -- -spect.

1 DISTRICT ATTORNEY HERRERA: -- is happy with the progress  
2 we made doing it the way we did it.

3 But since we haven't even had approval by the BLM to even  
4 have the clubhouse, we still have to ask their permission to do  
5 it another year if we decide to do it unle- -- unless we buy it  
6 or we're given it to it in the lands bill.

7 COMMISSIONER SPARKS: I mean, is there any thought about  
8 just hiring a pro to run it?

9 KEITH WESTENGARD: That -- that's what I --

10 COMMISSIONER CLARK: Yeah. That's what we can do once we  
11 own it or --

12 DISTRICT ATTORNEY HERRERA: We can do anything we want --

13 COMMISSIONER SPARKS: So we can't --

14 COMMISSIONER CLARK: And if --

15 DISTRICT ATTORNEY HERRERA: if --

16 COMMISSIONER SPARKS: -- do it in the current status?

17 DISTRICT ATTORNEY HERRERA: Technically not, unless they  
18 let us.

19 COMMISSIONER SPARKS: Because we did have a pro -- what was  
20 it? -- 20-some --

21 DISTRICT ATTORNEY HERRERA: Right.

22 COMMISSIONER SPARKS: -- 20 years ago or so?

23 DISTRICT ATTORNEY HERRERA: Yeah.

24 COMMISSIONER CLARK: No.

25 DISTRICT ATTORNEY HERRERA: No. We did. We did. But we  
26 were doing that wrong too.

27 COMMISSIONER SPARKS: Well, if we've been doing it wrong,  
28 why should we move forward until we're legitimately legal to do  
29 it?

30 KEITH WESTENGARD: Well, that -- that's -- so that's what  
31 we're saying is we need -- I -- I -- that's what I'm saying is  
32 we need to put something out ahead of time so that we can get  
33 this -- the golf course opened when it's supposed to open.

34 If it's on the -- if it passes in the lands bill and we do  
35 get it that way, we're fine.

36 If we're able to buy it, then we'll be fine.

37 If not, we need to get with the BLM, discuss with them what  
38 we want to do and -- and set up an agreement --

39 DISTRICT ATTORNEY HERRERA: Right.

40 KEITH WESTENGARD: -- that allows --

1 COMMISSIONER SPARKS: So --  
2 KEITH WESTENGARD: -- us to do these -- these things that  
3 are outside of the parameters of the original donation of the  
4 land from the BLM 25-plus years --  
5 COMMISSIONER ANCHO: So why don't we --  
6 KEITH WESTENGARD: -- ago.  
7 COMMISSIONER ANCHO: -- do that first? That way, until we  
8 either -- the -- either land bill goes -- goes through or we buy  
9 it?  
10 Why wouldn't we go ahead and do that first with their --  
11 KEITH WESTENGARD: But what --  
12 COMMISSIONER ANCHO: -- permission?  
13 DISTRICT ATTORNEY HERRERA: Because we're not -- we  
14 don't -- we haven't decided what to ask permission for,  
15 Commissioner.  
16 COMMISSIONER CLARK: And we don't know that the lands bill  
17 is a sure thing and how long it's going to take and how many  
18 times it's going to have to be modified. And, you know, the  
19 hearings and all that kind of stuff that could take a long, long  
20 time. And then we're going to be hanging with this same  
21 problem.  
22 DISTRICT ATTORNEY HERRERA: If we go --  
23 COMMISSIONER CLARK: And if we --  
24 DISTRICT ATTORNEY HERRERA: -- if we go to the BLM and say,  
25 "Well, we want to open up our golf course and these are our  
26 possibilities," they're going to say, "Well, you decide what you  
27 want to do. And then ask our permission."  
28 COMMISSIONER SPARKS: So we're soliciting for a independent  
29 contractor with the understanding that somebody's -- let's say,  
30 hey, I'm applying for it.  
31 DISTRICT ATTORNEY HERRERA: Well --  
32 COMMISSIONER SPARKS: Right? And then there's a  
33 possibility that I might not --  
34 DISTRICT ATTORNEY HERRERA: If you guys approve the  
35 solicitation of an independent contractor before we put it out  
36 to bid, I would suggest you talk to the BLM and see if that's --  
37 COMMISSIONER SPARKS: But that's what we're asking for  
38 right now.  
39 DISTRICT ATTORNEY HERRERA: Right. But all we're asking  
40 for is -- is a way -- a direction. Then we can go to the BLM



1 and say, this is the direction --  
2 COMMISSIONER ANCHO: Okay.  
3 DISTRICT ATTORNEY HERRERA: -- that the county  
4 commissioners have decided.  
5 COMMISSIONER CLARK: Right.  
6 DISTRICT ATTORNEY HERRERA: Is that okay with you?  
7 COMMISSIONER SPARKS: Yeah. I'm just not --  
8 COMMISSIONER ANCHO: Okay.  
9 COMMISSIONER SPARKS: -- so sure I w- -- I want, me  
10 personally, independent contractor or pro.  
11 I mean, it's -- that's where I'm at.  
12 DISTRICT ATTORNEY HERRERA: I --  
13 COMMISSIONER CLARK: And then --  
14 DISTRICT ATTORNEY HERRERA: -- I would --  
15 COMMISSIONER CLARK: -- the pro would be an independent  
16 contractor.  
17 DISTRICT ATTORNEY HERRERA: Yes.  
18 COMMISSIONER SPARKS: Oh, he would?  
19 DISTRICT ATTORNEY HERRERA: Yes.  
20 COMMISSIONER CLARK: But who --  
21 COMMISSIONER SPARKS: So he wouldn't be hired? He wouldn't  
22 be a county employee?  
23 KEITH WESTENGARD: Oh, no.  
24 COMMISSIONER ANCHO: Oh. Huh-uh.  
25 KEITH WESTENGARD: No, no.  
26 COMMISSIONER CLARK: No, no, no, no --  
27 COMMISSIONER ANCHO: No.  
28 COMMISSIONER CLARK: -- no.  
29 DISTRICT ATTORNEY HERRERA: No.  
30 COMMISSIONER CLARK: You're familiar with what happened to  
31 the school district? On the independent contractor?  
32 COMMISSIONER SPARKS: Hm.  
33 COMMISSIONER CLARK: They had a -- a school psychologist  
34 that signed a contract for 10 years. And he came back and sued  
35 the school district and got all his back money for benefits,  
36 salary, and a coup- -- a -- a few other things.  
37 We didn't have any -- any clue.  
38 DISTRICT ATTORNEY HERRERA: He could --  
39 CHAIRMAN WAITS: Because he didn't meet the definition of  
40 independent --

1 DISTRICT ATTORNEY HERRERA: Right.  
2 COMMISSIONER SPARKS: Got you.  
3 CHAIRMAN WAITS: -- contractor. And --  
4 COMMISSIONER CLARK: Yeah.  
5 CHAIRMAN WAITS: -- he was considered an --  
6 COMMISSIONER SPARKS: Actually, --  
7 CHAIRMAN WAITS: -- employee. So --  
8 DISTRICT ATTORNEY HERRERA: Right.  
9 CHAIRMAN WAITS: -- what we're saying is they have to --  
10 COMMISSIONER ANCHO: Okay.  
11 CHAIRMAN WAITS: -- meet the definition of --  
12 DISTRICT ATTORNEY HERRERA: Right.  
13 CHAIRMAN WAITS: -- an independent contractor. And we have  
14 to watch --  
15 COMMISSIONER SPARKS: Okay.  
16 CHAIRMAN WAITS: -- that very carefully anytime we hire any  
17 independent --  
18 COMMISSIONER CLARK: Yes.  
19 CHAIRMAN WAITS: -- contractor.  
20 COMMISSIONER CLARK: If we provide -- provide space and  
21 tools, they're an employee. Even if they're under a contract,  
22 they're still an employee. An independent contractor has to  
23 supply their own stuff.  
24 COMMISSIONER SPARKS: So at this point, we're only giving  
25 direction of how we --  
26 COMMISSIONER CLARK: Yeah.  
27 COMMISSIONER SPARKS: -- want to go about it.  
28 DISTRICT ATTORNEY HERRERA: That's my understanding.  
29 COMMISSIONER SPARKS: Which --  
30 KEITH WESTENGARD: Yes.  
31 COMMISSIONER SPARKS: Yeah. Okay.  
32 COMMISSIONER CLARK: Well, I'll make a motion to give  
33 direction to the county manager to advertise for an independent  
34 contractor to manage Mountain View Golf Course clubhouse  
35 starting in 2020.  
36 COMMISSIONER SPARKS: I'll second.  
37 CHAIRMAN WAITS: Okay. Art made the motion. Bryan  
38 seconded that.  
39 Any other discussion?  
40 (No comment.)

1 CHAIRMAN WAITS: All those in favor?  
2 COMMISSIONER SPARKS: Aye.  
3 COMMISSIONER CLARK: Aye.  
4 COMMISSIONER ANCHO: Aye.  
5 CHAIRMAN WAITS: Aye.  
6 Any opposed?  
7 (No comment.)  
8 CHAIRMAN WAITS: Okay. That passes.

9  
10 11) **COUNTY MANAGER: For possible action to approve/disapprove**  
11 **the amended NV Energy franchise agreement that allows the**  
12 **town of Kingston to retain their 2 percent annual gross**  
13 **franchise fee per decision made on November 7, 2019, by the**  
14 **Lander County Board of County Commissioners.**

15  
16 CHAIRMAN WAITS: Number 11. County manager.  
17 For possible action to approve, disapprove the amended  
18 Nevada Energy franchise agreement that allows the Town of  
19 Kingston to retain their 2 percent annual gross franchise fee  
20 per decision made on November 7, 2019, by the Lander County  
21 Board of County Commissioners.

22 So when we approved this, we took Kingston out of our  
23 contract with Nevada Energy.

24 Now this agenda item actually allows us to amend the  
25 agreement with Nevada Energy to show them in writing that we are  
26 taking it out.

27 And that's the backup that you have. Actually, it's on  
28 page number 10, that --

29 KEITH WESTENGARD: Number --

30 CHAIRMAN WAITS: -- refers --

31 KEITH WESTENGARD: -- 12 point --

32 CHAIRMAN WAITS: -- to the franchise fee applicable to  
33 Kingston only.

34 COMMISSIONER SPARKS: I'll make a motion that we approve  
35 the amended Nevada Energy franchise agreement that allows the  
36 Town of Kingston to retain their 2 percent annual gross  
37 franchise fee per decision made on November 7, 2019, by the  
38 Lander County Board of County Commissioners.

39 COMMISSIONER ANCHO: I'll second.

40 COMMISSIONER ALLAN: And --

1 CHAIRMAN WAITS: Okay.  
2 COMMISSIONER ALLAN: -- authorize...  
3 COMMISSIONER SPARKS: And authorize the chair to sign.  
4 CHAIRMAN WAITS: Thank You. Bryan made the motion. Kathy  
5 seconded that.  
6 Any other discussion?  
7 (No comment.)  
8 CHAIRMAN WAITS: Okay. That should take care of this one.  
9 All in favor?  
10 COMMISSIONER SPARKS: Aye.  
11 COMMISSIONER ALLAN: Aye.  
12 COMMISSIONER CLARK: Aye.  
13 COMMISSIONER ANCHO: Aye.  
14 CHAIRMAN WAITS: Aye.  
15 SADIE SULLIVAN: I have a --  
16 CHAIRMAN WAITS: Any opposed?  
17 SADIE SULLIVAN: -- question. Sadie Sullivan, for the  
18 record.  
19 Do you have a copy that doesn't have a draft on it for  
20 signature, by chance? Or I'll touch base with somebody?  
21 KEITH WESTENGARD: No. I will get one from Linda --  
22 SADIE SULLIVAN: Okay. Thank --  
23 KEITH WESTENGARD: -- from --  
24 SADIE SULLIVAN: -- you.  
25 KEITH WESTENGARD: -- from NV Energy.  
26 SADIE SULLIVAN: Great. Thanks.  
27 CHAIRMAN WAITS: Okay. We are officially going to take a  
28 10-minute break.  
29  
30 (Break taken between 9:56 a.m. and 10:06 a.m.)  
31  
32 CHAIRMAN WAITS: -- our Lander County Commission back to  
33 order.  
34  
35 12) **COUNTY MANAGER: For possible action to approve/disapprove**  
36 **the creation of a complete count committee for the 2020**  
37 **census and if approved to develop a strategy.**  
38  
39 CHAIRMAN WAITS: And we are on Number 12. County manager.  
40 For possible action to approve or disapprove the creation

1 of a complete count committee for the 2020 census and if  
2 approved to develop a strategy.

3 And this has been going on throughout the country for some  
4 time.

5 And, of course, as we reported before, Governor Sisolak has  
6 actually put in the whole committee and started that.

7 And with us today is Kim Burgess on the phone who is a  
8 partnership specialist under the U.S. Census Bureau.

9 So we appreciate you being with us, Kim, and telling us if  
10 it's something we should -- we know we should be considering,  
11 but whether we work into the time frames and -- and population  
12 frames to actually take care of this.

13 So it's all yours. Go ahead.

14 KIM BURGESS: Okay. Great.

15 Good morning, everybody. And thank you so much for having  
16 me on.

17 So as stated, I am a partnership specialist with the Census  
18 Bureau. So I am based in Douglas County. But I have been  
19 covering pretty much the majority of northern Nevada, and  
20 especially the rural areas.

21 There's just a -- a little bit of a -- an overview.

22 So a couple of reasons why the -- the census is important  
23 is, you know, money and -- and power.

24 So money in terms of about \$675 billion is allocated every  
25 year in federal funding amongst the states. And that's based on  
26 census data.

27 For Nevada, specifically, that's about \$6.2 billion for  
28 fiscal year 2016.

29 And then representation. And so Nevada actually gained a  
30 seat in the House of Representatives after the 2010 census.  
31 Again, that was based on the -- the census data.

32 So April 1st is our -- is our call to action day. So  
33 that's the official census day.

34 And basically we needed to have a day to build all of the  
35 promotional materials around. But people can actually start  
36 self-responding on March 12th so a few weeks prior.

37 And one of the things that's different about this time  
38 around is that people will have the option to respond online.  
39 That's not a requirement. That's not the only option. People  
40 can still respond with a paper questionnaire if they request

1 one.

2 And some areas actually might be receiving one  
3 automatically, especially in -- particularly in areas that we  
4 call update leave, which is people who are not able to receive  
5 mail at their residential address and can only receive it at a  
6 P.O. Box. Those people will receive a paper questionnaire at  
7 their physical address as well as the option to respond online.

8 So a little bit about the -- the committee. So, as you  
9 stated, the -- the governor has formed a state complete count  
10 committee. And that is being led by the lieutenant governor.

11 And so it's encouraged across the board through all of the  
12 counties and jurisdictions to form their own local complete  
13 count committee.

14 Now -- so I'll -- I'll backtrack a little bit. So a  
15 complete count committee is offi- -- is the official name and  
16 title and term that we use. But I often find that when I say  
17 "committee" that that often translates to commitment in people's  
18 minds. And completely understandable. And -- and it's  
19 difficult sometimes because there's -- don't always have the  
20 capacity.

21 So what I want to try and do is break it down to what are  
22 the -- what are the action items? What are we trying to  
23 accomplish? What do you want to try and accomplish within --  
24 within a committee or within a group of people?

25 So first off is identifying what are the -- the challenges  
26 or the unique challenges for, you know, for the county and the  
27 communities within the county?

28 Because I often know that sometimes there's different  
29 dynamics and neighborhoods and communities within -- within a  
30 county structure. So what are the -- what are those challenges?  
31 And what I mean by "challenges" is who are as people who might  
32 not respond for whatever reason?

33 Another -- another term that we use is -- or you might  
34 have -- or phrase is hard-to-count communities or hard-to-count  
35 populations.

36 And so there is a list of what they've kind of identified  
37 nationwide as a trend for harder-to-count populations, people  
38 who might not respond.

39 But, again, it -- I -- I often find that people fit  
40 multiple categories.

1           So, for example, you know, children zero to five is -- is a  
2 category of -- of harder-to-counts. That was actually the  
3 largest undercounted population in the 2010 census nationwide.

4           But rural communities, people who are distrustful of the  
5 government, a transient population, young adults, an aging  
6 population, those are all different categories as far as harder  
7 to count.

8           But I realize that sometimes that's multi-tiered. So you  
9 can fit into multiple categories.

10          So it's really looking at it from the bigger picture. What  
11 are the unique challenges of people who might not respond for  
12 your specific area?

13          Then thinking about who are the -- what are the  
14 organizations or who are the groups that may have a direct link  
15 or connection to those people? And -- and then how do we work  
16 together to figure out a -- a strategy -- effective strategy and  
17 to ensure an accurate count?

18          And so I will say that pretty much all of the areas -- all  
19 of the -- the jurisdictions that I've already been working with,  
20 everybody's kind of taken a different approach.

21          So this is not a one-size-fits-all as to -- okay, you have  
22 to form this committee. And this is what, you know, you're --  
23 this is what it has to -- the makeup has to be. And this is  
24 what you have to do. Everybody's taking a different approach.

25          So one -- one jurisdiction, for example, they solicited  
26 directly from the public -- volunteers directly from the public  
27 to help with the effort.

28          And, you know, we had our first meeting about a month ago.  
29 And there was a good makeup of -- of representation from  
30 people within different neighborhoods and communities, again,  
31 within the county.

32          And then we identified what are some of the gaps as far as  
33 other areas that we may need to cover, as well as what  
34 organizations might need to be -- be brought into the fold  
35 additionally? So like the library, the senior center and  
36 community center.

37          Another county has taken -- so their group is only about  
38 six or seven people.

39          And so one of the things with the -- the recommendations  
40 is, again, like the definition of the committees is -- is

1 designed around a much larger population area. So they  
2 recommend subcommittees.

3 Well, in -- in a county that's got a smaller population  
4 that's just not going to be feasible.

5 So, for example, they recommend a education subcommittee  
6 and the community organization subcommittee.

7 Well, this county, they just ensured that they had  
8 representation from those particular areas and not -- it did not  
9 form separate subcommittees.

10 So they had somebody from the school board who was on their  
11 -- who's on their group and somebody from the sen- -- their  
12 senior center and their community chest, and then, again, some  
13 key people within the community.

14 And then another -- another example is another county is  
15 actually utilizing their local health coalition as the platform  
16 for their group because it's a group that already meets on a  
17 regular basis and has the majority of the key players that would  
18 normally make up a complete count group or complete -- complete  
19 county committee for census activities.

20 And then there's some that are just doing a mixture of --  
21 of both, you know, having the feedback from the public and --  
22 and from different organizations.

23 So with that said, I -- that's -- that's kind of an  
24 overview of -- of the census itself and then the committees and  
25 different options that you all could go -- and just looking for  
26 some direction as what you might think might be a good option  
27 for your -- for your county.

28 CHAIRMAN WAITS: Okay. Kim, this is Pat.

29 And right off the bat, I -- I've tried to read all the  
30 information. I've been, you know, actually watching it since  
31 the governor signed this last April. And I'm -- I'm still  
32 confused.

33 I truly -- I understand the point of it and what you  
34 mentioned, so many areas that are not counted for many of those  
35 reasons.

36 When I look at our county, I didn't think we had that --  
37 that kind of groupings.

38 But I'm confused over -- I thought that's what census  
39 workers did. I mean, I've always had them at my house every  
40 10 years, knocking on my door, saying, Did you fill this out? And I



1 thought they're the ones that go door to door and make sure people  
2 are -- are taking care of and -- and counted.

3 So what's the difference between that count committee, what  
4 you want them to do, and an actual census worker that were going  
5 to be -- to the areas that we're concerned about?

6 KIM BURGESS: Okay. And I'm sorry that I -- I didn't  
7 explain it further.

8 So this commit- -- this group on the county level, on the  
9 local level, is not to go out door to door and not to go out,  
10 you know, again, directly door to door to people.

11 The goal is -- so, you know, you think of the -- the  
12 census. We all -- a lot of us think of the census with, like  
13 you mentioned, people who go around door-to-door after.

14 So that is actually the -- that's the non-response  
15 follow-up piece. So those -- so when people come around door to  
16 door to ask about the census and if they've filled it out, those  
17 are for the people who have not responded yet.

18 So the goal is to bring enough awareness upfront and  
19 initially that we do not have to have as many of the -- the  
20 workers going out to do that non-response follow-up. Because  
21 that actually is the most costliest portion of the operation is  
22 that non-response follow-up piece.

23 So, again, the goal is to bring the awareness early and  
24 encourage people to respond starting in March and through April  
25 so that we do not have to have workers that go out and -- and go  
26 door to door for that.

27 CHAIRMAN WAITS: Okay.

28 KIM BURGESS: But the -- the purpose at the local level is  
29 not for people to be going, you know, directly door to door to  
30 get, you know -- to have them fill out the census.

31 CHAIRMAN WAITS: Okay. That -- that makes sense. You're  
32 trying to save the census workers. All right.

33 So all you want is this -- this identification of the  
34 committees, supposedly, but these groups of people to keep PRing  
35 to whatever group they are. If they're a church group, if  
36 they're American Legion, they simply say to all of their people,  
37 Be sure and fill out your census. Be sure and fill out your  
38 census so we can hit -- make sure --

39 KIM BURGESS: Yeah.

40 CHAIRMAN WAITS: -- make sure the tribes are -- are con- --

1 we contact them.

2 So all we need is a PR committee, basically. It's called a  
3 complete count committee. And they -- do they actually meet?  
4 Or can we just keep -- keep putting it out in the forefront? We  
5 keep getting it in the paper. We keep telling everybody we  
6 know, fill out your census.

7 Is that pretty much it?

8 KIM BURGESS: I mean, I think it would be helpful to  
9 have -- you know, I'm not trying to encourage more work or to  
10 make it -- make it harder. So it's whatever's going to work  
11 best for -- for you all.

12 I think it is hel- -- so it is -- a big part of it is  
13 ultimately we want to amplify our message -- right? -- through  
14 different channels, through channels of -- and -- and to get to  
15 people that, you know, we -- we might not typically be able to  
16 get to.

17 So for exam- -- you know, with the -- one of the ways,  
18 like, we're partnering with libraries, for example, is because  
19 we have the online option, libraries typically have at least a  
20 few computers. And, you know, the libraries tend to be a  
21 trusted voice within -- within communities.

22 And so designating, you know, the -- the libraries --  
23 designating them as -- themselves as a space where people can go  
24 complete the census online or they can even go and ask questions  
25 in regards to how to -- to fill it out if they've received the  
26 paper form.

27 And what I'm doing and what some of my other colleagues on  
28 the partnership side are doing is offering, like, a train the  
29 trainer for different -- for library staff.

30 With the schools, you know, integrating that through a  
31 program that we have called Statistics in Schools that talks  
32 about the importance of data. And it's a supplemental online  
33 program that's free for -- for any of the -- anybody to utilize.

34 So we're encouraging that. And with the school districts  
35 to -- to integrate that into their -- into their curriculum and  
36 their activities as a -- as a supplemental thing.

37 And, you know, I had gone out in one area, for example, and  
38 I -- and I set up during one of their drive-through flu P.O.Ds  
39 and passed out information regarding the -- about the census to  
40 people who were going through there.

1           So it's, you know, again, working with -- with  
2 organizations or groups that -- that have a connection with  
3 people who might not respond and -- and help getting that word  
4 out.

5           COMMISSIONER CLARK: I -- I have a question.

6           KIM BURGESS: Sure.

7           COMMISSIONER CLARK: Hello? Can you hear me?

8           KIM BURGESS: Yeah. I can.

9           COMMISSIONER CLARK: Okay. This is Commissioner Art Clark.  
10 I'm sitting here listening to what I believe is a request  
11 from Governor Sisolak for the rural counties to assist him in  
12 this project. Is that correct?

13          KIM BURGESS: I'm -- I'm sorry. What was that?

14          COMMISSIONER CLARK: It sounds to me that Governor Sisolak  
15 is asking for assistance from the rural counties.

16          KIM BURGESS: So this is -- I mean, so -- so the -- the  
17 committees is something that the -- the Census Bureau -- the  
18 Census Bureau has been encouraging.

19                 But, yes, also on the state level because you want to  
20 ensure an accurate count for individual communities but the  
21 entire state as well. So we need help on all fronts of that.

22                 And -- and, you know, my -- my primary focus has been  
23 within the rural areas to -- because I -- I have found that, you  
24 know, in going out and presenting to some is that they do -- you  
25 know, since the rural areas do feel underrepresented.

26                 So, you know, doing the -- doing whatever we can to help  
27 facilitate the most accurate count.

28          COMMISSIONER CLARK: So your answer is, yes, this new  
29 governor has asked for the rurals' help. That's what I heard.

30          KIM BURGESS: So he --

31          COMMISSIONER CLARK: Okay.

32          KIM BURGESS: I can't --

33          COMMISSIONER CLARK: Nevermind.

34          KIM BURGESS: -- see --

35          COMMISSIONER CLARK: I -- we all --

36          KIM BURGESS: I'm --

37          COMMISSIONER CLARK: -- understand.

38          KIM BURGESS: -- sorry.

39          COMMISSIONER CLARK: We all understand.

40          CHAIRMAN WAITS: Okay. So, Kim, if we don't do a complete

1 count committee, you're still going to contact the schools and  
2 the libraries?

3 KIM BURGESS: Yes. I -- I can.

4 CHAIRMAN WAITS: Okay. Because --

5 KIM BURGESS: Yes.

6 CHAIRMAN WAITS: -- I -- I guess I'm going, I don't think  
7 we have a lot of non-responsive people. But I don't know. And  
8 how would you know? But we don't have groupings that say, oh,  
9 that -- that's one area that -- that isn't hit. I -- I just --  
10 I -- I'm sure if you had a non-responsive percentage for us in  
11 our county, it would be very low, very low because I think we  
12 all try and encourage everybody to do that.

13 We understand the importance of the numbers: the money,  
14 our representation, and so forth.

15 But I don't know if we need to form a committee to go on  
16 with that if we can just keep publicizing it and -- and putting  
17 it out there for everyone if you do the schools and the  
18 libraries.

19 COMMISSIONER CLARK: Patsy?

20 KIM BURGESS: So I -- I -- in -- in your -- so in the pre-  
21 -- I have an electronic version of the presentation. I don't  
22 know if you have that in front of you, but there is a screenshot  
23 from our response outreach area mapper. It's a tool, basically.  
24 So anybody can access it.

25 You can plug in -- if it's a county, a town, an address --  
26 and it will identify the -- the census tract. It will give you  
27 the information.

28 So the one that I have pulled up shows a low response score  
29 of about 25 percent. So that's saying that 25 percent is likely  
30 not to respond. And that is based on prior census response  
31 rates and just demographic information.

32 But that is the one shot that I have pulled up. I didn't  
33 pull up the other census tracts. But --

34 COMMISSIONER SPARKS: Kim. Commissioner Sparks. You say  
35 you're going to work with the schools, how do you intend on  
36 working with the schools? Is it going to be something you send  
37 to the -- to the schools and the teachers distribute it to the  
38 children and encourage the children to take it home to their  
39 parents? Is that how you work that line?

40 KIM BURGESS: So the Statistics in Schools program that I

1 mentioned, that -- there were some things that was supposed to  
2 actually be coming out of our headquarters level that was  
3 supposed to be distributed to every school in the nation,  
4 talking about -- giving an overview of what that program was.

5 I -- I talk about that in general when I'm either making  
6 initial outreach to a school district or doing that through --  
7 through the county.

8 But it is -- so there's just -- there's a number of ways to  
9 -- to partner on the school side if -- one is through that  
10 Statistics in Schools program because they have beefed it up a  
11 little bit more with 2020 focused --

12 COMMISSIONER SPARKS: But that's what I'm asking --

13 KIM BURGESS: -- activities.

14 COMMISSIONER SPARKS: -- you. What does that program  
15 consist of? You speak of program, what --

16 KIM BURGESS: What is a --

17 COMMISSIONER SPARKS: -- what does it consist of?

18 KIM BURGESS: Okay. So it is -- it is online. It is  
19 all -- it's online. It's free to access. It is K through 12.  
20 And there are different activities for each grade level. And  
21 it's -- it's built around integrating census -- the cen- -- the  
22 importance of the census and census data.

23 It is not subject based. So, in other words, it -- it's  
24 not only built for a math class or history class or a civics  
25 class.

26 The teachers' guides are all downloadable. It tells you  
27 everything that you need to do the activity and then all of  
28 the -- and the student a- -- the activities for the student is  
29 also downloadable. And it's -- that's all based online.

30 Additionally, there's other games and activities that  
31 are -- that are on there as a resource. It's geared more  
32 towards the younger audience. So they have a printable,  
33 downloadable coloring book, for example, a word search. And  
34 there's even a census song that's -- that's housed on there.

35 So I -- I just met with a -- a school district yesterday.  
36 And I had talked about that program to the principal there.  
37 And -- and in another area, we -- they actually -- one of the  
38 classes did start integrating some of those activities into  
39 their -- into their lessons.

40 COMMISSIONER SPARKS: So basically we're impeding the --

1 the education of reading, writing, and arithmetic to educate our  
2 children on the importance of filling out the census.

3 COMMISSIONER CLARK: I have -- I have a statement to make.  
4 You don't know me. This is Commissioner Art Clark again.

5 I was a teacher for over thirty years. And you know what  
6 I'm hearing here? I'm hearing that you're going to teach kids  
7 to make their parents responsible for an adult activity. That's  
8 the most ridiculous thing I've ever heard of in over 30 years of  
9 education, for God's sakes.

10 Parents need to be responsible, not their kids tell them to  
11 be responsible.

12 Wow.

13 CHAIRMAN WAITS: Kim, --

14 KIM BURGESS: I'm sorry.

15 CHAIRMAN WAITS: -- this --

16 KIM BURGESS: I -- I --

17 CHAIRMAN WAITS: Yeah.

18 KIM BURGESS: That was not my intention. And that is not  
19 what I am -- and if that's coming off that way as that being --  
20 the -- the goal, --

21 COMMISSIONER CLARK: Well, that's what your --

22 KIM BURGESS: -- that is not --

23 COMMISSIONER CLARK: -- curriculum --

24 KIM BURGESS: -- the --

25 COMMISSIONER CLARK: -- does. That's what your -- you --  
26 you explained your curriculum to us. My interpretation is  
27 you're teaching the kids to teach their parents to be  
28 responsible for an adult activity. I -- I just -- I've heard  
29 enough.

30 CHAIRMAN WAITS: Kim, this is Pat again. I -- I --

31 KIM BURGESS: Sure.

32 CHAIRMAN WAITS: -- understand what Commissioner Clark is  
33 saying. And it sounds like it's very informational what the  
34 census is, teaching the children what the census is. But,  
35 indeed, --

36 KIM BURGESS: Yes.

37 CHAIRMAN WAITS: -- how is that going to help with the  
38 numbers that we have missed before? By educating the children  
39 of what a census is, that's fine. But -- but how does that  
40 increase our numbers? I mean, I can't --

1           Anyway, for -- for where we are, it's our decision now  
2 whether we are going to do a complete count committee.  
3           And I understand that you said 25 percent of the people are  
4 missed, but I don't think that holds up at all in our county. I  
5 truly do not believe that.  
6           COMMISSIONER CLARK: I want to ask --  
7           CHAIRMAN WAITS: I --  
8           COMMISSIONER CLARK: -- the county clerk what she thinks  
9 our numbers of non-voters are.  
10          CHAIRMAN WAITS: Okay. Just a moment.  
11          Sadie.  
12          SADIE SULLIVAN: Sadie Sullivan, for the record, Lander  
13 County Clerk.  
14          As far as non-voters, we have over 3,000 right now. I  
15 believe we have 5- to 6,000 residents in Lander County.  
16          But as far as to know that age, you know, of what's under  
17 18, I mean, I don't have a number on that.  
18          COMMISSIONER CLARK: Okay. But we -- we have pretty --  
19 pretty active votership in this county.  
20          SADIE SULLIVAN: Correct.  
21          COMMISSIONER CLARK: Yeah.  
22          Okay. Thanks, Sadie.  
23          COMMISSIONER SPARKS: Well, Kim, thank you for the  
24 presentation.  
25          Patsy, are you ready for a motion?  
26          CHAIRMAN WAITS: I -- I believe so.  
27          Is there anything else you wanted to add, Kim?  
28          KIM BURGESS: No. Thank you.  
29          CHAIRMAN WAITS: We -- we appreciate your time and -- and  
30 getting to us and the information. Thank you very much.  
31          And we'll work diligently to be sure we do this. So we're  
32 ready for a motion.  
33          COMMISSIONER SPARKS: I would make a motion that we  
34 disapprove the creation of a complete count committee for --  
35          COMMISSIONER CLARK: Second.  
36          COMMISSIONER SPARKS: -- the 2020 census.  
37          CHAIRMAN WAITS: Okay. Bryan made the motion. Art has  
38 seconded that.  
39          Any other discussion?  
40          (No comment.)

1 CHAIRMAN WAITS: Okay. Once again, we -- we've got the  
2 importance. And we will all work to make sure we try and pick  
3 up everyone and not miss anybody. We'll do all we can to cut  
4 down on your census workers.

5 So with that, all in favor?

6 COMMISSIONER SPARKS: Aye.

7 COMMISSIONER ANCHO: Aye.

8 COMMISSIONER ALLAN: Aye.

9 CHAIRMAN WAITS: Aye.

10 Thank you. You have a beautiful holiday season.

11 COMMISSIONER SPARKS: Thanks, Kim.

12 KIM BURGESS: Thank you.

13 COMMISSIONER CLARK: Let's take a break before this one,  
14 Patsy.

15 CHAIRMAN WAITS: You want another quick break?

16 COMMISSIONER SPARKS: Are you still with us, Austin?

17 COMMISSIONER CLARK: I think we may need it.

18 CHAIRMAN WAITS: Okay.

19 MITESHELL LANHAM: (Indiscernible.)

20 COMMISSIONER CLARK: I don't want to miss anything.

21 CHAIRMAN WAITS: All right. We're -- we're going to go a  
22 quick five --

23  
24 (Break taken between 10:32 a.m. and 10:38 a.m.)

25  
26 CHAIRMAN WAITS: Thank you. We call our meeting back to  
27 order.

28 And we are on Number 13.

29  
30 13) **COUNTY MANAGER: For discussion and possible action regarding**  
31 **the performance evaluation of Keith Westengard, including but**  
32 **not limited to termination, suspension, demotion, reduction**  
33 **in pay, reprimand, promotion, endorsement, engagement,**  
34 **retention, or "no action," and all other matters properly**  
35 **related thereto. (Per NRS 241.031)**  
36

37 CHAIRMAN WAITS: County Manager. For discussion and  
38 possible action regarding the performance evaluation of Keith  
39 Westengard, including but not limited to termination,  
40 suspension, demotion, reduction in pay, reprimand, promotion,



1 endorsement, engagement, retention, or no action, and all other  
2 matters properly related thereto. This is the wording per NRS  
3 241.031.

4 So with that, it is our yearly evaluation time.

5 And the evaluations -- performance evaluations were sent  
6 out to our commissioners.

7 So at this time, we are going to share that information  
8 with each other and with the public on rating our county  
9 manager.

10 And Commissioner Allan, I'm going to begin with you at that  
11 end if you would like to share anything on the evaluation with  
12 us.

13 COMMISSIONER ALLAN: So I'm going to go under interpersonal  
14 skills. And I don't know if you want me to read the --

15 CHAIRMAN WAITS: However you can share it, you can read it.  
16 It's certainly up to you. We're all open.

17 COMMISSIONER ALLAN: Okay.

18 So basically under interpersonal skills, it -- it's --  
19 states works effectively with a variety of people, including  
20 those with conflicting or competing interests, respects  
21 individual differences and roles, and ensures all voices are  
22 heard. Is tactful, helpful, and compassionate towards others.  
23 Works to solve problems through persuasion, negotiation, and  
24 mediation. Serves as a unifying rather than divisive leader  
25 within the association.

26 So basically what I've observed is that Mr. Westengard has  
27 done more in his tenure as a county manager to create a division  
28 of all aspects of Lander County.

29 He has no vested interest in this county. And as a result,  
30 his loyalties -- he directs his position to those that are going  
31 to best suit his interests.

32 He's promulgated the lack of transparency and  
33 accountability as well as discord through his position within  
34 the county.

35 One of my other issues I have is regarding the -- well,  
36 performance and specific responsibilities regarding the agendas.

37 You know, pretty much goes without saying our agendas are a  
38 common issue. Continual lack of proper backup documentation, if  
39 any. Improper wording of items. Inability to get the agendas  
40 and the agenda packages out -- the material in a timely fashion.

1           Again, we have a total lack of transparency to the public,  
2 who -- we answer to the public. We don't answer to each other.  
3 We answer to the voters and the public of Lander County.

4           And my belief is, is more is better in that respect. Is we  
5 need the transparency and the accountability.

6           COMMISSIONER SPARKS: I'll -- I'll -- can I -- I'll tag on  
7 Number 4. My rating, Keith, for you on Number 4 was needs  
8 improvement. And I'll state the reasons why.

9           So I was a commissioner for a previous four years. So I  
10 got to see how in that time our agendas were put together, our  
11 packs were put together.

12           What I'm seeing is that there's a -- a lack of information  
13 that I would like to see personally as a commissioner.

14           We had a perfect example today.

15           And, Sadie, you can help me on this. But I know, like,  
16 previously we used to have backup minutes that pertained to  
17 certain issues. They'd dig back. We'd have that. And the  
18 other thing that I don't see that I would like to see is  
19 recommended action.

20           There was always a recommended action from our county  
21 manager. And the reason why I think that's important is we set  
22 policy and control finances. You're the face of Lander County.  
23 I'm interested in hearing what your -- your recommendation is on  
24 certain actions because you deal with the daily operations and  
25 might see particular angles or facets that I might not see as a  
26 commissioner. And that's important for me to hear from you what  
27 it is so in my decision-making I have that to think with.

28           And -- and that's -- that's where I feel that there needs  
29 to be improvements on -- on item 4.

30           CHAIRMAN WAITS: Judie? Did you have any more you wanted  
31 to add?

32           COMMISSIONER ALLAN: You know, I'll wait. I'll -- we can  
33 come back and --

34           CHAIRMAN WAITS: Okay. Commissioner --

35           COMMISSIONER ALLAN: Go ahead --

36           CHAIRMAN WAITS: -- Clark, --

37           COMMISSIONER ALLAN: -- and let someone else --

38           CHAIRMAN WAITS: -- I'll call on you, --

39           COMMISSIONER ALLAN: -- go.

40           CHAIRMAN WAITS: -- then.

1 COMMISSIONER CLARK: Okay. My evaluation is satisfactory  
2 again.

3 I'll just read you the little narrative that I -- I  
4 scratched out.

5 Keith maintains course even when he's attacked by others.  
6 By staying on course, Keith keeps the county moving forward with  
7 projects that are important to Lander County.

8 I'm kind of amazed that Keith can keep his patience  
9 considering the situations that he encounters.

10 Keith has a good working relationship with employees. This  
11 is an important part of administrative management style.

12 I've kept faith in Keith even when he wasn't sure of my  
13 support.

14 I too share the concern over agendas. And I've -- I've  
15 mentioned this in the past.

16 And, you know, comparing them to the school district, when  
17 I was on the school board, they just -- they just don't match  
18 up.

19 And we do need the recommendations -- I think I mentioned  
20 this in the past -- recommendations from the county manager and,  
21 you know, the backup materials. Just we have to have them.

22 And I think that Commissioner Ancho said that if we don't  
23 have the backup materials by the time of the agenda, then we  
24 just won't put it on.

25 Yeah. Yeah.

26 Satisfactory. Absolutely.

27 CHAIRMAN WAITS: Thank you.

28 Bryan, do you want to continue with yours?

29 COMMISSIONER SPARKS: I think on -- actually, Kathy, do you  
30 want to go ahead and speak?

31 COMMISSIONER ANCHO: Okay.

32 The one that needs improvement, for me -- I spend a lot of  
33 time in here, probably too much that most people think.

34 But I really wanted the first year being in here to  
35 understand and hit the ground running and understand how  
36 everything works.

37 And so under the management experience, effective direct of  
38 county day-to-day operation, thinks strategically, and maintains  
39 the big-picture outlook, effectively uses resources, manages  
40 risk, staff development, delegation of duties, and orga- --

1 organizational resources, develops and implements plans, link to  
2 commissioners and approve goals, makes sound judgments and  
3 decisions, sets appropriate priorities, anticipates crisis, and  
4 building contingency plans.

5 And Keith and I have had many discussions about this. And  
6 I know that it's a -- comes as a struggle. And it does as a  
7 supervisor -- to most supervisors.

8 So my comment on this is if -- is effective in  
9 day-to-day -- directing his employees in their day-to-day op- --  
10 operations.

11 However, his weakness is the inability to hold employees  
12 accountable if there are missed deadlines, behavioral  
13 corrections, or poor performance. When employ- -- when  
14 employees are not held accountable, countywide credibility  
15 waivers.

16 Accountability is important for the success of Lander  
17 County.

18 The ability to focus on the behavior and not the employee  
19 for corrective action is an -- is -- excuse me -- correction  
20 action is exceptional and must be accomplished. It is an  
21 injustice to an employee if their supervisor does not correct  
22 lacking behavior.

23 And so I don't want -- in this, when I'm directing this to  
24 him, I don't want the employees to think, oh, my gosh, she  
25 thinks we're not doing our jobs and we're all -- you know,  
26 that's not it at all.

27 There -- when -- when there are issues, he strug- -- I  
28 believe that, you know, you struggle with -- sometimes it's hard  
29 not to be their friend. You're their friend and their employer.  
30 And sometimes there -- there has to be a dividing line. And I  
31 think that you have made strives to -- to improve that.

32 And, like I said, I'm in here a lot so I do see it, that  
33 you are trying to do this. And I know that there's training  
34 that has been put in for -- to correct some of these issues.

35 And -- and I -- even though I put needs improvement, I know  
36 that you are working on that. I see that. And I appreciate  
37 that.

38 But for this go-around, I'm going to put it at that rating.

39 And I don't -- on the interpersonal skills, I see the --  
40 and I attend a lot of the meetings in here with the public. And

1 I -- I believe that there is transparency. There is  
2 transparency. And there is trying to solve problems. And  
3 there's a lot of problems from day to day different things come  
4 up.

5 And I don't see that you're trying to -- I think you're  
6 striving to make everybody happy. And I think in that -- so  
7 maybe that -- it might look that there isn't transparency.

8 But I think that we're just trying to move forward and make  
9 everybody happy. And sometimes we can't always do that.

10 But I -- I think you're re- -- respectful to people. And I  
11 haven't seen where you haven't been respectful. Even when  
12 people disagree with you, you're still, you know, you're still  
13 respectful to them, to the community, and to the staff.

14 So with that being said, those are -- and the -- and the  
15 agenda issues. I'd have to agree that even though I put "meets  
16 standards," we have to keep in mind that this is my first year  
17 so I don't have anything to compare it to other than doing a  
18 little research and finding out what has been in the past.

19 But learning as I've gone through this year that we  
20 definitely -- if we don't have -- it's the peoples'  
21 responsibility to get that information to you.

22 You can tell them, we have to have it by this date or your  
23 item isn't going on there. And if they spend the mileage to  
24 come out here, that's going to be -- that's up to them. We --

25 COMMISSIONER CLARK: Yeah.

26 COMMISSIONER ANCHO: -- have to have that information  
27 before that agenda goes out because that's just -- it makes us  
28 look foolish when we have nothing and we have to postpone it.

29 And so even though I put "meets standard," I still --  
30 that -- that had -- these things have to -- that has to be  
31 corrected.

32 And so --

33 COMMISSIONER CLARK: Yeah.

34 COMMISSIONER ANCHO: -- other than that, I'm good.

35 CHAIRMAN WAITS: Thank you. Any more, Bryan?

36 COMMISSIONER SPARKS: No. My thoughts mirror her.

37 Just in individual rating, so you -- it's very clear for  
38 the record, one, I noted you as needing improvement. Two is  
39 meets ex- -- expectations. Three was meets expectations. And  
40 four was needs improvement.

1           So --

2           CHAIRMAN WAITS: Thank you. I -- I do think that -- that  
3 we've got a pretty good handle on this.

4           I -- I agree on so many of the answers. And, of course,  
5 mine is too as far as the agendas, the backup material, the  
6 timeliness, and such.

7           But I would like to say a few things that I -- I do think  
8 he does extremely well.

9           I think for where he is, he's really very well organized.

10          But I have recommended almost every year that along with  
11 your education -- and, yes, you have done that so well. I mean,  
12 he completed his CPO last year and -- and is certainly taking  
13 classes.

14          But I do think you should look at something with a time  
15 management class. And -- and I've asked for that before. I  
16 think it's really important.

17          I think sometimes when I visit, I feel that -- that you're  
18 more in a survival mode rather than actually focusing on some of  
19 the things. There's so many outside and inside influences on  
20 you.

21          And I think we have to be able to put that aside and go,  
22 I'm more focused. These are my goals this year. And that's  
23 what I'm looking for.

24          A couple of things I did want to share because I do think  
25 he's extremely conscientious. I think you do communicate very  
26 clearly and professional in your dress and in your interaction  
27 with -- with everyone, the board, the staff, elected officials,  
28 and the public. And I think that's extremely important.

29          I have a problem with -- with some of the employee time  
30 frames. I do think you should be more proactive perhaps in  
31 regarding the employee training and timely evaluations and --  
32 and such like that.

33          And I do wish that maybe you would share a little bit more  
34 of the -- the big picture we get. And we don't want to  
35 micromanage, but there are things that go on that we should be  
36 aware of that I feel we're still being left out of.

37          So I -- I applaud your -- your education goals and your  
38 personal growth. And -- and hopefully you don't have to do that  
39 much traveling this year because I know that took a big part of  
40 it.

1 But I know that one of your leadership classes now is going  
2 to be on the internet -- right? -- so -- so that will cut down a  
3 little bit. And I think that's important.

4 But I'm -- I'm very pleased with -- with what you have done  
5 and how you've done it. It is -- it's, as Art says, it's your  
6 style. And I think we're still fortunate that you're that  
7 conscientious and taking the county forward.

8 I look forward to working with you more on our county goals  
9 to make this the best county.

10 Thank you.

11 Any other comments?

12 COMMISSIONER CLARK: Good job, Keith.

13 Do you have anything to say, Keith?

14 KEITH WESTENGARD: I appreciate the constructive criticism.  
15 Thank you.

16 COMMISSIONER CLARK: So the big focus for the next year,  
17 the way I see it, is the agenda. And, you know, we're all  
18 concerned about that.

19 You know, compared to the school district, they've had  
20 secretaries there 20, 25 years. We just need to build up our,  
21 you know, our staff so that they stay longer and they gain the  
22 skills that we need. Along with -- is everybody done?

23 I'll make a motion.

24 I'd like to make a motion to retain Keith Westengard as  
25 Lander County county manager and give him a 4 percent raise.

26 Keith has not had a raise for how many years, Keith?

27 CHAIRMAN WAITS: Last year.

28 COMMISSIONER CLARK: Last year?

29 CHAIRMAN WAITS: This year.

30 KEITH WESTENGARD: It was last year.

31 COMMISSIONER CLARK: Last year? Is that what the -- that's  
32 what the employees got was a 2 percent?

33 COMMISSIONER ANCHO: Two percent.

34 COMMISSIONER CLARK: Two and two?

35 KEITH WESTENGARD: Yeah.

36 COMMISSIONER CLARK: Yeah. So that's --

37 KEITH WESTENGARD: I did get -- I did get -- I do get the  
38 two.

39 COMMISSIONER CLARK: Everybody got --

40 COMMISSIONER ANCHO: So the two.

1 COMMISSIONER CLARK: You already got two?  
2 KEITH WESTENGARD: I got two.  
3 COMMISSIONER ANCHO: Oh.  
4 COMMISSIONER CLARK: Oh, okay. Well, I'll --  
5 KEITH WESTENGARD: Everybody got --  
6 COMMISSIONER CLARK: -- modify my -- my motion to 2 percent  
7 raise. That would give you a total for 4 percent this year.  
8 COMMISSIONER ANCHO: I'll second.  
9 CHAIRMAN WAITS: Kathy, you seconded?  
10 COMMISSIONER ANCHO: Uh-huh.  
11 CHAIRMAN WAITS: Okay. It's been moved and seconded.  
12 Any other discussion?  
13 I do remember that when we did that last -- that last one,  
14 that was -- what was the total percentage? It was --  
15 KEITH WESTENGARD: That was three years ago because at the  
16 time I hadn't gotten anything for two years.  
17 CHAIRMAN WAITS: Okay. So the motion is for two and two?  
18 KEITH WESTENGARD: No.  
19 CHAIRMAN WAITS: Or just two?  
20 COMMISSIONER ANCHO: Just two.  
21 COMMISSIONER CLARK: Two percent.  
22 CHAIRMAN WAITS: Just two percent?  
23 COMMISSIONER CLARK: Yes.  
24 CHAIRMAN WAITS: Okay. Okay. Got it. All right.  
25 All those in favor?  
26 COMMISSIONER ANCHO: Aye.  
27 COMMISSIONER SPARKS: Aye.  
28 COMMISSIONER CLARK: Aye.  
29 CHAIRMAN WAITS: Any opposed?  
30 COMMISSIONER ALLAN: Nay.  
31 CHAIRMAN WAITS: Nay.  
32 Okay. And he gets the raise.  
33 And we thank you very much. And move on to correspondence.  
34  
35  
36  
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40



1 **CORRESPONDENCE**

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

4  
5 CHAIRMAN WAITS: Number 14.

6 COMMISSIONER CLARK: Good job, Keith.

7 CHAIRMAN WAITS: Correspondence, reports, potential  
8 upcoming agenda items.

9 I had asked for the interlocal agreement for NNRDA to see  
10 if we could get that on the agenda for next time, but I would  
11 like to take that off.

12 It's being reviewed by all of the dis- -- district  
13 attorneys. Fortunately, ours was right on top of it and did  
14 everything.

15 But I'm afraid if we put it on the agenda and somebody else  
16 has got changes, we'll have to put it back on.

17 So I want to be sure we don't have that on.

18 Thank you.

19 So there's a few things we've got on a carryover. Right?  
20 And Holly, cooperative extension.

21 COMMISSIONER ANCHO: Uh-huh.

22 And wasn't there something else that we --  
23 Oh.

24 COMMISSIONER SPARKS: Public hearing.

25 COMMISSIONER ANCHO: The thing on for the 19th for the --

26 COMMISSIONER SPARKS: Public --

27 COMMISSIONER ANCHO: -- code. The -- the --

28 COMMISSIONER SPARKS: Public hearing?

29 COMMISSIONER ANCHO: -- the public hearing.

30 CHAIRMAN WAITS: Public hearing for the ordinance.

31 COMMISSIONER ANCHO: Yeah.

32 CHAIRMAN WAITS: And I think you have some others?

33 KEITH WESTENGARD: There's several on my board.

34 DISTRICT ATTORNEY HERRERA: For the 19th.

35 CHAIRMAN WAITS: Okay. All right.

36  
37  
38  
39  
40

1     **PUBLIC COMMENT**

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

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

13          BERT RAMOS: Bert Ramos, for the record.

14          So first off, I'd like to say I'm happy to hear that Keith  
15 got a good evaluation because I think he does a great job  
16 from -- from the work that we do together. That job that he  
17 holds is a lot tougher job than I think anybody in the public  
18 realizes.

19          We don't always agree, but he does deal with a lot of  
20 things better than I know I would personally.

21          Next is I'm not sure where the proper forum is to put this  
22 so I'm going to put it right here and maybe this will be a  
23 future agenda item for you guys.

24          I don't feel that I'm being heard. And I'm not sure what  
25 the pr- -- maybe I'm not being heard because I'm not following  
26 the proper process. So I would like a process of going forward,  
27 you know.

28          I'm not here to sling any mud or to -- or to make a big  
29 mess of anything. I had to jot down a few notes here so I can  
30 keep myself on track.

31          But I think that there's got to be some due process. I  
32 know when I have an employee come to me with any problem they  
33 have in -- in the county that I address it immediately.

34          I feel that I've been in front of this board and to Keith  
35 many a times and nothing is being addressed.

36          So I'm -- I'm thinking that maybe I'm not going about it  
37 the right process. Maybe there's a different process of -- of  
38 coming forward or filing, you know, a complaint or -- or some of  
39 my concerns being heard.

40          Maybe some of it is some of what you guys addressed to

1 Keith for not doing and his job is not wanting to speak on  
2 things publicly.

3 I know that we're trying to protect this county and not  
4 sling mud, as I said. But also in the name of transparency,  
5 some things have to be discussed in open meetings.

6 And -- and that's what I'm here for.

7 So is what I'm asking for, for me to do my job effectively,  
8 I have to have good, clear communication with the people who  
9 work for me. And they have to know where -- what the process is  
10 if they come to me with -- with a problem.

11 So I'm coming to you guys. And I've come to you guys and  
12 Keith as well with problems that haven't been addressed.

13 So now I'm coming to you guys asking for an agenda item or  
14 something to take action to show the due process and the proper  
15 procedure for me to move forward with some of these things that  
16 need to be addressed. Whether that means we sit here in an open  
17 meeting and we get it hashed out, that's what we got to do.

18 But to continue on the way we're going for as long as this  
19 has continued on, this has continued on for three years now,  
20 personally I'm tired of it.

21 I'm not going anywhere. I plan on working for Lander  
22 County as long as you guys will have me. And I'm happy to do  
23 so.

24 As Judie said in Keith's evaluation, we work for the  
25 public, as do you guys.

26 And that's what's most important here is that we're doing  
27 the best thing in the best interest of Lander County and the  
28 people of Lander County, not for me, you, or any of us  
29 individuals.

30 And I believe that myself coming before you guys and -- and  
31 asking for this is part of me doing what I believe is best for  
32 Lander County.

33 I know that you guys can't comment back -- comment back in  
34 this because it is just public comment. However, I'm asking for  
35 an agenda item on what the proper procedure is moving forward.

36 And that -- that's all I have to say. And -- and, Keith,  
37 thanks again. I think -- I enjoy working for you.

38 COMMISSIONER SPARKS: Thanks --

39 CHAIRMAN WAITS: So noted.

40 COMMISSIONER SPARKS: -- Bert.

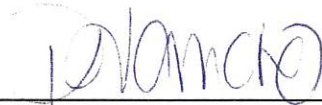
1 CHAIRMAN WAITS: Thank you.  
2 COMMISSIONER CLARK: Thank you, Bert.  
3 You do a great job.  
4 CHAIRMAN WAITS: Any other public comment?  
5 (No comment.)  
6 CHAIRMAN WAITS: Okay. Before the adjournment, I just want  
7 to say, I hope you're all enjoying a beautiful holiday season.  
8 And please remember to pass on your -- your beautiful  
9 festivities to open --  
10 COMMISSIONER ANCHO: Yeah.  
11 CHAIRMAN WAITS: -- the Christmas season for Friday and, if  
12 you can, even attend our Austin one on Tuesday.  
13 So with that, I'll entertain a motion to adjourn.

14  
15  
16 **ADJOURNMENT**

17  
18 COMMISSIONER ANCHO: I'll second.  
19 COMMISSIONER SPARKS: I'll make the motion.  
20 CHAIRMAN WAITS: Thank you. Bryan made the motion.  
21 Kathy --  
22 COMMISSIONER ANCHO: Oh.  
23 CHAIRMAN WAITS: -- seconded.  
24 COMMISSIONER ANCHO: Oh, sorry.  
25 COMMISSIONER CLARK: Aye.  
26 COMMISSIONER ANCHO: I was in such a hurry.  
27 CHAIRMAN WAITS: All those in --  
28 COMMISSIONER ANCHO: I'll second it.  
29 CHAIRMAN WAITS: All those in favor?  
30 COMMISSIONER ANCHO: Aye.  
31 COMMISSIONER CLARK: Aye.  
32 CHAIRMAN WAITS: Aye. Thank you.

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35 (Meeting adjourned at 11:00 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 5TH DAY OF DECEMBER, 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  
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BERT RAMOS: [1] 66/13 CHAIRMAN WAITS: [260] CINDY CLARK: [10] 32/17 32/21 32/23 32/28 32/31 32/33 32/36 32/38 33/2 33/5 COMMISSIONER ALLAN: [59] 2/17 7/29 8/37 9/18 9/32 10/4 10/10 10/17 20/35 20/38 21/6 21/19 24/1 24/3 24/5 24/7 24/12 24/19 24/36 25/12 25/14 25/18 25/23 25/26 27/34 27/38 28/9 28/32 28/35 29/1 29/4 29/6 29/8 29/10 29/16 29/21 29/23 30/2 30/38 32/20 32/22 35/17 38/25 38/27 38/31 38/35 38/38 38/40 43/40 44/2 44/11 56/8 57/13 57/17 58/32 58/35 58/37 58/39 64/30 COMMISSIONER ANCHO: [87] COMMISSIONER CLARK: [114] COMMISSIONER SPARKS: [147] DISTRICT ATTORNEY HERRERA: [85] HOLLY GATZKE: [42] 13/35 15/6 15/13 15/15 15/19 15/22 15/25 15/27 15/29 15/31 15/34 15/36 15/38 15/40 16/8 16/10 16/12 16/18 16/20 16/27 16/32 16/34 16/36 17/6 17/13 17/15 17/17 17/20 17/23 17/25 17/27 17/29 17/31 17/35 17/37 17/39 18/1 18/3 18/40 19/2 19/7 19/10 JERRY ANNIS: [4] 6/15 7/20 7/23 7/25 KARINA CORTES: [10] 5/1 5/4 5/6 5/19 5/22 5/24 5/26 5/28 15/14 15/17 KEITH WESTENGARD: [96] KIM BURGESS: [30] 45/14 49/6 49/28 49/39 50/8 51/6 51/8 51/13 51/16 51/30 51/32 51/34 51/36 51/38 52/3 52/5 52/20 52/40 53/13 53/16 53/18 54/14 54/16 54/18 54/22 54/24 54/31 54/36 55/28 56/12 KYLA BRIGHT: [1] 30/24 MITESHELL LANHAM: [2] 25/31 56/19 SADIE SULLIVAN: [7] 44/15 44/17 44/22 44/24 44/26 55/12 55/20 SEAN BAKKER: [9] 19/21 19/29 20/19 20/21 20/28 20/31 20/37 21/2 21/22 UNDERSHERIFF ROBERT QUICK: [12] 26/14 27/18 27/21 27/23 27/25 27/28 27/31 28/1 28/7 29/32 29/34 30/5 UNIDENTIFIED PARTICIPANT: [3] 19/24 19/26 19/28	10 [11] 8/16 8/20 11/4 14/5 14/9 16/17 35/26 35/31 41/34 43/28 48/40 10-minute [1] 44/28 10:06 [1] 44/30 10:32 [1] 56/24 10:38 [1] 56/24 10th [1] 6/38 11 [3] 8/15 43/10 43/16 11:00 [2] 4/8 68/35 12 [6] 10/31 10/39 43/31 44/35 44/39 53/19 12:00 [1] 1/38 12th [1] 45/36 13 [2] 56/28 56/30 14 [2] 65/3 65/5 15 [3] 10/31 10/38 16/17 15,000 [1] 28/26 18 [1] 55/17 180 [1] 33/3 19 [1] 32/31 19th [5] 11/3 17/10 17/32 65/25 65/34 1:15 [1] 1/38 1st [3] 2/14 26/23 45/32
\$	2
\$10,000 [3] 26/18 27/10 27/29 \$15,000 [2] 26/2 26/9 \$2 [2] 4/12 4/14 \$24,000 [1] 27/6 \$6,000 [1] 27/3 \$6.2 [1] 45/27 \$675 [1] 45/24 \$74,600 [2] 26/5 26/12	20 [3] 38/2 39/22 63/20 20,000 [1] 16/17 20-some [1] 39/20 2010 [2] 45/30 47/3 2016 [1] 45/28 2019 [15] 1/4 1/24 8/5 8/12 8/14 8/15 8/16 8/17 8/17 8/18 8/19 43/13 43/20 43/37 70/13 2019-01 [2] 10/30 10/38 2020 [15] 2/14 7/1 19/15 19/19 19/36 21/8 26/23 28/11 35/29 35/34 42/35 44/36 45/1 53/11 55/36 2020-2021 [5] 26/2 26/5 26/9 26/11 26/16 2021 [6] 26/2 26/5 26/9 26/11 26/16 29/17 205702 [2] 9/5 10/6 205759 [2] 9/7 9/22 205775 [2] 9/8 9/35 205777 [2] 9/5 10/6 23 [1] 8/12 24 [1] 8/17 241.031 [2] 56/35 57/3 25 [10] 8/16 8/19 19/15 19/19 19/36 21/8 52/29 52/29 55/3 63/20 25-plus [1] 40/4 25th [1] 8/25 27 [1] 8/14 27th [2] 8/21 8/25 28 [3] 33/18 33/25 35/9 29 [3] 30/14 30/21 30/40 29.25 [4] 33/18 33/25 33/40 35/9 2nd [1] 2/21
'	3
'20 [1] 27/36 '21 [1] 27/37	3,000 [1] 55/14 30 [4] 30/15 30/21 30/40 54/8 305 [1] 1/4 31 [1] 27/9
-	4
-spect [1] 38/40	4th [1] 2/25
0	5
01 [2] 10/30 10/38 010-280-29 [3] 30/14 30/21 30/40 010-280-30 [3] 30/15 30/21 30/40 029 [1] 31/25	50 [2] 1/4 3/37 5:30 [2] 2/22 6/38
1	
1.25 [2] 33/31 34/33 1/2 [2] 26/27 27/4 1/4 [1] 34/13	

5	adver [1] 5/5
5TH [1] 70/13	advertise [4] 11/10 35/27 35/33 42/33
6	advertisement [1] 5/8
6,000 [1] 55/15	advertising [3] 11/3 11/9 11/13
60-day [1] 36/16	afraid [1] 65/15
670 [3] 30/13 30/20 30/39	age [1] 55/16
685 [3] 30/14 30/20 30/40	agency [2] 2/30 2/39
6:00 [2] 31/30 31/39	agenda [32] 1/38 1/40 7/34 7/36 7/37 8/1 8/2 8/5 8/24 17/3
7	23/22 24/10 25/10 25/34 33/31 37/5 37/6 37/7 37/16 43/24
74,6 [1] 28/28	57/40 59/23 61/15 61/27 63/17 65/3 65/8 65/10 65/15 66/23
7:00 [1] 31/40	67/13 67/35
8	agendas [6] 57/36 57/37 57/39 58/10 59/14 62/5
8:57 [1] 1/4	agendize [1] 19/35
9	agendized [1] 19/27
9,000 [1] 16/18	aging [1] 47/5
90 [1] 23/5	ago [8] 4/5 13/37 26/27 27/4 39/22 40/6 47/28 64/15
90,000 [1] 16/13	agree [6] 20/34 23/6 27/28 61/15 62/4 66/19
930 [2] 1/5 70/27	agreement [11] 14/20 26/20 26/26 27/8 36/28 39/38 43/11
9:10 [2] 10/28 10/36	43/18 43/25 43/35 65/9
9:26 [1] 21/33	agriculture [1] 18/27
9:29 [1] 21/33	aiming [1] 18/30
9:30 [6] 12/22 21/24 21/26 21/36 21/37 22/1	air [2] 4/16 4/31
9:56 [1] 44/30	airport [5] 4/13 4/13 4/26 4/26 4/30
A	airports [2] 4/10 4/12
ability [1] 60/18	all-class [5] 19/14 19/19 19/30 19/32 21/7
abstain [3] 9/32 10/5 10/18	ALLAN [3] 1/9 2/16 57/10
abstaining [1] 10/19	Allan's [1] 9/21
abstains [1] 9/33	Allegiance [2] 1/26 1/29
acceptance [3] 22/3 22/13 22/29	allocated [1] 45/24
access [4] 4/31 4/32 52/24 53/19	allow [1] 28/29
accomplish [2] 46/23 46/23	ALLOWED [1] 70/19
accomplished [1] 60/20	allows [5] 39/40 43/11 43/18 43/24 43/35
account [3] 33/17 33/24 33/39	along [2] 62/10 63/22
accountability [3] 57/33 58/5 60/16	alter [1] 23/2
accountable [2] 60/12 60/14	always [7] 5/4 5/24 46/19 48/39 58/20 61/9 66/19
accuracy [1] 23/16	amazed [1] 59/8
accurate [3] 47/17 51/20 51/27	amen [1] 35/36
Act [2] 2/28 2/32	amend [1] 43/24
acted [2] 7/38 8/1	amended [3] 43/11 43/17 43/35
action [35] 2/30 7/39 10/29 10/37 12/26 12/32 13/25 13/31	amending [2] 10/30 10/38
19/13 19/18 22/2 22/13 26/1 26/8 30/11 30/18 33/16 33/23	amendment [3] 2/37 10/32 10/39
35/26 35/32 43/10 43/17 44/35 44/40 45/32 46/22 56/30	American [1] 49/36
56/34 56/38 57/1 58/19 58/20 60/19 60/20 67/14	Amodei [1] 4/18
actions [1] 58/24	amount [19] 14/30 15/4 16/23 16/38 26/2 26/5 26/9 26/12
active [1] 55/19	26/21 27/14 28/13 28/14 28/15 28/17 28/20 28/23 28/36
activities [7] 48/19 50/36 53/13 53/20 53/28 53/30 53/38	33/30 34/40
activity [3] 53/27 54/7 54/28	amplify [1] 50/13
add [4] 25/14 27/9 55/27 58/31	ANCHO [2] 1/11 59/22
additional [8] 4/11 4/14 4/16 26/20 27/3 27/10 30/33 30/33	angles [1] 58/25
address [4] 46/5 46/7 52/25 66/33	Anna [1] 12/13
addressed [4] 66/35 66/40 67/12 67/16	Annis [1] 6/15
adjourn [1] 68/13	annual [3] 43/12 43/19 43/36
adjourned [1] 68/35	answer [5] 7/8 51/28 58/2 58/2 58/3
Administration [1] 1/3	answers [2] 23/35 62/4
administrative [1] 59/11	anticipate [1] 36/37
admit [1] 16/5	anticipates [1] 60/3
adopt [4] 3/24 3/24 10/32 10/40	APN [3] 30/14 30/21 30/40
adopted [2] 4/23 4/29	apologies [7] 15/19 16/10 17/6 17/20 17/31 18/31 32/14
adoption [3] 10/30 10/38 23/19	applaud [1] 62/37
adult [2] 54/7 54/28	applicable [1] 43/32
adults [1] 47/5	applicants [2] 18/12 18/15
	application [3] 18/25 30/12 30/19
	apply [3] 4/4 4/30 18/24
	applying [1] 40/30
	appointed [2] 3/3 6/16
	appreciate [8] 7/21 19/11 32/26 33/9 45/9 55/29 60/36 63/14



<p><b>A</b></p> <p>appreciative [1] 6/28  approach [2] 47/20 47/24  appropriate [1] 60/3  approval [21] 8/5 8/12 8/14 8/14 8/15 8/16 8/17 8/18 8/19  8/20 8/24 9/9 26/1 26/8 27/12 27/35 27/36 28/19 30/37 37/34  39/3  approve [39] 9/22 10/30 10/37 12/26 12/33 13/11 13/25 13/31  19/13 19/18 19/38 20/15 20/15 21/6 22/2 22/7 22/13 22/18  24/20 24/24 26/24 28/9 28/17 28/23 29/17 29/23 30/11 30/18  30/38 33/16 33/23 35/7 40/34 43/10 43/17 43/34 44/35 44/40  60/2  approve/disapprove [9] 10/30 12/26 13/25 19/13 22/2 30/11  33/16 43/10 44/35  approved [6] 22/4 22/14 30/29 43/22 44/37 45/2  approving [5] 20/21 20/22 28/26 28/30 29/24  approximately [1] 26/18  April [3] 45/32 48/31 49/24  are made [1] 10/21  area [7] 13/36 47/12 48/1 50/37 52/9 52/23 53/37  areas [12] 18/27 33/12 45/20 46/2 46/3 47/18 47/33 48/8  48/34 49/5 51/23 51/25  arithmetic [1] 54/1  arrived [1] 1/21  ART [11] 1/8 9/2 13/13 33/19 33/25 35/9 42/37 51/9 54/4  55/37 63/5  aside [2] 16/23 62/21  aspects [1] 57/28  assist [1] 51/11  assistance [1] 51/15  association [1] 57/25  attacked [1] 59/5  attend [5] 2/20 6/6 60/40 66/6 68/12  attendance [1] 7/3  attended [2] 2/4 2/12  attending [2] 4/1 19/32  attested [1] 23/13  attorney [4] 1/14 4/3 11/8 11/19  attorneys [1] 65/13  audience [2] 32/39 53/32  AUDIO [2] 70/11 70/19  AUDIO/VIDEO [2] 70/11 70/19  audit [4] 3/19 3/19 3/34 13/38  auditors [1] 3/34  Austin [14] 1/18 1/23 2/20 4/25 4/26 4/30 25/29 32/24 32/27  32/39 33/5 56/16 68/12 69/40  authorize [3] 25/14 44/2 44/3  automatically [1] 46/3  available [2] 8/2 8/4  aviation [1] 4/12  award [2] 6/30 7/14  awarded [1] 6/23  aware [1] 62/36  awareness [2] 49/18 49/23  away [1] 30/34  Axon [1] 26/29  Aye [70] 8/34 8/35 8/36 8/37 8/38 9/15 9/16 9/17 9/18 9/19  9/28 9/29 9/30 9/31 10/1 10/2 10/3 10/4 10/14 10/15 10/16  10/17 13/18 13/19 13/20 13/21 21/15 21/16 21/17 21/18  21/19 24/34 24/35 24/36 24/37 24/38 29/39 29/40 30/1 30/2  30/3 31/7 31/8 31/9 31/10 31/11 35/16 35/17 35/18 35/20  43/2 43/3 43/4 43/5 44/10 44/11 44/12 44/13 44/14 56/6 56/7  56/8 56/9 64/26 64/27 64/28 68/25 68/30 68/31 68/32</p>	<p>backtrack [1] 46/14  backup [8] 25/19 26/16 43/27 57/38 58/16 59/21 59/23 62/5  Bakker [1] 19/29  bank [1] 3/28  base [1] 44/20  basis [4] 20/5 20/14 38/29 48/17  bat [1] 48/29  Battle [12] 1/3 1/23 2/12 4/13 12/27 12/33 30/14 30/21 31/15  31/19 32/23 69/40  beautiful [3] 56/10 68/7 68/8  because things [1] 17/4  beefed [1] 53/10  begin [1] 57/10  beginning [1] 30/8  behavior [2] 60/18 60/22  behavioral [1] 60/12  behind [1] 26/19  belief [1] 58/4  believe [12] 16/13 17/33 23/27 36/16 51/10 55/5 55/15 55/26  60/28 61/1 67/30 67/31  believed [1] 15/20  benefit [1] 4/24  benefits [1] 41/35  Bert [4] 3/36 66/13 67/40 68/2  Berumen's [1] 6/26  best [6] 50/11 57/31 63/9 67/27 67/27 67/31  better [5] 3/20 3/32 6/33 58/4 66/20  bid [1] 40/36  big [9] 2/24 2/31 6/29 50/12 59/39 62/34 62/39 63/16 66/28  big-picture [1] 59/39  bigger [1] 47/10  biggest [2] 3/17 3/18  bill [16] 4/17 4/17 4/28 36/6 36/23 36/27 36/31 36/34 36/36  36/38 37/8 38/16 39/6 39/34 40/8 40/16  bill's [1] 4/22  billion [2] 45/24 45/27  bills [5] 8/20 8/23 8/40 9/9 10/23  bit [10] 3/20 14/8 14/32 14/36 45/21 46/8 46/14 53/11 62/33  63/3  blame [1] 16/1  BLM [15] 4/26 36/10 36/29 36/30 36/35 37/32 38/5 38/17  38/39 39/3 39/37 40/4 40/24 40/36 40/40  BLM's [1] 37/24  board [30] 1/1 1/23 1/23 3/23 6/6 6/8 6/9 7/38 7/40 19/33  22/10 22/20 24/26 33/11 43/14 43/21 43/38 46/11 48/10  59/17 62/27 65/33 66/6 66/8 66/9 66/34 69/22 69/24 69/39  69/39  boards [1] 5/10  body [1] 1/39  book [1] 53/33  booked [1] 17/37  boom [1] 14/8  boom-bust [1] 14/8  Box [1] 46/6  br [1] 47/34  break [8] 1/37 21/33 44/28 44/30 46/21 56/13 56/15 56/24  Brick [3] 30/14 30/20 30/40  Bright [1] 30/24  bring [12] 3/9 6/35 14/13 14/35 26/23 29/4 31/32 33/19 33/26  33/40 49/18 49/23  broader [1] 18/11  brought [5] 4/10 26/15 32/27 33/35 47/34  Brown [1] 3/4  BRYAN [18] 1/10 2/10 8/29 9/5 9/12 9/25 9/38 13/13 17/8  20/19 29/28 35/12 42/37 44/4 55/37 59/28 61/35 68/20  Bryan's [1] 10/6</p>
<p><b>B</b></p> <p>back in [1] 29/5</p>	

<p><b>B</b></p> <p>budget [22] 3/8 13/25 13/31 14/12 15/1 26/5 26/12 26/22 26/23 26/25 27/13 27/39 28/2 28/17 28/18 28/25 28/29 28/39 29/8 29/14 29/17 33/35</p> <p>budgetary [4] 26/1 26/8 28/10 28/22</p> <p>budgeted [1] 27/2</p> <p>budgets [1] 14/21</p> <p>Bugle [1] 12/18</p> <p>build [2] 45/34 63/20</p> <p>building [4] 1/3 10/32 10/40 60/4</p> <p>built [2] 53/21 53/24</p> <p>burden [3] 22/5 22/16 24/22</p> <p>Bureau [4] 45/8 45/18 51/17 51/18</p> <p>Burgess [1] 45/7</p> <p>business [13] 6/34 22/3 22/5 22/7 22/14 22/16 22/18 23/12 23/31 23/38 24/20 24/22 24/23</p> <p>bust [1] 14/8</p> <p>buy [8] 36/27 36/30 37/2 37/2 38/15 39/5 39/36 40/8</p> <p>buying [2] 36/5 36/35</p>	<p>check [4] 9/5 9/22 9/35 10/6</p> <p>checks [1] 9/1</p> <p>chest [1] 48/12</p> <p>children [6] 47/1 52/38 52/38 54/2 54/34 54/38</p> <p>chocolate [1] 2/23</p> <p>choice [1] 29/35</p> <p>chose [1] 23/8</p> <p>Christmas [8] 12/29 12/35 31/16 31/19 31/23 32/33 33/14 68/11</p> <p>church [1] 49/35</p> <p>Cindy [6] 3/30 28/28 31/24 32/18 32/20 33/8</p> <p>circulation [1] 11/11</p> <p>citizen [1] 7/40</p> <p>citizens [1] 32/4</p> <p>civic [1] 20/17</p> <p>civics [1] 53/24</p> <p>clarify [1] 38/19</p> <p>CLARK [11] 1/8 2/5 32/18 33/19 33/26 33/37 35/9 51/9 54/4 54/32 58/36</p> <p>class [9] 19/14 19/19 19/30 19/32 21/7 53/24 53/24 53/25 62/15</p>
<p><b>C</b></p> <p>C.C.R [1] 1/5</p> <p>calendar [1] 17/33</p> <p>call [11] 1/22 11/8 17/36 17/39 25/1 26/34 29/37 45/32 46/4 56/26 58/38</p> <p>called [3] 26/29 50/2 50/31</p> <p>calling [1] 21/36</p> <p>can get [1] 17/21</p> <p>candidate [1] 18/6</p> <p>capacity [1] 46/20</p> <p>cards [2] 3/25 3/26</p> <p>care [4] 10/22 44/8 45/12 49/2</p> <p>carefully [1] 42/16</p> <p>carryover [13] 13/25 13/32 14/1 14/6 14/10 14/14 14/16 14/22 14/30 15/4 16/4 16/15 65/19</p> <p>case [6] 3/2 14/10 20/5 20/5 20/14 20/14</p> <p>categories [3] 46/40 47/6 47/9</p> <p>category [1] 47/2</p> <p>cause [1] 30/27</p> <p>CCR [1] 70/27</p> <p>CD [1] 7/7</p> <p>celebrate [2] 2/23 33/14</p> <p>cen [1] 53/21</p> <p>census [39] 44/37 45/1 45/8 45/17 45/22 45/26 45/30 45/31 45/33 47/3 48/19 48/24 48/38 49/4 49/12 49/12 49/16 49/30 49/32 49/37 49/38 50/6 50/24 50/39 51/17 51/18 52/26 52/30 52/33 53/21 53/22 53/22 53/34 54/2 54/34 54/34 54/39 55/36 56/4</p> <p>center [8] 19/13 19/17 19/36 20/3 20/17 47/35 47/36 48/12</p> <p>ceremony [1] 32/30</p> <p>certain [4] 20/38 20/39 58/17 58/24</p> <p>certainly [5] 28/23 36/36 37/16 57/16 62/12</p> <p>CERTIFIED [1] 70/7</p> <p>CERTIFY [1] 70/9</p> <p>chair [1] 44/3</p> <p>CHAIRMAN [2] 69/21 69/21</p> <p>challenges [5] 46/25 46/26 46/30 46/31 47/11</p> <p>Chamber [1] 2/20</p> <p>Chambers [1] 1/2</p> <p>chance [3] 14/18 32/8 44/20</p> <p>change [5] 18/18 22/22 22/33 22/37 23/2</p> <p>changed [1] 6/19</p> <p>changes [2] 14/10 65/16</p> <p>channels [2] 50/14 50/14</p> <p>Chapter [2] 10/31 10/39</p> <p>charge [1] 8/4</p>	<p>classes [3] 53/38 62/13 63/1</p> <p>clause [1] 36/29</p> <p>cleaning [1] 3/22</p> <p>clear [2] 61/37 67/8</p> <p>clearly [1] 62/26</p> <p>clerk [5] 1/13 55/8 55/13 69/27 70/17</p> <p>Clerk's [2] 5/31 8/3</p> <p>Clinic [1] 2/14</p> <p>close [3] 4/18 21/24 25/33</p> <p>closing [1] 2/13</p> <p>club [2] 37/17 38/21</p> <p>clubhouse [5] 35/28 35/34 38/14 39/4 42/34</p> <p>clue [1] 41/37</p> <p>coalition [1] 48/15</p> <p>code [3] 10/31 10/39 65/27</p> <p>codes [2] 10/32 10/40</p> <p>colleagues [1] 50/27</p> <p>coloring [1] 53/33</p> <p>combination [2] 30/37 30/39</p> <p>combine [3] 30/12 30/19 30/31</p> <p>combined [4] 1/39 22/9 22/19 24/25</p> <p>comfort [2] 14/28 16/12</p> <p>comfortable [2] 14/20 16/37</p> <p>comment [31] 6/1 6/3 6/8 6/10 6/11 6/13 7/30 7/31 8/32 13/16 15/3 24/32 25/11 31/5 32/17 32/38 35/14 42/40 43/7 44/7 55/40 60/8 66/1 66/4 66/8 66/11 67/33 67/33 67/34 68/4 68/5</p> <p>comments [10] 6/5 6/6 6/7 25/30 32/16 63/11 66/5 66/6 66/7 66/10</p> <p>commission [8] 1/2 4/1 4/6 26/24 28/30 30/5 30/29 44/32</p> <p>commissioner [26] 1/7 1/8 1/9 1/10 1/11 2/1 2/5 2/16 9/21 11/2 11/38 25/13 25/25 33/37 33/37 40/15 51/9 52/34 54/4 54/32 57/10 58/9 58/13 58/26 58/34 59/22</p> <p>commissioners [21] 1/1 1/18 1/24 1/37 6/29 7/38 10/26 12/26 12/32 21/22 26/14 34/14 36/25 41/4 43/14 43/21 43/38 57/6 60/2 69/23 69/39</p> <p>commissioners' [3] 1/22 2/3 10/35</p> <p>commit [1] 49/8</p> <p>commitment [1] 46/17</p> <p>committee [23] 3/6 18/22 18/23 20/22 20/34 44/36 45/1 45/6 46/8 46/10 46/13 46/15 46/17 46/24 47/22 48/19 49/3 50/2 50/3 52/1 52/15 55/2 55/34</p> <p>committees [5] 4/40 47/40 48/24 49/34 51/17</p> <p>common [1] 57/38</p> <p>communicate [1] 62/25</p> <p>communication [1] 67/8</p>

<p><b>C</b></p> <p>communities [7] 46/27 46/29 46/34 47/4 47/30 50/21 51/20  community [14] 18/26 18/30 19/34 19/36 20/22 20/23 20/26  20/27 20/40 47/36 48/6 48/12 48/13 61/13  comp [1] 34/2  companies [1] 29/31  company [1] 26/28  compare [1] 61/17  compared [1] 63/19  comparing [1] 59/16  compassionate [1] 57/22  compensation [5] 33/17 33/24 33/39 34/11 35/8  competing [1] 57/20  complaint [1] 66/38  complete [15] 3/19 22/29 44/36 45/1 46/9 46/12 46/15 48/18  48/18 48/18 50/3 50/24 51/40 55/2 55/34  completed [1] 62/12  completely [1] 46/18  compliance [2] 33/19 33/26  computer [1] 16/6  computers [1] 50/20  con [1] 49/40  concern [2] 2/32 59/14  concerned [4] 3/6 13/6 49/5 63/18  concerns [1] 66/39  conditions [3] 37/4 38/7 38/10  conduct [1] 6/34  conferences [1] 2/4  confines [1] 37/16  conflicting [1] 57/20  confused [2] 48/32 48/38  Congratulations [1] 7/12  connection [2] 47/15 51/2  conscientious [2] 62/25 63/7  consent [5] 7/34 7/36 7/37 8/1 8/2  conservation [4] 6/17 6/22 6/23 6/23  consider [1] 37/28  consideration [1] 1/39  considered [2] 7/37 42/5  considering [2] 45/10 59/9  consist [2] 53/15 53/17  consistent [1] 38/4  constructive [1] 63/14  contact [4] 7/25 29/14 50/1 52/1  contingency [1] 60/4  Continual [1] 57/38  continue [5] 4/7 4/10 6/27 59/28 67/18  continued [2] 67/19 67/19  continuous [1] 5/7  contract [9] 27/26 27/29 29/25 36/1 36/3 36/34 41/34 42/21  43/23  contractor [19] 35/27 35/33 37/8 37/13 37/14 37/15 37/36  37/40 38/11 40/29 40/35 41/10 41/16 41/31 42/3 42/13 42/19  42/22 42/34  control [1] 58/22  cookies [1] 2/24  cooperative [5] 13/24 13/30 13/36 16/24 65/20  copies [1] 8/3  copy [2] 25/22 44/19  correct [9] 12/15 13/8 29/31 33/33 51/12 55/20 60/21 60/34  70/17  corrected [1] 61/31  correction [1] 60/19  corrections [1] 60/13  corrective [1] 60/19  correspondence [4] 64/33 65/1 65/3 65/7</p>	<p>cost [1] 27/3  costliest [1] 49/21  could call [1] 17/36  couldn't [2] 18/7 30/25  count [18] 44/36 45/1 46/9 46/13 46/15 46/34 46/34 46/37  47/7 47/17 48/18 49/3 50/3 51/20 51/27 52/1 55/2 55/34  counted [2] 48/34 49/2  counties [7] 14/2 14/3 14/6 14/6 46/12 51/11 51/15  country [1] 45/3  counts [1] 47/2  county [109]  county's [1] 23/3  countywide [1] 60/14  coup [1] 41/36  couple [5] 2/19 13/37 29/31 45/22 62/24  course [13] 14/26 35/28 35/34 35/40 36/5 36/40 39/33 40/25  42/34 45/5 59/5 59/6 62/4  COURT [1] 70/7  Courthouse [1] 1/3  cover [2] 31/26 47/33  covered [1] 33/36  covering [1] 45/19  CPO [1] 62/12  create [1] 57/27  creation [3] 44/36 44/40 55/34  credibility [1] 60/14  credit [3] 3/25 3/26 27/6  crisis [1] 60/3  criticism [1] 63/14  cure [1] 35/38  current [3] 26/35 35/40 39/16  currently [1] 31/26  curriculum [3] 50/35 54/23 54/26  cut [2] 56/3 63/2</p>
	<p><b>D</b></p> <p>daily [1] 58/24  data [4] 45/26 45/31 50/32 53/22  date [1] 61/22  DATED [1] 70/22  DAVIS [1] 70/3  days [6] 11/4 12/1 12/4 12/17 23/5 32/31  de [1] 23/25  deadline [1] 12/7  deadlines [1] 60/12  deal [2] 58/24 66/19  December [8] 1/4 1/24 2/21 4/20 8/5 26/20 27/9 70/13  decide [6] 14/6 14/14 16/12 28/2 39/5 40/26  decided [3] 19/31 40/14 41/4  decision [7] 15/1 16/40 43/13 43/20 43/37 55/1 58/27  decision-making [1] 58/27  decisions [1] 60/3  dedication [1] 7/24  defer [1] 17/9  deferred [3] 33/39 34/2 34/11  definitely [2] 17/15 61/20  definition [3] 41/39 42/11 47/40  delegation [1] 59/40  demographic [1] 52/31  demotion [2] 56/32 56/40  Department [1] 3/36  depending [1] 14/9  deposit [1] 33/40  designating [2] 50/22 50/23  designed [1] 48/1  determine [1] 23/20</p>

<p><b>D</b></p> <p>determined [2] 23/13 23/26  develop [2] 44/37 45/2  development [1] 59/40  develops [1] 60/1  difference [4] 26/18 33/31 37/3 49/3  differences [1] 57/21  different [17] 18/18 37/40 38/20 38/22 45/37 46/28 47/6 47/20  47/24 47/30 48/22 48/25 50/14 50/29 53/20 61/3 66/37  differently [1] 14/7  difficult [1] 46/19  dig [1] 58/17  DIGITAL [1] 70/11  diligently [1] 55/31  direct [5] 22/4 22/15 24/21 47/14 59/37  directing [4] 20/33 23/9 60/9 60/23  directing the [1] 23/9  direction [10] 19/33 23/12 28/20 35/26 35/32 40/40 41/1 42/25  42/33 48/26  directly [7] 22/6 22/16 24/22 47/26 47/26 49/10 49/29  director [3] 3/3 3/3 13/36  directs [1] 57/30  dirt [1] 4/26  dis [3] 11/18 15/22 65/12  disagree [1] 61/12  disappointing [1] 18/9  disapprove [19] 10/30 10/38 12/26 12/33 13/25 13/31 19/13  19/18 22/2 22/13 30/11 30/18 33/16 33/23 43/10 43/17 44/35  44/40 55/34  disaster [2] 2/28 2/32  disasters [1] 2/36  discomfort [1] 14/4  disconnect [1] 15/40  discord [1] 57/33  discount [2] 26/21 27/10  discounts [1] 27/5  discretion [4] 6/8 6/9 66/8 66/9  discuss [3] 37/6 37/30 39/37  discussed [7] 3/28 3/31 4/27 8/1 11/19 31/24 67/5  discussing [1] 37/11  discussion [19] 6/7 7/39 8/31 10/29 10/37 13/15 14/29 21/12  24/31 29/29 31/4 35/13 42/39 44/6 55/39 56/30 56/37 64/12  66/7  discussions [1] 60/5  dissolution [3] 22/8 22/19 24/25  distribute [1] 52/37  distributed [1] 53/3  district [19] 1/14 6/17 6/22 6/23 6/24 11/19 22/9 22/10 22/20  22/20 24/26 24/26 41/31 41/35 53/6 53/35 59/16 63/19 65/12  districts [1] 50/34  distrustful [1] 47/4  dividing [1] 60/30  division [1] 57/27  divisive [1] 57/24  document [8] 15/6 15/8 15/9 15/19 16/3 16/4 17/17 25/19  documentation [3] 16/40 26/17 57/38  doing it [1] 37/22  dollar [1] 28/17  donation [1] 40/3  door [16] 19/38 48/40 49/1 49/1 49/9 49/9 49/10 49/10 49/13  49/13 49/15 49/16 49/26 49/26 49/29 49/29  Douglas [1] 45/18  downloadable [3] 53/26 53/29 53/33  draft [2] 14/17 44/19  draw [1] 34/8  dress [1] 62/26</p>	<p>drive [6] 30/13 30/20 30/39 32/9 32/40 50/38  drive-through [1] 50/38  due [6] 6/18 18/32 26/34 33/37 66/31 67/14  during [8] 8/1 12/30 12/36 19/14 19/19 21/7 29/8 50/38  duties [1] 59/40  duty [1] 25/17  dynamics [1] 46/29</p> <hr/> <p><b>E</b></p> <p>each [5] 26/2 26/9 53/20 57/8 58/2  early [2] 36/2 49/23  easements [2] 3/38 3/39  economic [4] 22/5 22/16 23/23 24/22  ecosystem [1] 6/40  educate [1] 54/1  educating [1] 54/38  education [5] 48/5 54/1 54/9 62/11 62/37  educator [2] 14/23 16/33  effective [3] 47/16 59/37 60/8  effectively [3] 57/19 59/39 67/7  effort [3] 18/32 18/32 47/27  eight [2] 11/4 16/19  either [5] 26/35 36/5 40/8 40/8 53/5  elected [1] 62/27  electricity [1] 12/40  electronic [1] 52/21  eligible [1] 34/4  eliminate [1] 37/37  Elkington [3] 1/5 70/7 70/27  Elko [1] 12/18  email [3] 5/29 5/30 5/31  emergency [1] 30/26  employ [1] 60/13  employee [9] 41/22 42/7 42/21 42/22 60/18 60/21 62/29 62/31  66/32  employees [12] 22/38 33/20 33/27 33/34 34/20 35/4 59/10  60/9 60/11 60/14 60/24 63/32  employer [2] 10/21 60/29  empty [1] 14/23  encounters [1] 59/9  encourage [4] 49/24 50/9 52/12 52/38  encouraged [1] 46/11  encouraging [2] 50/34 51/18  end [5] 4/20 26/20 26/34 27/26 57/11  ended [1] 2/13  ending [1] 26/33  endorsement [2] 56/33 57/1  Energy [6] 43/11 43/18 43/23 43/25 43/35 44/25  engagement [2] 56/33 57/1  enjoy [1] 67/37  enjoying [1] 68/7  enough [3] 36/2 49/18 54/29  ensure [2] 47/17 51/20  ensured [1] 48/7  ensures [1] 57/21  enter [6] 26/19 26/36 26/38 27/8 27/22 27/28  entered [1] 26/28  entertain [1] 68/13  entire [2] 20/40 51/21  equipment [5] 26/29 26/39 26/40 27/9 31/25  especially [2] 45/20 46/3  evaluation [7] 56/31 56/38 57/4 57/11 59/1 66/15 67/24  evaluations [3] 57/5 57/5 62/31  Eve [2] 12/29 12/35  evening [1] 32/2  ex [1] 61/39</p>
--	--

<p><b>E</b></p> <p>exam [1] 50/17  example [8] 47/1 47/25 48/5 48/14 50/18 50/37 53/33 58/14  excellent [2] 14/34 18/22  exceptional [1] 60/20  excess [1] 12/17  excited [1] 33/12  exciting [2] 32/3 32/7  expansion [4] 4/15 22/6 22/17 24/23  expect [1] 18/18  expectation [1] 18/26  expectations [2] 61/39 61/39  expected [1] 32/40  expenses [2] 14/29 16/14  experience [2] 28/6 59/37  explain [1] 49/7  explained [1] 54/26  extension [13] 7/6 12/13 13/24 13/27 13/30 13/33 13/36 14/11  14/23 16/26 16/33 18/27 65/20  extensive [1] 7/39  extra [2] 14/31 30/35  extremely [3] 62/8 62/25 62/28</p>	<p>fine [6] 11/20 17/28 18/2 39/35 39/36 54/39  finishing [1] 36/11  first [13] 4/21 9/21 12/7 12/10 12/14 14/39 40/7 40/10 46/25  47/28 59/34 61/16 66/14  fiscal [9] 26/9 26/11 26/15 26/16 27/2 27/12 28/10 29/17  45/28  fit [2] 46/39 47/9  fits [1] 47/21  five [12] 1/17 14/33 26/3 26/10 26/32 27/2 27/7 27/15 28/27  28/30 47/1 56/22  five-year [2] 27/15 28/27  fix [1] 11/7  fixed [1] 4/33  fixed-wing [1] 4/33  flag [1] 1/27  flu [1] 50/38  focus [3] 51/22 60/18 63/16  focused [2] 53/11 62/22  focusing [1] 62/18  fold [1] 47/34  follow [3] 49/15 49/20 49/22  follow-up [3] 49/15 49/20 49/22  following [3] 14/15 38/8 66/25  foolish [1] 61/28  forefront [1] 50/4  FOREGOING [1] 70/9  forever [1] 2/33  forgotten [1] 17/4  form [5] 46/12 47/22 48/9 50/26 52/15  formation [2] 22/6 24/23  formed [1] 46/9  forth [5] 3/23 3/27 3/29 23/20 52/14  fortunate [1] 63/6  Fortunately [1] 65/13  forum [1] 66/21  forward [22] 3/24 4/10 4/22 14/13 14/21 14/28 15/20 18/10  22/7 22/18 24/24 26/15 30/27 39/28 59/6 61/8 63/7 63/8  66/26 66/38 67/15 67/35  found [1] 51/23  four [2] 58/9 61/40  Fourth [1] 20/35  frames [3] 45/11 45/12 62/30  franchise [7] 43/11 43/13 43/18 43/19 43/32 43/35 43/37  free [11] 7/25 19/14 19/18 19/31 19/36 20/36 21/3 21/7 21/14  50/33 53/19  Friday [3] 31/27 31/39 68/11  friend [2] 60/29 60/29  frivolously [1] 14/25  front [3] 20/11 52/22 66/34  fronts [1] 51/21  full [3] 27/14 27/16 70/17  fully [2] 26/4 26/11  fun [1] 28/8  fund [5] 26/4 26/11 27/33 28/28 31/25  funded [1] 27/34  funding [6] 6/28 27/14 27/16 31/16 31/20 45/25  fundraiser [2] 12/28 12/34  funds [3] 2/33 2/39 14/16  further [1] 49/7  future [5] 3/32 17/2 20/2 20/25 66/23  FY [2] 26/2 26/4</p>
<p><b>F</b></p> <p>FAA [1] 4/30  face [1] 58/22  faced [1] 37/37  facets [1] 58/25  facilitate [1] 51/27  fact [3] 18/6 32/26 33/38  Faded [3] 30/13 30/20 30/39  faith [1] 59/12  fall [2] 11/16 11/21  falls [1] 37/13  familiar [1] 41/30  family [2] 18/28 30/26  famous [1] 21/14  far [5] 47/6 47/32 55/14 55/16 62/5  fashion [1] 57/40  fast [1] 36/38  favor [15] 8/33 9/14 9/27 9/40 10/13 13/17 24/33 29/38 31/6  35/15 43/1 44/9 56/5 64/25 68/29  favorite [1] 21/13  feasible [2] 33/3 48/4  federal [1] 45/25  fee [4] 43/13 43/19 43/32 43/37  feedback [3] 14/19 14/27 48/21  feel [8] 7/25 16/20 51/25 58/28 62/17 62/36 66/24 66/34  feelings [1] 18/21  fell [1] 18/6  festival [3] 31/16 31/19 31/39  festivities [1] 68/9  festivity [1] 2/24  few [9] 9/1 13/37 21/26 41/36 45/36 50/20 62/7 65/19 66/29  fifty [1] 16/15  fighting [1] 22/26  figure [1] 47/16  figuring [1] 21/29  filing [1] 66/38  fill [7] 34/10 48/40 49/30 49/37 49/37 50/6 50/25  filled [2] 15/11 49/16  filling [1] 54/2  finally [1] 4/18  finances [1] 58/22  find [4] 18/7 18/11 46/16 46/39  finding [1] 61/18</p>	<p><b>G</b></p> <p>GA [1] 4/12  gain [1] 63/21  gained [1] 45/29</p>

<p><b>G</b></p> <p>games [1] 53/30  gaps [1] 47/32  Gatzke [3] 13/26 13/32 13/35  gave [4] 4/4 12/13 12/13 15/37  Gazette [3] 11/10 11/12 12/15  geared [1] 53/31  general [8] 2/12 4/3 4/12 14/5 22/9 22/20 24/26 53/5  General's [1] 11/8  gift [2] 12/28 12/34  given [4] 23/32 25/22 38/5 39/6  giving [2] 42/24 53/4  go-around [1] 60/38  goal [4] 49/11 49/18 49/23 54/20  goals [5] 6/36 60/2 62/22 62/37 63/8  goats [1] 31/34  God's [1] 54/9  GOED [1] 3/3  goes [6] 4/28 36/31 40/8 40/8 57/37 61/27  golf [8] 35/28 35/34 35/39 36/5 36/40 39/33 40/25 42/34  golfing [1] 38/14  gone [4] 34/25 38/16 50/37 61/19  gosh [1] 60/24  gotten [3] 5/19 14/3 64/16  government [1] 47/5  governor [8] 3/2 45/5 46/9 46/10 48/31 51/11 51/14 51/29  grade [1] 53/20  grants [1] 4/30  great [5] 30/36 44/26 45/14 66/15 68/3  gross [3] 43/12 43/19 43/36  ground [2] 18/34 59/35  group [9] 46/24 47/37 48/11 48/16 48/16 48/18 49/8 49/35  49/35  groupings [2] 48/37 52/8  groups [3] 47/14 49/34 51/2  grouse [1] 7/1  growth [1] 62/38  guess [2] 18/12 52/6  guidelines [1] 37/13  guides [1] 53/26</p>	<p>heat [3] 12/29 12/36 13/7  hel [1] 50/12  held [1] 60/14  Hello [1] 51/7  help [8] 4/16 47/27 51/3 51/21 51/26 51/29 54/37 58/15  helpful [2] 50/8 57/22  HERRERA [1] 1/14  high [1] 14/3  Highway [2] 1/24 3/37  hire [3] 22/38 37/15 42/16  hired [1] 41/21  hiring [3] 18/5 37/36 39/8  history [3] 3/4 26/27 53/24  hit [3] 49/38 52/9 59/35  hold [4] 20/25 32/29 36/33 60/11  holds [2] 55/4 66/17  holiday [2] 56/10 68/7  holidays [1] 11/6  Holly [9] 13/26 13/32 13/34 13/35 13/35 15/24 18/38 19/1  65/20  home [1] 52/38  Honorable [1] 1/1  hope [5] 15/35 17/30 30/27 32/3 68/7  hopefully [4] 2/29 3/5 4/23 62/38  hoping [2] 2/38 14/19  horticulture [1] 18/27  Hospital [1] 2/13  hot [1] 2/23  hour [3] 6/39 7/5 21/4  house [9] 2/28 2/38 4/19 21/3 30/30 30/32 37/19 45/30 48/39  housed [2] 2/30 53/34  housing [1] 18/7  however [5] 6/19 26/16 57/15 60/11 67/34  Huh-uh [1] 41/24  hundred [1] 16/14  hurry [1] 68/26</p>
<p><b>H</b></p> <p>hadn't [1] 64/16  handle [2] 2/31 62/3  handled [1] 21/2  handling [1] 38/21  hanging [1] 40/20  happened [1] 41/30  happening [1] 17/4  happens [1] 14/10  happy [6] 7/7 39/1 61/6 61/9 66/14 67/22  hard [5] 3/8 34/10 46/34 46/34 60/28  harder [5] 14/24 46/37 47/2 47/6 50/10  hashed [1] 67/17  hasn't [1] 38/16  haven't [10] 5/19 6/18 23/27 36/40 37/3 39/3 40/14 61/11  61/11 67/12  having [2] 45/15 48/21  headquarters [1] 53/2  health [2] 18/28 48/15  hear [4] 32/4 51/7 58/26 66/14  heard [8] 32/38 51/29 54/8 54/28 57/22 66/24 66/25 66/39  hearing [16] 10/29 10/36 11/16 12/22 21/37 22/2 24/40 25/10  25/33 54/6 54/6 58/23 65/24 65/28 65/29 65/30  hearings [3] 28/3 29/10 40/19  heart [4] 22/22 22/35 22/37 23/2</p>	<p><b>I</b></p> <p>I have [1] 54/3  I w [1] 41/9  I would [1] 41/14  idea [1] 14/1  identification [1] 49/33  identified [2] 46/36 47/32  identify [2] 5/25 52/26  identifying [1] 46/25  Ill [1] 1/8  illegally [1] 38/23  immediately [2] 23/18 66/33  impact [8] 22/3 22/14 23/12 23/23 23/38 24/20 26/16 26/22  impacting [1] 14/11  impeding [1] 53/40  implementing [1] 26/37  implements [1] 60/1  importance [5] 50/32 52/13 53/22 54/2 56/2  important [11] 18/28 45/22 58/21 58/26 59/7 59/11 60/16  62/16 62/28 63/3 67/26  impose [3] 22/4 22/15 24/21  Improper [1] 57/39  improve [1] 60/31  improvement [8] 22/9 22/20 24/26 58/8 59/32 60/35 61/38  61/40  improvements [1] 58/29  inability [2] 57/39 60/11  including [3] 56/31 56/39 57/19  income [1] 14/11</p>

<p>I</p> <p>inconvenience [1] 18/39  increase [5] 33/17 33/23 34/20 35/8 54/40  increasing [1] 34/13  indeed [1] 54/35  independent [19] 35/27 35/33 37/8 37/12 37/14 37/15 37/36  37/39 38/9 40/28 40/35 41/10 41/15 41/31 41/40 42/13 42/17  42/22 42/33  indicated [1] 14/5  indiscernible [3] 29/22 37/27 56/19  individual [3] 51/20 57/21 61/37  individuals [1] 67/29  influences [1] 62/19  information [16] 3/5 3/9 17/2 18/25 22/17 23/28 48/30 50/39  52/27 52/31 55/30 57/7 58/12 61/21 61/26 70/13  informational [3] 6/33 6/37 54/33  informed [1] 16/40  initial [1] 53/6  initially [1] 49/19  initiating [4] 22/8 22/19 23/19 24/24  injustice [1] 60/21  inside [1] 62/19  instead [1] 11/4  integrate [1] 50/35  integrating [3] 50/30 53/21 53/38  intelligent [1] 15/1  intend [2] 26/25 52/35  intention [1] 54/18  interaction [1] 62/26  interest [3] 4/35 57/29 67/27  interested [3] 5/17 7/4 58/23  interests [2] 57/20 57/31  interlocal [1] 65/9  internet [1] 63/2  interpersonal [3] 57/13 57/18 60/39  interpretation [1] 54/26  invited [2] 6/5 66/5  is actually [1] 33/28  is an [1] 60/19  is next [1] 2/22  is to [1] 13/6  ISO [1] 12/7  issue [2] 30/27 57/38  issues [6] 11/3 57/35 58/17 60/27 60/34 61/15  it's a [1] 60/6  it's not [1] 38/4  item [18] 1/38 6/6 7/40 25/10 25/34 26/25 27/13 33/31 37/5  37/7 37/16 43/24 58/29 61/23 66/6 66/23 67/13 67/35  items [7] 1/39 6/4 46/22 57/39 65/3 65/8 66/4</p>	<p>34/21  June [4] 8/14 8/21 8/25 8/25  jurisdiction [1] 47/25  jurisdictions [2] 46/12 47/19  Justi [1] 3/31  Justice [1] 2/25</p> <hr/> <p>K</p> <p>Karina [2] 5/25 5/28  KATHLEEN [1] 1/11  Kathy [16] 2/11 8/29 9/12 9/25 9/38 10/8 14/18 17/8 21/10  24/29 31/3 35/11 44/4 59/29 64/9 68/21  keep [10] 18/33 49/34 50/4 50/4 50/5 50/5 52/16 59/8 61/16  66/30  keeper [1] 6/26  keeps [1] 59/6  KEITH [24] 1/12 3/16 23/13 25/19 56/31 56/38 58/7 59/5 59/6  59/8 59/10 59/12 60/5 63/12 63/13 63/24 63/26 63/26 65/6  66/14 66/34 67/1 67/12 67/36  Keith's [1] 67/24  kept [1] 59/12  key [2] 48/13 48/17  kids [3] 54/6 54/10 54/27  Kim [10] 45/7 45/9 48/28 51/40 52/34 54/13 54/30 55/23  55/27 56/11  Kingston [8] 2/14 33/6 33/10 43/12 43/19 43/22 43/33 43/36  knocking [1] 48/40  Kyla [6] 25/15 25/19 30/23 30/24 31/13 36/26  Kyla's [1] 4/17</p> <hr/> <p>L</p> <p>lack [5] 6/32 57/32 57/38 58/1 58/12  lacking [1] 60/22  land [3] 38/5 40/4 40/8  Lander [38] 1/1 1/2 1/22 1/37 4/24 6/17 6/22 8/3 10/31 10/39  14/8 14/38 20/23 22/8 22/19 24/25 32/39 43/14 43/20 43/38  44/32 55/12 55/15 57/28 58/3 58/22 59/7 60/16 63/25 67/21  67/27 67/28 67/32 69/22 69/23 69/27 69/39 70/15  lands [17] 4/17 4/17 4/22 4/28 4/40 36/6 36/23 36/26 36/31  36/34 36/36 36/38 37/8 38/16 39/6 39/34 40/16  larger [1] 48/1  largest [1] 47/3  latest [2] 10/32 10/40  law [2] 4/23 4/29  laws [1] 12/4  leader [1] 57/24  leadership [1] 63/1  learning [1] 61/19  lease [2] 37/1 38/28  least [1] 50/19  leave [1] 46/4  led [1] 46/10  LEDA [2] 3/1 3/6  left [1] 62/36  legal [2] 38/32 39/28  legally [4] 28/16 37/15 37/17 37/26  Legion [1] 49/36  legitimately [1] 39/28  less [2] 26/29 33/3  lessons [1] 53/39  lethal [1] 26/29  letter [1] 22/26  letters [2] 5/20 23/27  level [7] 16/13 49/8 49/9 49/28 51/19 53/2 53/20  libraries [6] 50/18 50/19 50/20 50/22 52/2 52/18  library [2] 47/35 50/29</p>
<p>J</p> <p>jail [3] 12/27 12/33 13/7  jails [1] 26/30  January [4] 2/14 4/21 12/7 12/10  JAVS [1] 70/9  Jeanne [1] 21/35  Jerry [3] 6/15 7/10 7/29  job [9] 32/6 63/12 65/6 66/15 66/16 66/17 67/1 67/7 68/3  jobs [1] 60/25  join [2] 1/31 7/5  jot [1] 66/29  Journal [3] 11/10 11/12 12/15  judgments [1] 60/2  JUDIE [9] 1/9 9/7 9/33 10/11 21/10 24/29 31/2 58/30 67/24  Judie's [2] 29/12 29/13  July [10] 8/15 8/15 12/14 19/15 19/19 19/36 20/35 21/8 26/22</p>	

<p><b>L</b></p> <p>lieu [2] 33/28 34/24  lieutenant [1] 46/10  life [1] 26/34  lighting [3] 31/33 31/40 32/30  Lights [1] 32/1  likely [1] 52/29  limited [4] 6/8 56/32 56/39 66/8  Linda [1] 44/21  line [3] 4/6 52/39 60/30  link [2] 47/14 60/1  LIQUOR [1] 69/24  list [1] 46/36  listed [2] 7/37 25/20  listening [1] 51/10  literally [1] 4/5  little [14] 6/34 14/3 14/22 14/24 18/29 26/27 45/21 46/8 46/14  53/11 59/3 61/18 62/33 63/3  live [2] 2/22 26/40  local [5] 18/23 46/12 48/15 49/9 49/28  located [3] 30/13 30/20 30/39  long [11] 27/20 27/25 27/28 37/1 37/1 37/35 40/17 40/19  40/19 67/18 67/22  longer [1] 63/21  lot [13] 3/9 18/32 19/9 37/3 37/37 49/12 52/7 59/32 60/32  60/40 61/3 66/17 66/19  low [3] 52/11 52/11 52/28  loyalties [1] 57/30  lunch [1] 1/37</p>	<p>meets [5] 48/16 61/15 61/29 61/39 61/39  member [1] 7/39  members [1] 18/22  membership [1] 4/36  memory's [1] 17/33  mentioned [5] 48/34 49/13 53/1 59/15 59/19  mess [1] 66/29  message [1] 50/13  met [2] 1/1 53/35  micromanage [1] 62/35  microphone [12] 5/1 5/4 5/6 5/19 5/22 5/24 5/26 5/28 32/17  32/21 32/23 32/28  middle [2] 30/31 36/5  Mike [1] 3/4  mileage [1] 61/23  miles [1] 33/3  million [2] 4/12 4/14  mind [2] 29/7 61/16  minded [1] 18/30  minds [1] 46/18  mine [1] 62/5  mining's [1] 14/9  minute [1] 44/28  minutes [16] 4/5 6/9 7/8 8/13 8/14 8/15 8/16 8/17 8/18 8/19  8/20 8/21 8/26 21/26 58/16 66/9  mirror [1] 61/36  miss [2] 56/3 56/20  missed [6] 30/6 30/7 34/28 54/38 55/4 60/12  misunderstood [1] 11/33  Miteshell [1] 25/29  mixture [1] 48/20  mode [1] 62/18  modified [1] 40/18  modify [1] 64/6  moment [3] 1/32 1/34 55/10  Monday [2] 4/1 4/8  money [10] 4/16 14/25 14/37 31/22 31/25 36/32 41/35 45/23  45/24 52/13  monies [1] 13/39  month [4] 6/32 36/10 36/13 47/28  months [1] 3/19  morning [7] 1/25 13/34 13/35 19/21 26/13 26/14 45/15  motion [41] 8/29 9/12 9/22 9/25 9/38 10/8 13/6 13/11 13/13  13/40 21/6 21/10 22/3 22/14 23/20 24/1 24/6 24/20 24/29  28/9 29/12 29/13 30/38 31/2 35/7 35/11 42/32 42/37 43/34  44/4 55/25 55/32 55/33 55/37 63/23 63/24 64/6 64/17 68/13  68/19 68/20  motion's [1] 23/20  Mountain [15] 1/3 1/23 2/12 4/13 12/27 12/33 30/14 30/21  31/15 31/19 32/23 35/28 35/34 42/34 69/40  move [12] 3/24 4/10 6/3 7/36 12/24 25/33 37/38 39/28 61/8  64/33 66/3 67/15  moved [6] 8/27 9/10 9/23 9/36 10/7 64/11  moving [11] 4/22 8/40 10/35 18/10 22/7 22/18 24/24 30/17  30/27 59/6 67/35  Mr [1] 57/26  Ms [1] 30/23  mud [2] 66/28 67/4  multi [1] 47/8  multi-tiered [1] 47/8  multiple [2] 46/40 47/9  must [2] 23/19 60/20  myself [5] 3/30 3/35 35/21 66/30 67/30</p>
<p><b>M</b></p> <p>made [21] 8/29 9/12 9/25 9/38 10/8 10/21 13/13 21/10 24/29  31/2 35/11 37/4 39/2 42/37 43/13 43/20 43/37 44/4 55/37  60/31 68/20  mail [1] 46/5  main [1] 2/40  maintains [2] 59/5 59/38  majority [2] 45/19 48/17  makeup [2] 47/23 47/29  manage [3] 35/28 35/33 42/34  management [3] 59/11 59/37 62/15  manager [24] 1/12 3/16 25/15 25/16 31/15 31/18 33/16 33/22  35/26 35/27 35/31 35/32 42/33 43/10 43/16 44/35 44/39  56/30 56/37 57/9 57/27 58/21 59/20 63/25  manages [1] 59/39  manner [2] 6/11 66/11  many [10] 37/27 40/17 48/34 48/34 49/19 60/5 62/4 62/19  63/26 66/35  map [3] 30/12 30/18 30/36  mapper [1] 52/23  March [2] 45/36 49/24  match [1] 59/17  material [2] 57/40 62/5  materials [4] 8/2 45/35 59/21 59/23  math [1] 53/24  matter [2] 27/18 32/26  maximum [1] 14/30  means [2] 19/8 67/16  mediation [1] 57/24  medical [1] 4/32  meet [5] 11/12 12/6 41/39 42/11 50/3  meeting [37] 1/23 1/25 2/13 2/20 2/26 2/26 3/1 3/30 3/33 3/35  3/36 4/1 6/7 6/33 6/37 8/2 8/12 8/14 8/15 8/16 8/17 8/18 8/18  8/20 8/21 8/25 12/4 19/30 21/36 23/18 31/21 47/28 56/26  66/7 67/17 68/35 70/11  meetings [5] 2/3 2/7 4/11 60/40 67/5</p>	<p><b>N</b></p> <p>NACo [1] 2/32</p>



<p><b>N</b></p> <p>name [3] 6/15 46/15 67/4  name's [1] 30/6  NAMES [1] 70/15  narrative [1] 59/3  nation [1] 53/3  nationwide [6] 33/17 33/24 33/36 35/8 46/37 47/3  nativity [2] 2/21 2/22  natural [1] 18/27  Nay [2] 64/30 64/31  need [33] 3/25 3/25 5/23 8/22 8/23 8/40 11/2 24/1 24/3 24/4  25/14 26/40 27/32 27/34 28/13 32/23 37/31 39/31 39/32  39/37 47/33 47/34 50/2 51/21 52/15 53/27 54/10 56/17 58/5  59/19 63/20 63/22 67/16  need the [1] 59/19  needed [2] 14/38 45/34  needing [2] 16/34 61/38  needs [7] 18/8 30/31 58/7 58/28 59/32 60/35 61/40  negative [1] 23/32  negotiate [2] 22/40 37/31  negotiating [1] 36/28  negotiation [1] 57/23  neighborhoods [2] 46/29 47/30  Neither [1] 34/5  Nevada [13] 1/4 13/24 13/26 13/29 13/33 43/18 43/23 43/25  43/35 45/19 45/27 45/29 69/40  never [1] 15/33  Nevermind [1] 51/33  newest [1] 26/39  newspaper [2] 5/15 11/5  nice [1] 29/36  night [1] 2/13  nine [1] 16/19  NNRDA [1] 65/9  no [69] 2/7 2/9 2/10 5/1 7/31 8/32 9/4 11/21 13/16 15/8 15/9  15/29 15/29 15/29 17/15 18/40 20/2 23/22 24/14 24/15 24/16  24/17 24/18 24/32 25/11 25/31 27/33 27/34 28/14 28/33  29/16 30/33 30/33 31/5 34/15 34/16 34/17 34/17 34/17 34/17  34/18 35/14 37/17 38/13 38/22 39/24 39/25 41/23 41/25  41/25 41/26 41/26 41/26 41/26 41/27 41/28 41/29 42/40 43/7  44/7 44/21 55/28 55/40 56/34 57/1 57/29 61/36 64/18 68/5  Nobody's [1] 25/31  nominal [1] 8/4  non [7] 49/14 49/20 49/22 52/7 52/10 55/9 55/14  non-response [3] 49/14 49/20 49/22  non-responsive [2] 52/7 52/10  non-voters [2] 55/9 55/14  nonagenda [2] 6/6 66/6  nonagendized [2] 6/4 66/4  normal [1] 14/22  normally [1] 48/18  northern [1] 45/19  Note [1] 69/39  noted [2] 61/38 67/39  notes [1] 66/29  nothing [5] 14/40 15/5 22/34 61/28 66/35  notice [2] 8/5 8/25  noticed [1] 34/24  November [5] 8/18 8/19 43/13 43/20 43/37  NRS [3] 25/17 56/35 57/2  NSHE [1] 13/40  number [44] 6/22 8/5 8/6 8/8 8/13 8/13 8/13 8/14 8/15 8/16  8/17 8/18 8/19 8/20 8/24 8/25 11/22 11/24 11/25 11/34 11/35  12/6 12/22 12/24 13/29 19/17 21/25 21/29 22/12 25/34 30/17  31/18 33/22 35/31 43/16 43/28 43/29 44/39 53/8 55/17 56/28  58/7 58/7 65/5</p>	<p>numbers [5] 14/4 52/13 54/38 54/40 55/9  nutrition [1] 18/28  NV [2] 43/11 44/25</p> <p><b>O</b></p> <p>o'clock [1] 4/8  observed [1] 57/26  obvious [1] 35/22  October [2] 8/16 8/17  offer [2] 18/6 26/39  offering [1] 50/28  offi [1] 46/15  office [13] 5/31 6/26 7/6 8/3 11/8 16/2 19/3 26/1 26/3 26/7  26/10 28/10 30/7  officers [2] 26/30 28/6  official [2] 45/33 46/15  officially [1] 44/27  officials [1] 62/27  old [2] 12/27 12/33  older [1] 37/1  once [7] 4/28 4/28 34/7 34/9 34/9 39/10 56/1  one [50] 2/31 2/40 3/17 4/25 4/27 6/22 6/31 6/31 6/39 7/39  8/22 9/6 11/22 14/29 16/13 20/15 20/34 29/32 30/13 30/19  33/5 33/6 33/10 34/5 34/37 36/11 44/8 44/21 45/37 46/1 46/2  47/21 47/25 47/25 47/39 50/17 50/37 50/38 52/9 52/28 52/32  53/9 53/37 56/13 57/35 59/32 61/38 63/1 64/13 68/12  one-hour [1] 6/39  one-size-fits-all [1] 47/21  ones [1] 49/1  online [8] 45/38 46/7 50/19 50/24 50/32 53/18 53/19 53/29  op [1] 60/9  open [13] 12/4 18/10 19/38 20/23 20/36 20/40 35/40 39/33  40/25 57/16 67/5 67/16 68/9  opened [2] 19/34 39/33  operation [5] 22/6 22/17 24/23 49/21 59/38  operations [2] 58/24 60/10  opinion [2] 4/3 33/7  opportunity [1] 14/13  opposed [4] 21/20 43/6 44/16 64/29  option [5] 45/38 45/39 46/7 48/26 50/19  options [1] 48/25  order [6] 1/22 1/38 21/36 38/17 44/33 56/27  ordinance [7] 10/30 10/38 11/37 22/8 22/18 24/24 65/30  ordinances [1] 23/38  orga [1] 59/40  organization [2] 20/15 48/6  organizational [1] 60/1  organizations [4] 47/14 47/34 48/22 51/2  organized [1] 62/9  original [2] 25/22 40/3  others [3] 57/22 59/5 65/32  ours [2] 34/23 65/13  outlook [1] 59/39  outreach [2] 52/23 53/6  outside [2] 40/3 62/19  outstanding [1] 7/18  overview [3] 45/21 48/24 53/4  own [6] 33/6 33/11 33/11 39/11 42/23 46/12  owners [1] 23/31</p> <p><b>P</b></p> <p>P.O [1] 46/6  P.O.Ds [1] 50/38  pack [1] 14/40  packages [1] 57/40  packs [1] 58/11</p>
---	--

<p><b>P</b></p> <p>page [1] 43/28  paid [1] 27/6  paper [4] 45/40 46/6 50/5 50/26  papers [1] 12/18  Parade [1] 32/1  parameters [1] 40/3  parcel [4] 30/11 30/13 30/18 30/20  parcels [4] 30/12 30/19 30/31 30/39  parents [4] 52/39 54/7 54/10 54/27  park [1] 32/13  part [10] 4/21 6/29 22/25 23/11 32/35 36/28 50/12 59/11 62/39 67/31  PARTICIPANT [1] 70/15  particular [6] 26/25 26/33 27/13 27/21 48/8 58/25  particularly [1] 46/3  parties [3] 20/39 21/2 21/4  partner [1] 53/9  partnering [1] 50/18  partnership [3] 45/8 45/17 50/28  party [2] 19/39 20/26  pass [4] 3/39 4/23 12/23 68/8  passed [5] 2/28 4/29 13/37 13/40 50/39  passes [6] 9/34 21/21 24/39 31/12 39/34 43/8  past [7] 3/21 26/32 27/2 37/37 59/15 59/20 61/18  Pat [4] 14/18 18/20 48/28 54/30  path [1] 23/3  patience [1] 59/8  PATSY [7] 1/7 33/18 33/25 35/9 52/19 55/25 56/14  pave [1] 4/31  pay [3] 21/4 56/33 56/40  payment [3] 8/20 8/23 8/40  payments [2] 3/29 26/31  people within [1] 47/30  people's [1] 46/17  peoples' [1] 61/20  per [10] 6/9 21/4 27/3 33/35 43/13 43/20 43/37 56/35 57/2 66/9  percent [25] 14/5 14/9 16/17 16/18 33/18 33/18 33/25 33/25 33/40 34/13 34/35 35/9 43/12 43/19 43/36 52/29 52/29 55/3 63/25 63/32 63/33 64/6 64/7 64/21 64/22  percentage [2] 52/10 64/14  perfect [1] 58/14  performance [5] 56/31 56/38 57/5 57/36 60/13  perhaps [2] 17/34 62/30  period [3] 26/3 26/10 28/27  permission [7] 3/39 38/15 38/16 39/4 40/12 40/14 40/27  permit [1] 27/13  PERS [16] 33/18 33/25 33/28 33/29 33/30 33/34 33/34 33/36 33/38 34/1 34/4 34/10 34/11 34/20 34/23 34/24  PERS-qualified [1] 33/34  person [6] 6/9 14/35 18/34 30/25 38/20 66/9  personal [1] 62/38  personally [4] 41/10 58/13 66/20 67/20  Persons [2] 6/5 66/5  persuasion [1] 57/23  pertained [1] 58/16  PERTAINING [1] 70/15  phone [1] 45/7  phrase [1] 46/34  physical [1] 46/7  pick [1] 56/2  picture [3] 47/10 59/39 62/34  piece [2] 49/15 49/22  place [4] 3/18 6/11 66/11 70/11  placed [2] 6/10 66/10</p>	<p>plan [6] 7/2 13/26 13/32 14/21 35/8 67/21  planning [3] 30/11 30/17 30/29  plans [2] 60/1 60/4  plaque [1] 6/25  platform [1] 48/15  players [1] 48/17  please [7] 1/32 5/27 6/14 7/5 7/5 24/11 68/8  pleased [1] 63/4  Pledge [2] 1/26 1/29  plenty [2] 12/17 36/3  PLUAC [1] 4/35  plug [1] 52/25  plus [2] 23/2 40/4  point [6] 34/37 36/32 37/36 42/24 43/31 48/33  police [1] 26/30  policy [4] 3/23 3/24 3/26 58/22  poor [1] 60/13  population [7] 18/25 45/11 47/3 47/5 47/6 48/1 48/3  populations [2] 46/35 46/37  portion [1] 49/21  position [3] 14/23 57/30 57/33  positive [1] 23/29  possibilities [1] 40/26  possibility [4] 20/28 30/34 36/22 40/33  possibly [1] 16/34  postpone [1] 61/28  postponed [1] 12/10  potential [2] 65/3 65/7  power [2] 13/2 45/23  pr [2] 50/2 66/25  practical [1] 18/13  pre [12] 26/1 26/8 26/24 27/12 27/35 27/36 28/9 28/10 28/19 29/17 29/23 52/20  pre-approval [4] 27/12 27/35 27/36 28/19  pre-approve [4] 26/24 28/9 29/17 29/23  pre-budgetary [3] 26/1 26/8 28/10  preceding [1] 23/19  prefer [2] 16/39 26/38  Preferred [3] 33/17 33/24 35/8  prepare [1] 36/4  presence [3] 1/17 1/18 6/20  present [2] 1/7 4/18  presentation [3] 6/39 52/21 55/24  presented [3] 4/18 13/26 13/32  presenting [1] 51/24  pretty [7] 45/19 47/18 50/7 55/18 55/19 57/37 62/3  prevent [1] 11/7  previous [1] 58/9  previously [1] 58/16  primary [1] 51/22  principal [1] 53/36  PRing [1] 49/34  printable [1] 53/32  prior [4] 25/17 26/20 45/36 52/30  priorities [1] 60/3  private [3] 20/39 21/2 21/4  pro [4] 39/8 39/19 41/10 41/15  proactive [1] 62/30  problem [5] 12/37 40/21 62/29 66/32 67/10  problems [6] 35/38 37/37 57/23 61/2 61/3 67/12  procedure [3] 23/3 67/15 67/35  proceeding [2] 23/9 23/11  process [14] 6/40 18/5 28/17 28/22 28/26 36/8 36/29 66/26 66/26 66/31 66/37 66/37 67/9 67/14  produced [1] 1/5  professional [1] 62/26</p>
---	---

<p><b>P</b></p> <p>program [23] 4/16 26/4 26/4 26/11 26/11 26/28 26/31 26/33 26/36 26/38 27/15 27/23 28/11 29/18 31/23 50/31 50/33 52/40 53/4 53/10 53/14 53/15 53/36</p> <p>programming [1] 14/33</p> <p>programs [1] 14/37</p> <p>progress [2] 38/36 39/1</p> <p>project [3] 3/37 3/40 51/12</p> <p>projects [2] 3/7 59/7</p> <p>promotion [2] 56/33 56/40</p> <p>promotional [1] 45/35</p> <p>promulgated [1] 57/32</p> <p>proper [6] 19/35 57/38 66/21 66/26 67/14 67/35</p> <p>properly [4] 13/39 19/25 56/34 57/2</p> <p>proposed [5] 14/17 14/29 15/7 16/3 16/4</p> <p>protect [1] 67/3</p> <p>provide [6] 6/29 10/32 10/40 26/39 42/20 42/20</p> <p>provided [3] 12/29 12/36 70/15</p> <p>providing [1] 27/6</p> <p>psychologist [1] 41/33</p> <p>public [50] 1/39 2/25 2/35 3/35 4/40 6/1 6/3 6/8 6/10 6/11 6/13 7/30 10/29 10/36 11/16 12/22 19/14 19/19 20/25 20/36 21/7 21/37 22/2 24/40 25/9 25/9 25/33 47/26 47/26 48/21 57/8 58/1 58/2 58/3 60/40 62/28 65/24 65/26 65/28 65/29 65/30 66/1 66/3 66/8 66/10 66/11 66/17 67/25 67/34 68/4</p> <p>publicizing [1] 52/16</p> <p>publicly [1] 67/2</p> <p>publishes [1] 11/6</p> <p>pull [8] 8/22 8/40 9/2 9/5 9/7 9/8 16/5 52/33</p> <p>pulled [3] 1/40 52/28 52/32</p> <p>pulling [1] 9/5</p> <p>purchasing [1] 36/22</p> <p>purpose [1] 49/28</p> <p>purpose at [1] 49/28</p> <p>putting [5] 7/1 18/32 30/30 50/4 52/16</p>	<p>recall [1] 6/16</p> <p>receive [7] 4/3 4/14 8/21 26/20 46/4 46/5 46/6</p> <p>received [6] 4/39 6/30 23/27 23/28 26/17 50/25</p> <p>receiving [1] 46/2</p> <p>recently [1] 6/23</p> <p>recommend [2] 48/2 48/5</p> <p>recommendation [3] 28/27 28/37 58/23</p> <p>recommendations [3] 47/39 59/19 59/20</p> <p>recommended [4] 3/24 58/19 58/20 62/10</p> <p>reconciliations [1] 3/28</p> <p>record [13] 1/17 1/18 13/36 19/29 21/26 25/1 30/24 31/27 32/18 44/18 55/12 61/38 66/13</p> <p>recorded [2] 14/15 21/31</p> <p>RECORDING [3] 70/11 70/13 70/19</p> <p>Recovery [2] 2/27 2/32</p> <p>RECREATION [2] 19/13 19/17</p> <p>recuse [1] 35/19</p> <p>reduction [2] 56/32 56/40</p> <p>referring [1] 11/22</p> <p>refers [1] 43/30</p> <p>reflect [2] 1/17 1/18</p> <p>regard [1] 22/24</p> <p>regards [1] 50/25</p> <p>regular [2] 1/2 48/17</p> <p>relationship [1] 59/10</p> <p>relaunched [1] 18/9</p> <p>relevant [1] 6/35</p> <p>relooking [1] 18/15</p> <p>remember [2] 64/13 68/8</p> <p>removed [1] 1/40</p> <p>Reno [5] 11/10 11/12 12/15 13/27 13/33</p> <p>repeal [2] 10/31 10/39</p> <p>replace [1] 26/35</p> <p>replacement [3] 26/4 26/10 26/28</p> <p>report [7] 2/6 2/9 2/10 3/2 3/34 23/13 23/17</p> <p>REPORTER [1] 70/7</p> <p>reports [6] 2/1 2/3 3/13 3/15 65/3 65/7</p> <p>representation [4] 45/29 47/29 48/8 52/14</p> <p>representative [1] 6/17</p> <p>Representatives [1] 45/30</p> <p>reprimand [2] 56/33 56/40</p> <p>request [9] 7/40 12/29 12/35 15/11 26/2 26/8 28/10 45/40 51/10</p> <p>require [1] 11/40</p> <p>required [1] 11/4</p> <p>requirement [4] 11/13 13/38 33/35 45/39</p> <p>requires [1] 12/3</p> <p>research [1] 61/18</p> <p>residential [1] 46/5</p> <p>residents [1] 55/15</p> <p>resource [1] 53/31</p> <p>resources [3] 18/27 59/39 60/1</p> <p>respect [1] 58/4</p> <p>respectful [3] 61/10 61/11 61/13</p> <p>respects [1] 57/20</p> <p>respond [9] 45/38 45/40 46/7 46/32 46/38 47/11 49/24 51/3 52/30</p> <p>responded [1] 49/17</p> <p>responding [1] 45/36</p> <p>response [6] 49/14 49/20 49/22 52/23 52/28 52/30</p> <p>responses [1] 23/34</p> <p>responsibilities [1] 57/36</p> <p>responsibility [1] 61/21</p> <p>responsible [5] 38/11 54/7 54/10 54/11 54/28</p> <p>responsive [2] 52/7 52/10</p> <p>rest [1] 9/9</p>
<p><b>Q</b></p> <p>qualified [2] 33/29 33/34</p> <p>question [5] 19/37 23/35 29/30 44/17 51/5</p> <p>questionnaire [2] 45/40 46/6</p> <p>questions [3] 7/7 7/26 50/24</p> <p>quick [5] 6/21 29/30 30/6 56/15 56/22</p> <p>quickly [2] 2/39 32/5</p> <p>quite [3] 3/20 3/20 18/14</p> <p>quorum [1] 1/17</p> <p>quote [1] 21/14</p> <p>quotes [3] 26/17 27/5 27/10</p>	
<p><b>R</b></p> <p>raise [4] 63/25 63/26 64/7 64/32</p> <p>Ramos [1] 66/13</p> <p>rate [2] 34/11 34/13</p> <p>rates [1] 52/31</p> <p>rather [8] 2/39 25/22 28/20 28/26 28/29 32/5 57/24 62/18</p> <p>rating [4] 57/8 58/7 60/38 61/37</p> <p>re [3] 18/9 38/38 61/10</p> <p>read [6] 24/5 24/12 48/29 57/14 57/15 59/3</p> <p>reading [1] 54/1</p> <p>ready [4] 2/21 15/19 55/25 55/32</p> <p>real [2] 6/21 7/3</p> <p>realize [1] 47/8</p> <p>realizes [1] 66/18</p> <p>reason [3] 26/19 46/32 58/21</p> <p>Reasonable [2] 6/10 66/10</p> <p>reasons [3] 45/22 48/35 58/8</p> <p>rec [3] 13/36 19/36 20/3</p>	

<p><b>R</b></p> <p>restrict [3] 22/6 22/16 24/22  restricted [2] 6/12 66/12  restrictions [2] 6/10 66/10  result [2] 18/18 57/29  retain [4] 43/12 43/19 43/36 63/24  retention [2] 56/34 57/1  retirees [1] 33/38  reunion [5] 19/14 19/19 19/30 19/32 21/7  review [1] 4/5  reviewed [1] 65/12  ridiculous [1] 54/8  Riley [2] 30/12 30/19  risk [2] 14/9 59/40  Road [3] 30/14 30/21 30/40  Robert [1] 30/6  Robert's [1] 28/29  roles [1] 57/21  roll [4] 2/33 2/39 16/23 28/29  rolling [1] 16/38  Rosen [1] 4/19  roughly [2] 27/6 27/29  Route [1] 1/4  routine [1] 7/38  rule [5] 14/5 22/4 22/15 23/37 24/21  run [2] 18/16 39/8  running [1] 59/35  runway [1] 4/27  rural [7] 3/4 45/20 47/4 51/11 51/15 51/23 51/25  rurals' [1] 51/29</p>	<p>seeing [1] 58/12  seeking [1] 18/29  seen [2] 6/18 61/11  sees [1] 19/26  self [1] 45/36  self-responding [1] 45/36  seminars [1] 2/4  sen [1] 48/11  Senate [3] 2/29 2/37 4/19  send [3] 15/21 15/23 52/36  senior [2] 47/35 48/12  Seniors [2] 12/27 12/34  sense [2] 27/33 49/31  sent [2] 15/20 57/5  separate [1] 48/9  separately [2] 8/1 8/23  septic [1] 30/35  septics [1] 30/34  serves [2] 57/24 69/39  session [1] 1/2  set [6] 16/23 17/3 23/20 39/38 50/38 58/21  sets [1] 60/3  seven [1] 47/38  several [4] 3/18 4/11 14/3 65/33  sewer [4] 3/29 22/9 22/19 24/25  Shannon [2] 6/25 15/11  share [6] 57/7 57/11 57/15 59/14 62/24 62/33  She's [1] 6/26  sheriff [2] 26/1 26/25  Sheriff's [5] 26/3 26/7 26/10 28/10 30/7  shot [1] 52/32  show [2] 43/25 67/14  showing [1] 19/8  shows [2] 14/40 52/28  side [2] 50/28 53/9  sign [4] 25/15 25/17 26/26 44/3  signature [2] 25/17 44/20  signed [4] 23/13 25/24 41/34 48/31  significant [3] 22/5 22/15 24/21  silence [2] 1/32 1/34  similar [1] 20/17  simpler [2] 10/33 10/40  simply [2] 14/22 49/36  since [7] 6/18 24/40 32/4 34/23 39/3 48/30 51/25  sincerely [1] 32/26  singling [1] 20/34  Sisolak [3] 45/5 51/11 51/14  sit [2] 17/5 67/16  sitting [5] 2/29 2/37 6/25 16/14 51/10  situations [1] 59/9  six [1] 47/38  sixty [1] 16/15  size [1] 47/21  skills [4] 57/14 57/18 60/39 63/22  sling [2] 66/28 67/4  slipped [1] 19/3  smaller [1] 48/3  So the [1] 63/40  Sober [2] 12/27 12/34  solicitation [1] 40/35  solicited [1] 47/25  soliciting [1] 40/28  solid [1] 3/26  solve [2] 57/23 61/2  somebody [5] 20/25 44/20 48/10 48/11 65/15  somebody's [1] 40/29</p>
<p><b>S</b></p> <p>SADIE [8] 1/13 3/30 12/15 44/17 55/11 55/12 55/22 58/15  Safety [1] 2/26  sage [5] 6/39 7/1 30/13 30/20 30/39  sage-grouse [1] 7/1  sagebrush [1] 6/40  said that [1] 29/16  sakes [1] 54/9  salary [1] 41/36  salute [1] 1/27  same [7] 18/16 18/17 34/11 34/38 37/32 40/20 70/17  sat [2] 3/31 31/24  satisfactory [2] 59/1 59/26  Saturday [1] 32/1  save [3] 27/16 27/29 49/32  saw [1] 26/17  schedule [2] 6/18 6/19  scheduled [1] 12/24  school [12] 41/31 41/33 41/35 48/10 50/34 53/3 53/6 53/9  53/35 59/16 59/17 63/19  schools [9] 50/30 50/31 52/1 52/17 52/35 52/36 52/37 52/40  53/10  score [1] 52/28  scratched [1] 59/4  screenshot [1] 52/22  Sean [3] 19/29 20/40 21/23  search [1] 53/33  season [4] 36/4 56/10 68/7 68/11  seat [1] 45/30  second [18] 8/28 9/11 9/24 9/37 10/10 13/12 21/9 24/28 28/12  29/12 31/1 35/10 42/36 43/39 55/35 64/8 68/18 68/28  seconded [16] 8/30 9/13 9/26 9/39 13/14 21/10 24/30 29/28  31/3 35/12 42/38 44/5 55/38 64/9 64/11 68/23  secretaries [1] 63/20  section [1] 10/35</p>	

<p><b>S</b></p> <p>somehow [1] 15/20  someone [1] 58/37  song [1] 53/34  sorry [8] 11/28 17/30 18/37 49/6 51/13 51/38 54/14 68/24  sort [1] 19/39  sound [1] 60/2  sounds [2] 51/14 54/33  south [1] 3/40  space [2] 42/20 50/23  SPARKS [2] 1/10 52/34  speak [4] 28/27 53/15 59/30 67/1  speakers [1] 6/35  special [3] 2/13 8/19 31/31  specialist [2] 45/8 45/17  specific [2] 47/12 57/36  specifically [2] 6/19 45/27  spect [1] 38/40  spectrum [1] 18/12  spend [5] 13/25 13/32 14/24 59/32 61/23  spend-down [2] 13/25 13/32  spending [1] 13/39  spent [3] 14/25 14/32 15/1  spring [2] 35/29 35/34  ss [1] 70/2  SSCRT [1] 4/2  staff [10] 3/13 3/15 14/24 23/12 23/26 50/29 59/40 61/13  62/27 63/21  stand [1] 1/27  standard [1] 61/29  standards [1] 61/16  start [6] 1/26 2/5 14/37 32/7 45/35 53/38  started [2] 6/32 45/6  starting [4] 35/28 35/34 42/35 49/24  starts [1] 31/39  stated [2] 45/17 46/9  statement [5] 22/3 22/14 23/12 24/21 54/3  statements [3] 23/38 25/2 25/7  states [2] 45/25 57/19  stating [2] 22/4 22/15  Statistics [3] 50/31 52/40 53/10  statue [2] 32/10 32/12  status [1] 39/16  statute [3] 23/18 23/19 32/9  stay [2] 20/29 63/21  staying [1] 59/6  storage [2] 12/28 12/34  strategically [1] 59/38  strategy [4] 44/37 45/2 47/16 47/16  streets [1] 26/30  stretching [1] 27/33  strives [1] 60/31  striving [1] 61/6  structure [1] 46/30  strug [1] 60/27  struggle [2] 60/6 60/28  student [2] 53/28 53/28  studies [1] 36/11  study [1] 36/16  stuff [2] 40/19 42/23  style [2] 59/11 63/6  subcommittee [2] 48/5 48/6  subcommittees [2] 48/2 48/9  subject [1] 53/23  submit [2] 6/5 66/5  success [1] 60/16</p>	<p>such [5] 2/24 14/11 62/6 62/32 68/26  sudden [2] 22/23 22/26  sued [1] 41/34  suggest [1] 40/36  suggestion [1] 28/25  suit [1] 57/31  suited [1] 18/7  SULLIVAN [4] 1/13 44/17 55/12 70/17  supervisor [2] 60/7 60/21  supervisors [1] 60/7  supplemental [2] 50/32 50/36  supply [1] 42/23  support [3] 6/28 17/8 59/13  supposed [3] 39/33 53/1 53/3  supposedly [1] 49/34  survival [1] 62/18  suspension [2] 56/32 56/40  Synek [2] 30/12 30/19</p> <p><b>T</b></p> <p>table [1] 11/2  tabling [1] 11/34  tactful [1] 57/22  tag [1] 58/6  taken [7] 1/38 7/40 21/33 44/30 47/20 47/37 56/24  talk [6] 14/17 14/18 14/35 21/30 40/36 53/5  talked [2] 18/20 53/36  talking [5] 14/39 16/17 34/12 36/26 53/4  talks [1] 50/31  tanker [1] 4/16  tankers [1] 4/32  target [1] 32/27  Taser [8] 26/3 26/10 26/18 26/28 26/29 27/32 28/11 29/17  Tasers [3] 26/33 28/5 29/31  tax [7] 4/1 4/2 4/2 4/6 4/7 14/10 16/23  taxiways [1] 4/15  teach [2] 54/6 54/27  teacher [1] 54/5  teachers [1] 52/37  teachers' [1] 53/26  teaching [2] 54/27 54/34  team [1] 6/40  technical [2] 6/40 18/14  technical-thinking [1] 18/14  technically [2] 37/17 39/17  Ted [2] 4/4 23/36  teleconference [2] 1/19 2/26  tell [4] 4/6 18/31 54/10 61/22  telling [2] 45/9 50/5  tells [1] 53/26  ten [5] 4/5 11/13 12/1 12/17 16/18  ten-day [1] 11/13  tend [1] 50/20  tended [1] 18/14  tenure [1] 57/27  term [3] 6/33 46/16 46/33  termination [2] 56/32 56/39  terms [1] 45/24  that's kind [1] 20/17  themselves [2] 14/6 50/23  THEODORE [1] 1/14  thereof [2] 10/33 11/1  they've de [1] 23/25  thinking [6] 15/30 15/32 18/14 18/26 47/13 66/36  thinks [3] 55/8 59/38 60/25  thirty [1] 54/5</p>
--	---

T	U
<p>           this doesn't [1] 22/30            though [3] 60/35 61/15 61/29            thought [9] 17/6 17/17 18/6 36/12 38/25 38/28 39/7 48/38 49/1            thoughts [2] 14/27 61/36            thousand [3] 7/1 16/15 16/19            three [9] 2/34 6/9 7/8 12/4 36/9 61/39 64/15 66/9 67/19            throughout [1] 45/3            tiered [1] 47/8            Tiffany [3] 1/5 70/7 70/27            till [4] 12/10 12/13 21/26 32/33            timeliness [1] 62/6            timely [2] 57/40 62/31            times [3] 20/39 40/18 66/35            tired [2] 37/24 67/20            title [3] 10/31 10/38 46/16            today [5] 17/14 30/25 37/2 45/7 58/14            together [6] 7/1 32/5 47/16 58/10 58/11 66/16            took [4] 3/18 43/22 62/39 70/11            tool [1] 52/23            tools [1] 42/21            top [1] 65/13            total [3] 58/1 64/7 64/14            touch [1] 44/20            tougher [1] 66/17            towards [2] 53/32 57/22            towns [1] 69/39            track [1] 66/30            tracked [1] 3/27            tract [1] 52/26            tracts [1] 52/33            tradition [2] 32/7 32/35            train [1] 50/28            trainer [1] 50/29            training [4] 26/40 27/7 60/33 62/31            TRANSCRIBED [1] 70/9            Transcript [1] 1/5            transient [1] 47/5            translates [1] 46/17            transparency [7] 57/32 58/1 58/5 61/1 61/2 61/7 67/4            Transportation [1] 3/36            transports [2] 4/32 4/33            traveling [1] 62/39            tree [6] 31/35 31/40 32/8 32/30 32/34 32/39            trend [1] 46/37            tribes [1] 49/40            tried [2] 16/5 48/29            trouble [1] 37/25            TRUE [1] 70/17            truly [2] 48/33 55/5            trusted [1] 50/21            trustees [3] 22/10 22/21 24/27            try [9] 6/35 18/18 18/24 36/29 36/31 46/21 46/23 52/12 56/2            trying [12] 18/11 18/21 36/27 38/19 46/22 49/32 50/9 60/33 61/2 61/5 61/8 67/3            Tuesday [4] 2/22 6/37 6/38 68/12            turn [2] 8/11 13/7            two [25] 2/34 5/16 7/1 26/17 30/12 30/19 30/31 30/39 33/12 37/2 61/38 63/33 63/34 63/34 63/38 63/40 64/1 64/2 64/16 64/17 64/17 64/19 64/20 64/21 64/22            type [2] 14/28 19/39            types [1] 2/35            typically [2] 50/15 50/19         </p>	<p>           U.S [1] 45/8            ultimately [1] 50/13            unacceptable [1] 2/34            uncomfortable [1] 16/21            undercounted [1] 47/3            underrepresented [1] 51/25            understand [10] 35/5 38/18 48/33 51/37 51/39 52/13 54/32 55/3 59/35 59/35            understandable [1] 46/18            understanding [5] 28/19 36/28 37/32 40/29 42/28            Unfortunately [1] 30/25            unifying [1] 57/24            unincorporated [1] 69/39            unique [2] 46/26 47/11            UNIVERSITY [4] 13/24 13/26 13/29 13/33            unle [1] 39/5            unless [5] 14/6 21/3 34/10 39/5 39/17            upcoming [2] 65/3 65/8            update [6] 6/21 7/22 18/4 31/15 31/19 46/4            updating [2] 10/33 10/40            upfront [2] 27/3 49/18            upon [9] 6/11 6/11 7/38 8/1 22/5 22/16 24/22 66/11 66/11            used [3] 3/26 7/8 58/16            uses [1] 59/39            usually [2] 21/2 21/3            UTAH [1] 70/1            utilize [1] 50/33            utilizing [1] 48/15         </p> <p> <b>V</b> </p> <p>           variety [1] 57/19            vegetar [1] 14/40            vehicle [1] 16/30            verbatim [1] 22/17            verified [1] 12/39            version [2] 26/35 52/21            vested [1] 57/29            Veterans [2] 32/11 32/12            via [1] 1/19            VICE [1] 69/21            VIDEO [2] 70/11 70/19            View [3] 35/28 35/34 42/34            viewing [1] 8/3            viewpoint [2] 6/12 66/12            visit [1] 62/17            voice [1] 50/21            voices [1] 57/21            volunteering [2] 7/19 18/22            volunteers [1] 47/26            vote [1] 29/37            voters [3] 55/9 55/14 58/3            votership [1] 55/19         </p> <p> <b>W</b> </p> <p>           wait [2] 21/26 58/32            waited [1] 37/35            waiting [1] 36/21            WAITS [5] 1/7 33/18 33/25 33/37 35/9            waiver [3] 4/2 4/2 4/7            waivers [1] 60/15            wanting [1] 67/1            watch [1] 42/14            watching [1] 48/30            water [7] 3/29 12/29 12/35 13/7 22/9 22/20 24/25            water/sewer [1] 3/29         </p>

## W

we have [1] 19/22  
 weakness [1] 60/11  
 week [4] 3/35 12/7 12/14 32/38  
 weekends [2] 12/28 12/35  
 weeks [2] 36/9 45/36  
 welcome [1] 1/25  
 wells [1] 30/33  
 WESTENGARD [5] 1/12 56/31 56/39 57/26 63/24  
 wh [1] 3/31  
 what does [1] 53/17  
 whatever's [1] 50/10  
 whole [8] 16/38 20/21 20/22 20/27 28/28 37/5 38/12 45/6  
 wing [1] 4/33  
 winter [1] 33/3  
 wish [1] 62/33  
 without [2] 7/39 57/37  
 word [2] 51/3 53/33  
 wording [2] 57/2 57/39  
 words [1] 53/23  
 worker [1] 49/4  
 workers [5] 48/39 49/20 49/25 49/32 56/4  
 workshop [1] 28/39  
 worry [1] 21/30  
 worth [1] 28/30  
 wrapping [2] 12/28 12/34  
 writing [4] 6/5 43/25 54/1 66/5  
 wrong [2] 39/26 39/27

## Y

yearly [3] 26/31 27/14 57/4  
 years' [1] 28/30  
 Yellow [3] 30/14 30/20 30/40  
 yesterday [3] 2/25 3/1 53/35  
 young [1] 47/5  
 younger [1] 53/32  
 youth [1] 18/28

## Z

zoned [2] 30/15 30/22