

1 The Honorable Board of Lander County Commissioners met in regular session in the
2 Commission Chambers of the Lander County Courthouse and Administration Building in Battle
3 Mountain, Nevada, 50 State Route 305, on August 26, 2021 at 9:00 AM.

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5 **PRESENT: PATSY WAITS, COMMISSIONER**
6 **ART CLARK III, COMMISSIONER**
7 **KATHLEEN ANCHO, COMMISSIONER**
8 **BRYAN SPARKS, COMMISSIONER**
9 **WALLACE (JR) THOMAS, COMMISSIONER**
10 **KATHY DUVALL, COUNTY CLERK'S OFFICE**
11 **THEODORE HERRERA, DISTRICT ATTORNEY**
12 **ELIZABETH MACDONALD, DISTRICT ATTORNEY'S**
13 **OFFICE**

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15 (Let the record reflect the presence of a quorum of five commissioners. Let the record
16 reflect the presence of Austin via teleconference. Let the record reflect the meeting is also
17 via Audio Conference by Go-To-Meeting.)
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20 **9:00 AM**

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22 Chair Kathy Ancho called the meeting to order.
23 Commissioner Sparks led the Pledge of Allegiance.
24 Chair Kathy Ancho called for a moment of silence.
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27 **COMMISSIONER REPORTS**

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29 Commissioner Waits: Patsy mentioned that Austin is two weeks away from their wine
30 walk and dinner at the castle on September 11th. She attended the Central Nevada Regional
31 Water Authority meeting in Fallon, last Friday. One hundred percent of the whole state is
32 experiencing varying levels of drought conditions, from extreme to exceptional.

33 They had a couple of guests from the Nevada Division of Water Resources. State
34 Engineer Adam Sullivan was there, and the deputy administrator, Micheline Fairbank. Basin
35 designations that were made last fall were talked about. They were going to do some
36 investigations, and will probably go ahead with about six of them. They're going to come back to
37 the counties to get more input. Micheline gave some background on their administration office.
38 They are so outdated, and not digitalized at all. If you want information you have to actually
39 drive to Carson City to look it up. They are so far behind, and they're hoping with the extra
40 resource money that is coming in that perhaps they can update everything.

41 Patsy spoke about a bill before Congress called the Open Access Evapotranspiration Act.
42 That is going to make data accessible through the U.S. Geological Survey. She pulled the act,
43 and it's very confusing, as a lot of the acts are. They are wanting input, and we might want to put
44 it on our agenda to look at. They are trying to close some loopholes that they're concerned about.

45 Our hydrologist gave us an update on the fifty-one wells. There are twelve groundwater basins,
46 and the wells are maintaining their levels, except for four of them having noticeable declines.

47 Commissioner Clark: Art stated that he was the only one that showed up for the PLUAC
48 meeting.

49 Chair Kathy Ancho: No report.

50 Commissioner Sparks: No report.

51 Commissioner Thomas: No report.

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54 **STAFF REPORTS**

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56 Bert Ramos (County Manager): Bert stated that they have had a few meetings regarding
57 the land use plan and how we're going to move forward. Some of it will be coming back before
58 the Board because they need to look at what kind of buffer zones to put between ag and some of
59 the community areas. The way the code reads currently you can have so many acres per animal,
60 and we don't want feed lots or dairies bumped up against communities. We don't want to have
61 situations with fly problems or smell problems, things like that.

62 Bert addressed some things that were on Facebook. He would like to respond to some
63 things, but we do have policies that don't allow us to respond. People are able to call here
64 anytime to talk to him, and have questions answered regarding misinformation that spreads
65 quickly on social media. He addressed the \$50,000 attorney retainer fee being for three attorneys,
66 and stated that this commission has done nothing but the best for this community at all times. He
67 addressed issues with the net proceeds, and what could happen if the mines go away. This
68 commission filed a lawsuit that the whole northern portion of the state benefited from.

69 There were concerns over the old courthouse being leased for \$12.00 a year, and why we
70 would upgrade the building in the process. As a nonprofit we can upgrade that building however
71 we'd like, as a county building. The preschool next door is an exact example of this. The county
72 does this for the benefit of the community, and the race track is one of these things. The golf
73 course is also for the betterment of the whole community. We are still in negotiations with Elko
74 County for the library to do a three-month extension on the contract.

75 A town hall meeting is set for September 9th that will be based solely around COVID.
76 Our local doctor will speak, and we will be bringing in our health officer. It will be a question
77 and answer format.

78 Bert stated that the meetings are on YouTube if people can't make the meetings. He gave
79 his email address of bramos@landercountynv.org for contacting him. He got a call this morning
80 from Miss Shar Petersen, and she is in support of paper ballots. That item is on the agenda today.
81 If anyone is concerned with that, they should stick around for it. There's some new law that's in
82 place that we need to be aware of to move forward properly.

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85 **PUBLIC COMMENT**

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87 Parties calling in were invited to speak first. There weren't any callers holding for public
88 comment.

89 Lori Price: Lori asked if it would be possible to publish the minutes in the Bugle. We
90 used to have someone here who would write down what was going on in our community. She
91 knows it's online, but not everyone gets online. She wondered if it were possible to have the
92 meetings later in the evening.

93 Commissioner Clark: Art stated that we went through this six years ago regarding
94 moving the meetings to evenings. NRS states that there must be fiscal neutrality. We can't have a
95 meeting at 5:00PM when everybody goes home, because then we would have to pay overtime.

96 Commissioner Waits: Patsy explained that some of our minutes are over a hundred pages
97 or more, so we wouldn't be able to do that. As far as the highlights, you're right. The Bugle used
98 to have someone that reported on those.

99 Sadie Sullivan (Lander County Clerk): Sadie explained that the minutes could be
100 emailed, if requested. We also print them with two pages per side, or if the person can't read that
101 small, we could make an allowance for that. They may contact her office, and the minutes could
102 be mailed out to them. We could do a written advertisement about that.

103 Bert Ramos (County Manager): Bert stated that Liz is working with someone from the
104 Bugle to see if they will have someone cover our meetings again.

105 Sadie Sullivan (Lander County Clerk): Sadie explained that the agendas go on the county
106 website, the meetings are listed on the state website, and people can contact the Clerk's office to
107 request being added to the agenda mailing list, or to have it mailed to them. This applies to the
108 minutes as well.

109 Tom Kovis: Tom stated that COVID protocol is first on his list. His wife works at the
110 Rec Center, and last week there was an employee that tested positive for COVID. She had to
111 investigate herself, as she was never told about it. What's the protocol for the county when an
112 employee sits in the same room as you, and the boss doesn't tell you that she's out sick. You can
113 use HIPPA or whatever, but there's got to be a better protocol than that. He and his wife were
114 both exposed to it, and thank God they're both vaccinated, which helps. Tom wanted to know
115 what reason there could possibly be to seize the voting machines. He has no idea why anyone in
116 this county would want to mess with the voting machines, unless it's the woman that's in charge
117 of them. The suspicions and how it undermines all the integrity of elections when one, or two
118 county employees go to seize the voting machines. That's the integrity of the United States
119 government and our policies and our democracy. That undermines all the honesty and integrity
120 of our government. You've cast suspicion on our democracy by saying there's something wrong
121 with it. We're still fighting it, and we had a riot in Washington. One of those people was on a
122 stage here, down at the park. They killed a cop or two, and the woman that was there, Simone
123 Gold, she was in that crowd. You undermine democracy when you question voting rights in this
124 county. There's a paper trail, and if you're worried about it go look at the paper records.

125 Tom spoke about what got us through the last pandemic. We shut down. We didn't want
126 to. The governor didn't want to shut down the strip. Can you imagine what would have happened
127 if millions of people would have flown into McCarren Airport, with COVID, and gone into the
128 MGM?

129 Mr. Kovis was interrupted with a question from Commissioner Clark. Commissioner
130 Clark asked how many people died in homeless encampments. Chair Ancho called for people to
131 speak civilly. Mr. Kovis then finished his public comment. He trusts the commissioners, and the
132 county manager to do what's right for the county. For the most part he does, but he has a private
133 agenda and he uses his public office to push it. He doesn't think that's right, and he calls that

134 corruption. These extremists were brought into our town to occupy our park, with guns. If you
135 think that's normal behavior then that's fine. Looking down the road what will make this town
136 look attractive, and help us in the next pandemic. He believes we need fiber optics, and to get
137 this county prepared. It would be beneficial for remote schooling, if that becomes necessary
138 again. Do we have anyone working for some of the money that's available from the American
139 Rescue Plan?

140 Commissioner Ancho: Kathy stated that what happens here in Lander County is that
141 nobody comes to these meetings until they're pissed off. If people would come and voice their
142 opinions on things as they happen it wouldn't become like this. She gets calls from people, but
143 they don't come to the meetings and speak during public comment.

144 Tom Kovic: Tom stated that in his wildest dreams he never would have thought he'd see
145 an item on the agenda to join the Constitutional Sheriffs Association. Obviously, it was since we
146 joined it. We gave \$2,500 and \$40,000 for the stage. It was called the freedom rally. He's lived
147 here for 42 years, and he can't name one freedom that he's lost in 42 years. He has lost one, he
148 can't shoot jackrabbits with a spotlight at night. You can buy pot now, gay people can get
149 married, you can drive 80 miles an hour down the freeway. We have more freedom now than
150 we've ever had. For some reason, in this paranoid world people are living in, you think you're
151 not free.

152 Bert Ramos (County Manager): Bert stated that he appreciates Tom's passion, but he
153 doesn't appreciate false accusations that he is using his office to push an agenda because he
154 works at the discretion of this Board, and at the directions of the Board. He addressed the issues
155 that included Two Weeks to Slow the Spread, and now having to show a vaccination card to
156 travel. So, you tell me that we haven't lost any freedoms. He would have to argue with that. We
157 have to have a broader view of our freedoms. They moved forward with filing the lawsuit on the
158 State trying to take our net proceeds. That would have taken a lot of our freedoms away. Going
159 back to the district attorney and myself presenting ourselves in Sadie's office. It's an NRS, it's a
160 law. It's not us trying to take something that is not at the discretion of this commission. Them
161 voting machines are supposed to be in the possession of this commission. We are not there to
162 take anything from her or to jeopardize the safety and well-being of our voters. Sadie has every
163 right, as NRS states, to have a copy of every vote and to keep the hard files of them. That's part
164 of what we're working through, but the machines themselves, by law, are the property of this
165 commission. So, when myself and the district attorney presented ourselves, did we just go in
166 there and say "We're taking the machines by law, we're gonna have these now". No, we said, "If
167 you need to have a chain of custody to hand them over to us. feel free. Sadie went and did her
168 research, which we appreciate, and another NRS says she needs to have possession of these for
169 twenty-two months on this, and this, and this. These are my concerns. We said, "No sweat. Keep
170 the machines, we'll figure this thing out." We're not two bullies trying to bulldoze in. We are
171 trying to follow the letter of the law. So, whatever was mis-communicated there, I hope that I've
172 just cleared it up for the public to know.

173 Chair Kathy Ancho: Kathy mentioned she had gone to Round Mountain the day before
174 yesterday to look at their library. It's absolutely incredible, and probably the coolest thing she
175 has ever seen in her entire life. It was exciting, and she didn't want to leave. They have the
176 coolest things there, including 3D printers for the kids. She thinks all of the Board should go
177 down there to see it, before we vote on anything. She asked them how they afford it because it's

178 been said that the mines have paid for it. They said that's not how it's been done. They actually
179 put a small percentage tax and that's how that library runs.

180 Andrew Warwood: Andrew stated that he is about a third-generation member of this
181 community. He did have a Facebook comment that he posted. His concern was the renovation to
182 the old courthouse. He doesn't normally post a lot on Facebook. In the circles that he walks in
183 there's a lot of mis-communication. There's a lot of support for the High Desert Education group
184 that's coming in. He supports that as well, as an option for the community. A concern that he's
185 been hearing about is regarding what the long-term plans for the building are, understanding that
186 the building is in a pretty severe state of disrepair. A three-year contract is great, and putting out
187 money into the community is awesome. He supports that 100%, along with the education of our
188 students. He is concerned for the long-term plans for that building, and the amount of money that
189 we're going to put into it if, when the three-year contract expires, they have no desire to pursue
190 that course anymore. That's his main concern and his public comment.

191 Commissioner Clark: Art spoke about the town hall meeting about the building in
192 question, that took place after we had moved into the new courthouse. Numerous people from
193 Lander County wanted us to preserve that building. It would have been easy to just knock it
194 down and haul it to the dump. Historic preservation prevailed with that building. We gave a grant
195 to get started on it, and they've done the footwork for becoming a 501c3. They still have money
196 that they're going to put into the renovation. Through the historical money we can renovate it,
197 and still have it owned by the County. So, it's not going to cost the county a whole lot, and they
198 want to take it back to historical significance. That was decided five years ago.

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200 Andrew asked what would be done with the building after, and Commissioner Clark
201 listed some of the ideas that were talked about during the town hall meeting. Andrew believes
202 this is where the community and the Board are at odds now, because those ideas have not been
203 re-visited. He has not heard anyone talk about a future plan for the building at recent meetings.
204 There was discussion about interest waning as time goes by, and it being hard to get people to
205 show up for meetings.

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207 ***The meeting was stopped for a closed litigation meeting from 9:46 – 10:20 AM***
208 ***The meeting resumed at 10:20 AM***

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211 **CONSENT AGENDA**

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213 Chair Kathy Ancho read in the consent agenda items, numbered 1 through 5.

214 Commissioner Waits made a motion to approve Item #1. No payroll change requests or
215 minutes were received. This was seconded by Commissioner Sparks The motion was voted and
216 carried.

217 **Motion to approve Item #1:** Commissioner Waits;

218 **Seconded by:** Commissioner Sparks;

219 **The motion was voted and carried.**

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COMMISSIONERS

1) **COMMISSIONERS: For discussion and possible action to approve/disapprove the payment of bills.**

Chair Kathy Ancho began by pulling out check #212844, check #212785, and #1848, an electronic payment she wanted to discuss.

D.A. Herrera: Ted mentioned that a person in the audience wants to discuss a bill and he thinks it would be appropriate to ask her if that's what she wants to do.

It was determined that it was the electronic payment #1848, that Chair Ancho had mentioned.

Commissioner Waits made a motion to approve paying the balance of the bills. This was seconded by Commissioner Sparks. The motion was voted and carried.

Motion to approve paying the balance of the bills: Commissioner Waits;
Seconded by: Commissioner Sparks;
The motion was voted and carried.

Commissioner Waits made the motion to approve paying checks #212844 and #212785. This was seconded by Commissioner Ancho. The motion was voted and carried, with Commissioner Sparks abstaining.

Motion to approve: Commissioner Waits;
Seconded by: Commissioner Ancho;
The motion was voted and carried, with Commissioner Sparks abstaining, as the checks are to his employer.

Commissioner Ancho had a couple questions on the electronic payment #1848. She addressed Bert, saying he had mentioned it was a retainer for three attorneys. She asked if a contract was needed for this, and Bert stated that we do have a contract with Joey Gilbert, and they are within that contract. Bert stated that the commission had approved this in closed litigation, prior to approving us to move forward with this, as a whole. It was actually approved unanimously, almost. Kathy said that was the part she was confused about with closed litigation. You have a conversation in there, and then you bring it back out here to vote publicly for it. Because you can't vote for anything in closed litigation, it has to be brought back out in front of the public.

D.A. Herrera: Ted stated that they did not vote on anything. It has to be agendized. Bert signed the retainer agreement, and he believed that he had gotten approval in litigation to do that, to move forward.

Commissioner Ancho: Kathy asked if this is something we need to put on the agenda to be voted on since we can't vote on anything in there?

D.A. Herrera: Ted stated that we can't put that contract, the payment agreement is a privileged document. We can put on the agenda the issue of, do we want to retain the services of so and so. The contract is part of the privileged communication.

267 Commissioner Waits: Patsy stated that the approval is just to ratify when the
268 amount comes up before us.

269 There was discussion on factors that play into what is privileged information,
270 future litigation, and attorney/client privilege. It was stated by Commissioner Waits that
271 there's never an agenda item on any of our legal people that we contract with, only the
272 payment. County Manager Ramos explained that it's like when they filed on net
273 proceeds. They follow the same steps as they have on other legal matters. It falls under
274 attorney/client privilege, but we're trying to be as transparent as possible.

275

276 **Public Comment:**

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278 Jenny Martin: Jenny stated she is here as a private citizen, not representing any
279 department. She addressed the comments that have been made previously about people
280 coming forward more often and being present at the meetings. She appreciated those
281 comments. The issue that community members have been presented with is, when they
282 watch the meetings, they see people being yelled at when they do come for public
283 comment. They watch the other board members get yelled at. A lot of people in the
284 community feel like you will make up your minds what you want and do it anyway, so
285 our public comment doesn't matter. She appreciates what the Board and Bert do. Her
286 question was regarding Joey Gilbert, and if this law firm had been used before for
287 representation. It looks disingenuous to have the rally, spending all that money, and then
288 be paying him as our attorney. She is staunchly opposed to Mr. Gilbert's views, and most
289 people know that. Now, a couple months later there's a bill in our packet to Joey Gilbert,
290 who is also running a campaign at the same time. She gets that it's not going directly to
291 Joey Gilbert, he has other attorneys there. She has worked with their office. It just looks
292 disingenuous to the public, and just looks awful to a lot of people. She just wants to know
293 why Joey Gilbert's law firm was selected this time.

294 Doug Staton: Doug stated he is here as a private citizen, not in his capacity as a
295 trustee of the Lander County School Board. What meeting was it discussed that Joey
296 Gilbert was going to be retained as counsel for the County?

297 Commissioner Ancho: Kathy stated it was discussed during a litigation meeting.

298 Commissioner Clark: Art stated that Bert can sign any check up to \$50,000. He
299 has that authority. Once he used that ability that's how that check was cut.

300 Doug Staton: Doug asked what Joey Gilbert's law firm brings to the table that our
301 district attorney and assistant district attorney don't bring.

302 Commissioner Clark: People.

303 Doug Staton: Doug asked that he elaborate on that.

304 Commissioner Clark: Ted and Hy can't do this together. They have the county to
305 take care of. If you would use Ted Herrera and Hy Forgeron you would have a better
306 understanding of the law.

307 Commissioner Sparks: Bryan stated that it's more their areas of specialization.

308 Doug Staton: Doug asked what the scope is of Joey's representation of the
309 County.

310 Commissioner Sparks: Bryan stated that he couldn't get into that.

311 Doug Staton: Doug asked if lawsuits have been filed by Joey Gilbert, on behalf of
312 the County.

313 D.A. Herrera: Ted stated that none had been filed as yet, and that they were
314 potential lawsuits, in response to Doug's question.

315 Doug Staton: Doug asked if there would be itemized billing on the retainer fee,
316 and if any unused amounts would be returned.

317 Bert Ramos (County Manager): Bert stated that all attorney bills come in as
318 itemized. Whether we could release all of that to the public would depend on what it is.

319 Doug Staton: Doug spoke about attorney contracts that come before the entity he
320 is part of. Those contracts are presented in an open meeting and voted on by the trustees.

321 Bert Ramos (County Manager): Bert clarified that the entity you're referring to is
322 the school board, correct?

323 Doug Staton: Doug confirmed that.

324 Bert Ramos (County Manager): We have our representation for our board.
325 They're already here. This is a representation for something that is a bigger scope than
326 just this. I hope that clears that up a little bit.

327 Doug Staton: Not really. It's really not clearing it up for me. He believes there
328 should be some sort of contract for representation, and that contract for representation
329 should be approved in a public meeting by the commission. This is in an effort for it to be
330 as transparent a process as you can. He spoke about complaints being lodged against the
331 school board because they had an ongoing agreement with an attorney, but not a written
332 contract. They obtained a written contract for representation for the board and the district
333 with that attorney. We voted and presented that contract in a public meeting.

334 Bert Ramos (County Manager): Bert explained his reasoning regarding the
335 difference between the school board situation and the commission board. He stated that
336 they have attorney/client privilege and that it would be lost. He said it's very distinct
337 differences. If we were just hiring them generally then we would put them on a retainer to
338 put in front of the board. However, we're hiring them for a specific purpose, and when
339 it's hired for a specific purpose that's where the attorney/client privilege comes in and it
340 happens behind closed doors during closed litigation.

341 Doug Staton: It's getting a little clearer.

342 D.A. Herrera: Ted stated that if we don't proceed in the litigation then we will no
343 longer require the services of that investigator, attorney, or whoever it is. He stated that
344 only what's not used could be returned, in response to Doug's question on that. Attorneys
345 are working on our behalf and they are entitled to get paid for it. We cannot advertise to
346 the people that we may sue in the future, and that's what you're advocating.

347 Doug Staton: Doug stated that's not what he's advocating. He's not sure that it's a
348 good position for the county to be in. He feels like it gives an appearance of impropriety,
349 by retaining Joey Gilbert, who not only is campaigning for governor, has filed a
350 potentially 300,000-member class action lawsuit against Clark County school district, the
351 governor, and attorney general. Doug gave a few more details and stated that there may
352 be other attorneys out there that are as well-equipped to handle this litigation, that are not
353 part of these things.

354 Doug and Ted had a discussion on aspects of who was or wasn't campaigning for
355 office. Bert explained how Joey Gilbert was referred to Lander County by an attorney

356 who has done some work for the county, but was conflicted out in this instance. Bert
357 stated that it's extremely hard to find an attorney in Nevada that's not conflicted out in
358 the situation that they were looking at. That is the fact of the matter. Doug explained that
359 that statement right there helps give a transparency to this decision. That's information
360 that is not out there. People in the community look at the meeting packet and wonder
361 about an item that has never been discussed. It doesn't look good for the county.

362 Ted explained that the Board has not decided whether to make a lawsuit or not.
363 We do the research and then make a recommendation. That's what we're asking a larger
364 firm to do. The larger firm out of Las Vegas, that we've utilized is unable to do it because
365 of a conflict, so he requested that we hire someone else to do it. They're going to
366 investigate and give us their recommendation. It will probably be agendaized at that time.

367 The discussion continued on other lawsuits that had been filed previously.
368 Commissioner Waits stated that Lander County is involved in many lawsuits, and many
369 of them are never this highlighted, like net proceeds and such. Most of them you never
370 see. Commissioner Sparks stated that all the transparency is not included in the agenda
371 item, but it might get your attention and make you want to find out more. He can
372 appreciate that.

373 Lori Price: She appreciated what Mr. Staton said. That's the concern many of us
374 had. But, coming up here to, Art, you want us to say things that you might not agree with,
375 but you do get very upset when somebody says something you don't agree with. So, it's
376 hard for people to come up here and say something. Yes, we were all concerned. Aren't
377 you just a little bit concerned about Joey Gilbert, and the connotation that he has right
378 now? Obviously, you're not, so, we were, we are, some of us out in the community are.

379 Commissioner Clark: If you need to go to the doctor, you need some medication
380 but you don't like the guy, you gotta go anyway. Likes and dislikes don't enter into this.
381 It's who's the qualified person.

382 Lori Price: It's not the likes and dislikes. It's the connotations behind his name.

383 Chair Kathy Ancho: Kathy stated that her understanding on all of this was that the
384 funding was going to go somewhere else, to a different place. She asked for the motion to
385 be made.

386
387 Commissioner Sparks made the motion to pay the electronic payment #1848. It
388 was seconded by Commissioner Thomas. The motion was voted and carried, with
389 Commissioner Ancho voting Nay. She voiced more of her concerns and there was some
390 additional discussion. Commissioner Waits stated that there was very heavy discussion
391 over this item. It was deliberated thoroughly and cautiously.

392 **Motion to approve electronic payment #1848:** Commissioner Sparks;

393 **Seconded by:** Commissioner Thomas;

394 **The motion was voted and carried, with Commissioner Ancho voting Nay.**

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396 **Public Comment:**

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398 Sadie Sullivan: It is hard to come up here, whether you're elected, you're the
399 public, you're an employee. It's just different personalities. Respect the other person's
400 opinions. We're here to work together as a team in Lander County. We can have great

401 discussions, with differing opinions. Some people will come, depending on their
402 schedules. When you get knocked down, slammed, belittled, disrespected, whatever you
403 want to call it, you don't want to come up here because you don't get the respect. We're
404 here to hear what has to be said, and it is very disheartening to come up here. We are all
405 equal, and this county has gotten side-tracked on this. In previous meetings when things
406 started to get out of hand it was shut down, as Kathy did today. As a team, let's work to
407 stop this, to shut it down beforehand.

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410 2) **ARGENTA JUSTICE COURT: For discussion and possible action to formally**
411 **adopt job description for the Argenta Justice Court Bailiff and to either modify,**
412 **delete or agree to duties pertaining to Security of the Administration Building.**
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414 D.A. Herrera: Ted stated that he wanted to give some background on this before
415 the judge spoke. The judge came before the commission with a prior agenda request, and
416 for the job to be financed, the job that she created. When she did that, she did a job
417 description that she included in the packet. It was discussed, and moved and carried that
418 her position for the bailiff would be financed. Now, the judge thought that the job
419 description had been approved at the same time, and it hadn't been. She was under the
420 understanding that in the job description it gave her bailiff duties as security. That's
421 where we are now because technically, this board did not approve the security part of
422 that, because they didn't approve the job description. Ted asked Denise if he was accurate
423 so far, and Denise stated that there is more to it.

424 Denise Fortune (Argenta Justice Court): Denise stated she is here regarding her
425 bailiff. Her bailiff is here, and she also has questions she would like answered. As her
426 employer, she came to me with questions that I couldn't answer. H.R. helped her with the
427 job description, which includes security for the courthouse, under #5. That was submitted
428 to you guys the first time around, back in 2019. We need clarification on some things.
429 She tried to put this on the agenda a couple of weeks ago. She was told she needed to be
430 more specific in what she was trying to find out.

431 D.A. Herrera: Ted directed his statement to the Board, and stated that two things
432 needed to be decided. One is whether to decide to give the bailiff security duties for the
433 building. If yes, then to decide what the parameters of that are. If you say no, then you're
434 going to ask that, in approving the job description that be taken out or modified.

435 Commissioner Clark: Art stated that the way he understood #5 was that if we had
436 somebody at a counter and they became loud or abusive that the bailiff would be
437 available to handle the situation, not that she would be on patrol, walking up the stairs, up
438 and down.

439 Denise Fortune (Argenta Justice Court): Noliena checks in with the elected
440 officials twice daily. She takes her job as bailiff very seriously.

441 Commissioner Sparks: Bryan stated that what he remembered from the original
442 discussion was that she was concerned for her safety in the courtroom. It was justified as
443 fulltime due to the court security requirements.

444 Commissioner Ancho: Kathy asked whether it was due to an unfunded-mandate
445 that the bailiff was required when dealing with a trial and domestic violence.

446 Denise Fortune (Argenta Justice Court): Denise stated that on a domestic battery
447 case they've had to have a bench trial. Now, they have the option to go to a jury trial. If
448 they do that, she has to have a bailiff present. The number one purpose of coming to them
449 two years ago was for the protection of the courts, the people in court, anything to do
450 with the courts. The bailiff is there to protect us, during court and outside of court, to be a
451 police presence, an officer. She has the same training as they do. We have someone
452 inside the courthouse that can protect us. There's never been any question of that and
453 we've been doing that for two years. What the issue was, was that the bailiff came to
454 work and could no longer view the cameras. Denise directed her to Anna, and Anna had
455 also lost her view of the cameras. Denise called Mr. Ramos and he gave Noliena back
456 view of the cameras. She did not have the same access to the cameras that she had before
457 and wanted to know what to do. Denise was told that her job description was never
458 formally adopted. She has three other employees whose job descriptions have never been
459 brought forward, and she did not know this one had to be. Noliena has questions that the
460 Board can answer, as to what she should or should not have access to.

461 Commissioner Waits: Patsy read from the previous minutes where the motion was
462 made by Commissioner Clark to fund the bailiff for the Argenta Justice Court, the way
463 it's presented by Judge Fortune. With that, we thought we had included your backup
464 information. We understand the D.A. saying we want it clearer. She prepared to make the
465 motion, and was stopped for more discussion.

466 D.A. Herrera: Ted stated that if you adopt this, she is Denise's employee, not the
467 county's employee. You need to understand that.

468 Discussion continued regarding what access was included, what to do going
469 forward, and whether the sheriff's office had access to the cameras. It was determined
470 that they do not have access, for various reasons.

471 Bert Ramos (County Manager): Bert stated that the point is that Noliena does not
472 have access to the camera system anymore. He took it away because there were three
473 administrators on our camera system. What she has right now is visual. She can get on
474 there and view what's happening in the courthouse. It's all about access to camera
475 systems in our courthouse. Full admin means you can add somebody to the system. You
476 can go back in time, record, go back in time to any date, or add another user to the
477 system. He closed everybody so that it could be sorted out. He met with Denise to let her
478 know he would be giving back access to the cameras for viewing, but we're not giving
479 back admin. If needed they can pull the footage together and make a copy of it. It can go
480 through H.R., and have the proper chain of custody moving forward. That's what brings
481 us here today.

482 Noliena Castellanos (Bailiff): She is actually labeled as a Power User. She can go
483 back and look at stuff. The main difference is basically with adding users. She can still go
484 back in time, and could erase. It just took away adding users, and she does not want to do
485 that.

486 Sadie Sullivan: Sadie asked if the sheriff's office had ever gotten onboard with
487 being able to view the cameras. They have not had access.

488 Noliena Castellanos: Noliena stated the admins were Bert, Anna, and her. IT got
489 added, and there was an admin that they couldn't get rid of. That's actually the admin for
490 the system, and can't be removed or accessed.

491 Commissioner Sparks: Bryan asked who added the admins, when they had given
492 control to the county manager.

493 Bert Ramos (County Manager): Bert stated that the oversight is on him, and they
494 haven't had an issue since he's been here where they needed to pull cameras. He got a
495 phone call where somebody said something had just happened. They said somebody is
496 obviously viewing me on the cameras, due to something that just happened to me. The
497 person had major concerns about it. He had to call Liz to find out how to get access.

498 Sadie Sullivan: Sadie stated that the cameras were setup before Bert came on. She
499 wanted that to be clear, for the record. Whoever the admin was, it didn't have anything to
500 do with him.

501 Commissioner Ancho: Kathy spoke regarding an email issue that she had and that
502 she feels like there needs to be one person in charge. That way, when this stuff goes on
503 there's one person over it.

504 Commissioner Clark: Art spoke about the need for the sheriff's office to be
505 interfaced with the camera system. He has been pushing for this for quite a while.

506 Robert Quick (Undersheriff): We have no access to the cameras, at all. It's a
507 programming issue on the courthouse side. Firewalls need to be setup and programmed.
508 Also, licensing that was purchased with the intent to allow district court and justice court
509 to have wireless viewing, along with the dispatch center, has not been setup.

510 Commissioner Clark: Art stated that viewing resolution is also an issue. They
511 need to be able to identify someone on the cameras.

512 Denise Fortune (Argenta Justice Court): Denise reiterated her need to know if
513 Noliena is responsible for the security in the building. Denise wants more control over
514 who is in the back hallway. There have been people back there that she doesn't even
515 know who they are. Noliena does not want to be in charge of the keys. She just needs to
516 know who has access for the courts.

517 D.A. Herrera: Ted stated that all job descriptions need to be approved. It's his
518 understanding that many years ago, when Judge Bunch was the judge, the positions in the
519 court were also approved. The job descriptions were approved. He was not part of our
520 H.R. system, but he does believe he had them approved. He could be wrong. We'll need
521 to verify that. On this one he's asking you legally, that you approve it, disapprove it,
522 whatever you want to do. The pertinent parts are #4 and #5, if you're okay with those
523 regarding the security of the building. Those are the things you need to zero in on. It can
524 be modified right now, if you want to.

525 Commissioner Waits: Patsy stated that she's making a motion regarding the job
526 description, that includes the cameras for viewing access.

527 Commissioner Sparks: Bryan stated that everybody needs to understand this is not
528 his employee. That's what he has concern with. She is a court employee.

529 Commissioner Waits: Patsy stated that it's advantageous to have her here, to be
530 monitoring things. We've just included the full viewing access in the job description,
531 that's it.

532 Noliena Castellanos (Court Bailiff): Noliena stated that she does need to be able
533 to rewind, in case it's necessary to look back at something. None of the footage is erased
534 on the cameras. It has not stopped since its installation.

535 Bert Ramos (County Manager): Bert is fine with where we stand right now, and
536 the current access she has is fine. He just doesn't want to add the admin access. There are
537 two admins currently, himself, and the system admin.

538 Noliena Castellanos (Bailiff): Noliena stated for the record, that you can only
539 have five people on that system. You have to buy licenses for that. He can assign viewing
540 rights, but there's a maximum of five on the system.

541 Jenny Martin: Jenny stated she does work for Justice Court, and she did work for
542 a court where a judge did get shot. It's awful, and it doesn't matter until it happens,
543 unfortunately.

544 Discussion ensued regarding access to the back hallway, and it was stated that
545 they were getting off the agenda item topic. Bert stated that he and H.R. would be the
546 only two, to issue cards and to access that system to see the coming and going. The
547 process they are trying to get setup is contacting the person ahead of time to have
548 permission granted for access. The card can be activated and also turned off. He doesn't
549 think it will go through the building department anymore, as he doesn't believe that's
550 where it belongs. They're trying to clean these things up as they come to them.

551 Commissioner Waits: Patsy stated her motion again, for clarification. It was to
552 approve the job description as is, and that we allow the bailiff to have all of the camera
553 access, to watch and rewind.

554 Commissioner Clark seconded the motion. It was voted and carried.

555 **Motion to approve job description as written:** Commissioner Waits;

556 **Seconded by:** Commissioner Clark;

557 **The motion was voted and carried.**

558

559

560 *****A break was taken from 11:24 AM – 11:36 AM*****

561

562

563 3) **COMMISSIONERS: For discussion and possible action to approve/disapprove or**
564 **amend a one-year contract between Lander County and Oasis Online to provide IT**
565 **services in the amount not to exceed \$129,000.**

566

567 Commissioner Ancho: Kathy stated she needed help understanding what was
568 going on with the IT stuff.

569 Bert Ramos (County Manager): Bert stated that if they hired out this IT position
570 with the benefit package that would total \$134,000. The wage was between \$60,000-
571 \$80,000, but when you include the benefit package, you're at \$134,000. So, when Oasis
572 came in at \$129,000, we're saving \$5,000. It's not a huge savings, but it's within the
573 budget. He gave background on the IT situation, and stated that Oasis would have
574 someone here full-time. They would bring in additional help as needed.

575 There was discussion on how things would function with Oasis, and
576 recommendations were given on Oasis.

577 Doug Staton: Doug stated that as a school teacher and on the school board they
578 have gotten 100% quality work from Oasis. They report to us at every meeting. He
579 recommends them without reservation.

580 Commissioner Ancho: Kathy stated that they would have needed to hire a part-
581 time person, even if Richard had taken the position, because of the amount of work.

582 Sadie Sullivan (County Clerk): Sadie asked who Richard would need to go to for
583 access to the server room when he needs to access the clerk's and recorder's servers.

584 Bert Ramos (County Manager): Bert stated that he would need to go through him,
585 or Liz. If they're both gone, Oasis would also be allowed to let him in. The intent is to
586 work together and he should have access anytime he wants to knock on the door.

587 Lesley Bunch (County Recorder): Lesley has an issue with going to them to get to
588 her server, because she's had to wait days to get in there when she's needed to have
589 access. They're not here on Fridays, and she normally is. Why do I have to go through
590 them to get to my server? She explained her need to be able to plug in hard drives to her
591 server, as needed. She doesn't know why that has to be that way.

592 D.A. Herrera: Ted stated that he has talked to Lesley about this, and he tends to
593 agree with her. She has her own server, she's an elected official, and she has her own IT.
594 He suggested that she put her server in her own office, and that would take care of the
595 problem. Sadie could do the same thing.

596 Sadie Sullivan (County Clerk): Sadie stated that a lot of money was spent on that
597 IT room, and it is set up for that purpose. The temperature has to be regulated to be kept
598 cool, just like our server here for the commission meetings. The server for the
599 commission meetings was not wired to be in that area. It's in Bert's office in a small
600 room with the cooling unit.

601 Lesley Bunch (County Recorder): We have backup servers that Lura has
602 purchased for us, to be able to put in there in case we have a problem.

603 Denise Fortune (Argenta Justice Court): Denise stated that when we moved into
604 this building the elected officials had access to the server room. Oasis was here yesterday
605 trying to get the court new computers, on the direction of the Supreme Court. They were
606 unable to get into the server room, so they left, and now I have to wait another week.

607 Sadie Sullivan (County Clerk): Sadie stated that the room was built to help it
608 withstand fires, and for the specific purpose of protecting the computer equipment and
609 backups.

610 Bert Ramos (County Manager): Bert spoke up to give some direction to save time.
611 Maybe what we need to look into is putting locks on the servers so that everybody only
612 has access to their own servers. It's a matter of security for everybody. We can look into
613 that and bring this back.

614 Commissioner Sparks made the motion to approve the one-year contract between
615 Lander County and Oasis Online. It was seconded by Commissioner Clark. The motion
616 was voted and carried.

617 **Motion to approve:** Commissioner Sparks;

618 **Seconded by:** Commissioner Clark;

619 **The motion was voted and carried.**

620

621

622 Chair Kathy Ancho announced that they were tabling Item #7. Anyone that was in
623 the audience for that one, they were letting know it was tabled and would be re-
624 scheduled.

625
626 7) **COMMISSIONERS: For discussion and possible action to approve/disapprove**
627 **converting Lander County to paper ballots from electronic voting machines**
628 **pursuant to section 1A of the Nevada Constitution as amended by bipartisan vote**
629 **for rights for voters.**
630

631 **This item was tabled.**
632

633 **Public Comment:**
634

635 Sadie Sullivan (County Clerk): Sadie stated that Item 7 was not put on the agenda
636 by her. She wants that on the record because her phone has been blowing up with people
637 calling to see if it was her. She was out on Monday and her staff notified her that this
638 item was on the agenda. Once we received the agenda packet it was noted that there was
639 no backup for the item. She and two staff members were supposed to be at an annual
640 training in Reno with the Secretary of State. On Tuesday she spoke with the D.A., and
641 Bert, to let them know she wouldn't be available and wouldn't have staff available to talk
642 on this item. She asked if the item could be tabled and mentioned that Barbara Cegavske,
643 Secretary of State for Nevada, had sent a request to be on the agenda, to go over the
644 things that were going to be affected in the coming election due to legislative changes.
645 Sadie stated that the request was sent to Bert and to her. She then read in the request,
646 regarding voter outreach. She initially thought they could combine the two items dealing
647 with elections. She was told they didn't care about her letter, and that they didn't need the
648 Secretary of State's office, or Sadie, or her staff, and that they would be moving forward
649 on this item.

650 Sadie stated that people need to be educated and have the backup information.
651 She is familiar with the statute that was talked about. Bert had mentioned earlier that they
652 would not just like paper ballot voting, but hand-counting the ballots that didn't go
653 through any mechanical device. She wants the board and the public to be aware that there
654 are other federal laws to be followed, not just that one. One of them would not be
655 followed immediately, from her understanding, and that would be the Americans with
656 Disabilities Act. Sadie read a portion of the Act that stated the Act became law in 1990,
657 as a civil rights law that prohibits discrimination against individuals with disabilities in
658 all areas of public life, including jobs, school, transportation, and all public and private
659 places that are open to the general public.

660 Sadie further stated that electronic devices must be provided for people with
661 disabilities to vote. We have to follow those federal laws.

662 Commissioner Sparks wanted to know what the difference would be versus
663 electronic or written/ You're still having to push buttons. He didn't understand how that
664 would be...

665 Sadie continued with her comments and stated that what she had to say might help
666 him a bit. There's so much information on it, and we could have a whole meeting on it.
667 We have to provide the electronic devices. All the information is on the U.S. Department
668 of Justice site. It's ada.gov, and is several pages long. You can reference the check list
669 that they have. It's called the Americans with Disabilities Act. Sadie feels that this item

670 needs to be looked over from A-Z. This is not an item to be voted today, in her opinion.
671 There's no backup and no information for any of us. We need to educate everyone on
672 what needs to be followed legally. NRS 293 is specifically elections, and it is not just a
673 few pages, it is a book. Once educated on this, she feels it should be put on a ballot for
674 the voters to decide if they want to do all paper. There are processes for that. There are
675 different generations, different opinions, and people want to come and vote on the
676 machines. It was a huge controversy during the Primary election. People wanted to be
677 able to come and vote in person. They didn't want to do the paper ballots.

678 Commissioner Sparks asked what the difference would be if it was put on a ballot
679 and the voters said it was all right, and then you're not in compliance with the ADA.

680 Sadie stated that they choose and it has to be in writing, whether it's for disability,
681 or what have you. If they request for it to be paper, then of course you follow those laws.

682 Commissioner Clark wanted to know how this ended up as an amendment in the
683 State constitution, if it's illegal federally. We have a bi-partisan amendment during the
684 last legislation for a paper ballot.

685 Sadie explained that there is an AB bill, and during the next election everybody
686 will get a paper ballot, again, per that legislation. The letter from Secretary of State
687 Cegavske asking to be on the agenda was regarding reaching out to everyone to answer
688 questions that people might have on these legislative changes. Sadie read the letter from
689 Barbara Cegavske, requesting an agenda item for voter outreach. Her point is that some
690 of these questions can be answered through these things.

691 D.A. Herrera addressed Clerk Sullivan and stated, "You keep calling them federal
692 guidelines, they're not federal laws." County Manager Ramos cut him off there and
693 stated that it's been tabled, and will be coming back. He wanted to be clear that he and
694 Ted went up and met with Sadie. Sitting in Sadie's presence he sent this email. Sadie
695 stated that he was talking about the issue with the machines, and this item is not
696 regarding the machines. Chair Kathy Ancho tried to direct them back to the item at hand.
697 Bert read his email regarding NRS 293B.115, formally requesting the transfer of all
698 voting machines immediately into my custody, as I am under the direction of Lander
699 County commission. Sadie came back the next morning and said, "We do have this other
700 NRS that could be in conflict here. Let's stop and look at this." So that leads us to where
701 we are today. We need to continue up this chain until we find this proper custody. He
702 doesn't want anybody to have the perception of them marching in trying to take the
703 machines. If it came across that way he apologizes. Multiple people were talking and
704 Chair Kathy Ancho again stated that we would not be doing this.

705 Clerk Sullivan stated for the record that it was not Bert that said he didn't care
706 about the letter from Secretary of State Cegavske.

707 County Manager Ramos: Bert stated that Sadie had said she wouldn't be present
708 today and he was surprised to see her. They had every intention of tabling the item, and
709 moving it forward. He wanted the board to know that this is going to be a much bigger
710 thing in the coming future because there are a whole new set of laws that have to be
711 panned through the attorneys. This is much bigger than a public comment.

712 Clerk Sullivan finished her comment by stating she has worked in the county for
713 26 years. She was voted in as Lander County Clerk, to follow all state and federal laws.
714 She is speaking up today for all the voters of Lander County. Let it be a ballot question

715 for Lander County in 2022, if that's what can be done legally, to give the voters a say as a
716 whole. It needs to be taken seriously and not lightly.

717
718
719 **5) MARIGOLD MINE: Update and presentation by Marigold Mine on mining**
720 **operations and dewatering.**

721
722 Don Dwyer (General Manager): Mr. Dwyer introduced himself as the new general
723 manager at Marigold Mines.

724 Tamara Baker: Tamara introduced herself as an environmental specialist at
725 Marigold Mines.

726 Don Dwyer began by going over their presentation, which gave an overview of
727 the operation itself. They sit in the heart of the Battle Mountain trend. He detailed a short
728 history of the mine up to it's current branding of SSR Mining. They are having steady
729 growth and production and looking to the future.

730 Tamara Baker: Tamara took over to speak on the Dewatering Design portion of
731 the presentation. The environmental assessment began in 2015 and wasn't approved until
732 2019. It's a long process to get the authorization to do dewatering. Mining will deepen
733 the pit and this is where dewatering becomes necessary. They have 14 dewatering wells
734 along with rapid infiltration basins that return the dewatering water back into the aquifer.
735 The basins are located north of the mine near the highway, and are earthen basins that let
736 the water infiltrate back into the ground.

737 Don Dwyer: Don answered questions from Commissioners Clark and Ancho. He
738 stated that really what they're doing is moving water from one place to another, to get it
739 out of the way for mining operations. He gave a lot of information in response to
740 Commissioner Ancho's questions and concerns on water issues.

741
742
743 *****A lunch break was taken from 12:20 PM – 1:35 PM*****
744

745
746 **4) COMMISSIONERS: For discussion and possible action to approve/disapprove a**
747 **Holiday Schedule for the Lander County Board of Commissioners Meetings.**

748
749 Commissioner Waits: Patsy outlined some of the options for changing the
750 meeting schedule for November and December. After discussion it was decided to meet
751 once in November, on the 18th, and once in December, on the 16th. The other regularly
752 scheduled dates were cancelled. Commissioner Waits made the motion to have one
753 meeting on November 18, 2021, and one meeting on December 16, 2021. It was
754 seconded by Commissioner Sparks. The motion was voted and carried.

755 **Motion to approve having one meeting on November 18, 2021, and one**
756 **meeting on December 16, 2021:** Commissioner Waits;

757 **Seconded by:** Commissioner Sparks;

758 **The motion was voted and carried.**
759

760 6) **COMMISSIONERS: For discussion and possible action to approve/disapprove the**
761 **Lander County Plan for the Provision of Indigent Defense Services required by the**
762 **Regulations implemented by the Board of Indigent Defense Services.**
763

764 D.A. Herrera: Ted stated that he wanted to ask Marcie a question. Marcie Ryba
765 and Tom Qualls were on the conference line, as representatives for Indigent Defense
766 Services. Ted explained that they had agendized this for approval of our plan, and
767 unfortunately, it didn't get put as backup, so he's given a copy to the county
768 commissioners. Ted asked what date the plan needed to be sent to them for approval.

769 Tom Qualls: Tom stated that it's supposed to be submitted by September 3rd at
770 5:00 PM. Then they get them to the Board at the next meeting after that. They were
771 originally due May 1st, and the Board extended it for six months.

772 D.A. Herrera: Ted stated that the potential problem is that it's done, and he has
773 four or five small changes to make today. It's not part of our backup, and he hates to have
774 it approved by the commission board without them reading the whole document. Our
775 next meeting is September 9th, and he's looking for verbal authority to extend submission
776 to the 9th. He'll send them a copy of what we want to do.

777 Tom Qualls: Tom stated they could probably do that, his only thought on that is
778 that they see the final draft that goes to the Board, and that they're able to work with us.

779 D.A. Herrera: Ted stated that he will make the minor changes today. If you give
780 us verbal permission today, we can table it. I can make my slight modifications, and send
781 it to you. We will re-agendize it for September 9th.

782 Tom Qualls: Tom confirmed that it should work. They need to see it and make
783 sure that they're able to work with all of the stakeholders, so that it's finalized by the 9th.

784 D.A. Herrera: Ted confirmed that a copy of the plan would be sent over today, to
785 both Marcie and Tom. In response to a question from Tom, Ted stated that the plan is a
786 27-page document, and the commissioners were just given their copies so they won't be
787 able to come up with any questions at this time.

788 Marcie Ryba: Marcie stated that they had mainly wanted to give some
789 background on who they are, and why they were created.

790 Commissioner Waits: Patsy mentioned that they have been following this for
791 some time, and she thinks they have a pretty good idea of things. They appreciate them
792 being on, but it's the plan we're going to bring forward to you that they really need to
793 spend a bit more time on.

794 **This item was tabled. It will be brought back at the next meeting on**
795 **September 9th.**
796

797
798 8) **NEVADA RURAL HOUSING AUTHORITY: For discussion and possible action to**
799 **approve/disapprove Resolution 2021-08 providing the transfer of Lander County's**
800 **2021 private activity bond volume cap to the Nevada Rural Housing Authority, in**
801 **an amount not to exceed \$347,054.07.**
802

803 Diane Arvizo (Nevada Rural Housing Authority): Diane stated that she is the
804 director of home ownership programs for the Nevada Rural Housing Authority. She is

805 providing an update on the impact of Nevada Rural Housing Authority's programs in
806 Lander County, and to provide an overview of the use, source, and the limitations of
807 private activity bonds and the volume cap that is on the agenda today. Diane went over
808 some of the programs they have, such as the Home at Last program, rental service
809 program, mortgage credit certificate program, and the 0% program for affordable interest
810 rates. Today we are requesting Lander County's distribution of the 2021 unused volume
811 cap, in the amount of \$347,054.07. The funding would be used to continue funding the
812 Home at Last home ownership program.

813 State and local governments can use private activity bonds to issue debt for
814 qualified purposes that are given the same tax-exempt privileges as the debt that's issued
815 by government-owned and operated projects. Congress limits the type and use of private
816 activity bonds to prevent overuse of the tax-exempt benefits. When the federal
817 government issues the annual volume cap distribution to the state of Nevada, according to
818 state law 50% is retained by the state, and the other 50% is what is distributed to cities
819 and counties across Nevada. That is based on population. The amounts distributed are
820 often too small an amount to make an impact on their own. They have to be used for a
821 qualified purpose and designated by September 1st of each year. Otherwise, the unused
822 volume cap will revert back to the state. It goes to the State of Nevada Department of
823 Business & Industry, and they will decide where to use the volume cap. In rural Nevada
824 most of that cap goes to Washoe and Clark Counties. Diane spoke about some things that
825 can be considered a qualified purpose and are for the public-good. She detailed more
826 about how programs have been created and have benefited from this money. They only
827 come around when there's not another project on the table. It's not done in a competitive
828 manner. When you transfer the volume cap to Nevada Rural Housing you are
829 guaranteeing that it will be used in rural Nevada exclusively. It must be used in areas that
830 are under 150,000 in population, and that covers 15 of Nevada's 17 counties.

831 Diane opened it up for questions, and she read from a report from the Director of
832 Rental Services, Lena Frias. The first update is on the housing choice voucher, or Section
833 8 as it's often referred to. Lander County has seven households currently participating in
834 that program, and has one applicant that is approved for assistance and is actively seeking
835 rental housing within your community. There is another applicant on the wait list in the
836 queue and their application will be processed when it comes up. She gave details on when
837 the wait list would open up and how it is announced. Diane also went over the specifics
838 on people that applied and were helped with the rental assistance program. She expressed
839 Ms. Frias' wishes for help from Lander County for these programs. They are looking for
840 more avenues to get this information out to the public. Diane wants to make sure she is
841 getting the most current contact information for each county, so they can make sure their
842 materials for each program are getting out there.

843 Commissioner Ancho mentioned that the Frontier Action Agency didn't have
844 their information. Kathy talked about never receiving calls back when they're trying to
845 find housing for seniors, and they are told there are hundreds on the wait lists. She's been
846 working for a year trying to help someone, and it's like beating your head against a wall.

847 Diane explained more about the different voucher programs, some of which are
848 project-based in specific areas. The voucher that stays with person is the list that's ever

849 growing. They are also limited by the number of vouchers they are able to provide. They
850 are flooded with applicants when it opens, and then it closes very quickly.

851 Commissioner Sparks stated that he wanted to use the money locally and Diane
852 explained that the type of thing he is talking about would not qualify. It takes planning
853 ahead and the county cannot be the direct controller. She detailed the many details and
854 steps to take for specific projects. There needs to be a conduit issuer. In response to
855 Bert's question on building small apartments for seniors Diane recommended they sit
856 down with the directors to go over their goals. She also talked about property
857 management and how to keep the rents lower for tenants. Diane also stated that not all
858 vouchers are associated with Rural Housing, in response to D.A. Herrera speaking about
859 a specific property that she was not familiar with. She doesn't think it's one of theirs.

860 Commissioner Waits read in the resolution as part of her motion for approval,
861 with the Chair to sign. It was seconded by Commissioner Thomas. The motion was voted
862 and carried.

863 **Motion to approve:** Commissioner Waits;

864 **Seconded by:** Commissioner Thomas;

865 **The motion was voted and carried.**

866

867

868 9) **SUMMIT ENGINEERING: For discussion and possible action to**
869 **approve/disapprove the termination and/or modification of the existing contract**
870 **between Summit Engineering and Lander County on the Austin Town Boundary**
871 **Realignment Project.**

872

873 **This item was tabled.**

874

875

876 10) **CORRESPONDENCE: Correspondence/reports/future agenda items.**

877

878 Commissioner Ancho asked where we are at on fiber optics. It was stated that
879 Kyla was working on it, and it could be put on an agenda. The library needed to be back
880 on. The greenhouse and community gardens were mentioned. Commissioner Waits
881 would like a report from Lois Erquiaga, from the extension office. Other things
882 mentioned were a report from public works, letter from China Springs Youth Camp, and
883 open access transpiration. Commissioner Ancho mentioned LEPC funding, and grants.
884 She thought there had been a budget for it in prior years.

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887 **PUBLIC COMMENT**

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889 Sadie Sullivan (Lander County Clerk): Sadie brought a voting device for people with
890 disabilities, as a visual aid for the Board to see. This gives them the privacy to vote and not have
891 to have someone assist them. This is the device that is hooked to the machine, that's required by
892 law.

893 Commissioner Sparks: Bryan stated that they could do braille on paper, because they do
894 that too.

895 Sadie Sullivan: Sadie stated she didn't know how that worked. She just wanted them to
896 see the device. She believes there is still a law that states the electronic device has to be an
897 option, if they choose to use it.

898 Commissioner Ancho: Kathy asked if they print ballots in braille.

899 Sadie Sullivan: Sadie replied that she's never had that question asked. She moved on to
900 her last public comment. Sadie stated that what she says next is to inform the Board, voters, and
901 all parties involved as to what has happened, and what will happen moving forward on the
902 election machines. She wants the record to reflect that on Tuesday, she was approached about
903 having the machines removed from her office, per NRS 293b.115, that we talked about earlier.
904 After talking with the Secretary of State and other entities, it wasn't taken lightly. She received a
905 letter from Secretary of State Barbara Cegavske, titled *Retention of Voting Records After*
906 *Canvass of the Votes*. There are several statutes within that letter that she can pass along. She
907 referred to an email that came through to them, and to her, from the U.S. Department of Justice
908 Civil Rights Division. It was also sent to Attorney General Aaron D. Ford, and to Acting U.S.
909 Attorney for Nevada Christopher Chiou. Sadie stated for the record, that she will be following
910 the statutes and what is stated through the letter from the Department of Justice. Thank you for
911 your time.

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914 **ADJOURNMENT**

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916 There being no further business before the Commission at this time, Commissioner
917 Sparks moved to adjourn the regular session of August 26, 2021. Seconded by Commissioner
918 Thomas, the motion was voted and carried. **ADJOURNED.**

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920 **Meeting was adjourned at 2:38 PM.**

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ATTEST:


LANDER COUNTY CLERK



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