

**LANDER COUNTY COMMISSIONERS MEETING
TOWN BOARD OF BATTLE MOUNTAIN & AUSTIN
BOARD OF COUNTY HIGHWAY COMMISSIONERS**

October 25, 2018

LANDER COUNTY COURTHOUSE
COMMISSIONERS' CHAMBER
50 STATE ROUTE 305
BATTLE MOUNTAIN, NEVADA

Also Via Teleconference At

AUSTIN COURTHOUSE
COMMISSION OFFICE
122 MAIN STREET
AUSTIN, NEVADA

9:00 A.M Call to Order
Pledge of Allegiance
A Moment of Silence

Lander County Commissioners may break for lunch from 12:00pm to 1:15pm

Any agenda item may be taken out of order, may be combined for consideration by the public body, and items may be pulled or removed from the agenda at any time.

Commissioners Reports on meetings, conferences and seminars attended

Staff Reports on meetings, conferences and seminars attended

Public Comment - For non-agenized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any non- agenda item at the Board meeting if any, and discussion of those comments at the discretion of the Board. All public comment may be limited to three (3) minutes per person, again at the discretion of the Board. Reasonable restrictions may be placed on public comments based upon time, place and manner, but public comment based upon viewpoint may not be restricted.*

CONSENT AGENDA

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

- * (1) Approval of October 25, 2018 Agenda Notice
- * (2) Approval of September 27, 2018 Meeting Minutes
- * (3) Approval of October 11, 2018 Meeting Minutes
- * (4) Approval of the Payment of Bills
- * (5) Approval of Payroll Change Requests

PUBLIC HEARING

- * (1) 9:15 AM Public Hearing and discussion and possible action to approve/disapprove the passage of Ordinance 2018-03, amending Title 2, Chapter 06 of the Lander County Code deleting references to an Executive Director and defining all matters relating to, and to modify the duties and powers of the County Manager position, and all other matters properly related thereto.

Public Comment

- * (2) 9:15 AM Public Hearing and discussion and possible action to approve/disapprove the passage of Ordinance 2018-04, amending Title 2, Chapter 07 of the Lander County Code deleting references to supervisors and defining all matters relating to, and to modify the duties and powers of the Public Works Director position, and all other matters properly related thereto.

Public Comment

- * (3) 9:15 AM Public Hearing and discussion and possible action to approve/disapprove the passage of Ordinance 2018-05, amending Title 5, Chapter 020 of the Lander County Code to include various marijuana facilities to be fingerprinted for local business licenses, and all other matters properly related thereto.

Public Comment

COMMISSIONERS

- * (4) Discussion only for a progress report given by Lisa Taylor regarding the UNCE-Lander County Cooperative Extension, and all other matters properly related thereto.

Public Comment

- * (5) Discussion and possible action to make an exception to the Lander County Credit Card Policy and to approve/disapprove issuing a county credit card for Lisa Taylor with UNCE – Lander County Cooperative Extension, and all other matters properly related thereto.

Public Comment

- * (6) Discussion and possible action to make an exception to the Lander County Credit Card Policy and to approve/disapprove authorizing a county credit card for Paula Tomera with Lander County Convention and Tourism, and all other matters properly related

thereto.

Public Comment

- * (7) Discussion and possible action to approve/disapprove the Battle Mountain Chamber of Commerce Parade of Lights to be held on December 1, 2018 which route includes starting at 6:00 p.m. at Etchverrys Foodtown at 424 E. Front Street, turning left on Broad Street and heading onto West Humboldt passing through the Battle Mountain General Hospital's main entrance parking lot then onto 6th Street and ending at the Civic Center at 625 S. Broad Street. The commission must approve/disapprove the signing of the "Agencies Checkoff and Notification List for Temporary Right-of-Way Occupancy Permit Application" submitted to the Nevada Department of Transportation and to approve/disapprove the Parade of Lights to proceed on Lander County Roads as outlined above, and all other matters properly related thereto.

Public Comment

PLANNING

- * (8) Discussion and possible action regarding an appeal by Gary Campbell from the Planning Commission decision that gave Pure Growers, LLC a Special Use Permit by application on 905 Allen Road, Battle Mountain, Nevada, APN 010-260-29 for the purpose of medical and recreational marijuana cultivation and production facilities, and all other matters properly related thereto.

Public Comment

- * (9) Discussion and possible action regarding an appeal of the Planning Commission's decision regarding their denial of an abandonment of easement for Gary Campbell of 906.32' x 40' on the east side of APN 010-280-05 located at 560 Allen Road, Battle Mountain, Nevada, and all other matters properly related thereto.

Public Comment

- * (10) Discussion and possible action to approve/disapprove a recreational marijuana cultivation facility license and a recreational marijuana production license to Rural Remedies, a pre-qualified applicant located in northern Lander County, and all other matters properly related thereto.

Public Comment

- * (11) Discussion and possible action to approve/disapprove a Special Use Permit for Joseph and Carynn Conder DBA Lander Leaf Growers on APN 010-260-31 located at 1075

Allen Road, Battle Mountain, Nevada, for medical marijuana cultivation and to place containers specifically built for cannabis cultivation on land, and all other matters properly related thereto.

Public Comment

- *(12) Discussion and possible action regarding approval/disapproval of the parcel map for David S. Wright located at 395 Pinion Pine Way, Battle Mountain, Nevada, APN 011-030-04, to split one (1) 40 acre parcel into three (3) parcels, and all other matters properly related thereto.

Public Comment

ASSESSORS

- *(13) Discussion and possible action to approve/disapprove Resolution 2018-14 directing the County Assessor to prepare and publish the 2019/20 Assessment Roll, and all other matters properly related thereto.

Public Comment

RECREATION CENTER

- *(14) Discussion and possible action to approve/disapprove the following for the Battle Mountain Recreation Center – 1) three (3) holiday's off each year which includes: Thanksgiving Day, Family Day, and Christmas Day. The calendar dates for 2018 are 11-22-18, 11-23-18 and 12-25-18 and may be different for each succeeding year, and all other matters properly related thereto.

Public Comment

- *(15) Discussion and possible action regarding an invitation to newly elected Lander County Commissioners to attend the NACO Conference November 13-15, 2018, and all other matters properly related thereto.

Public Comment

- *(16) Discussion and possible action to select a date for a special meeting in January, 2019 for newly elected Lander County Commissioners to select a chair/vice-chair for 2019, and appointment of a Lander County Commissioner(s) to various 2019 advisory boards, and all other matters properly related thereto.

Public Comment

- *(17) Discussion and possible action to approve/disapprove the existing Public Defender contract as modified with Belanger & Plimpton (Todd Plimpton) and Lander County for two (2) years, to further amend or modify the existing contract or to put the contract out to bid, and all other matters properly related thereto.

Public Comment

- *(18) Discussion and possible action to approve/disapprove an amendment to the Modified Lease between Lander Enterprises, LLC and Lander County for the Mountain View Golf Course Clubhouse Lease, and all other matters properly related thereto.

*Public Comment****FINANCE***

- *(19) Update on budget review, contracts, financial update, and all other matters properly related thereto.

*Public Comment****COMMISSIONERS***

- *(20) Discussion and possible action regarding the performance evaluation of Keith Westengard including but not limited to: termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or “no action”, and all other matters properly related thereto. (Per NRS 241.031)

*Public Comment****CORRESPONDENCE***

- *(21) Correspondence/reports/potential upcoming agenda items.

Public Comment

Public Comment - For non-agendized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any non- agenda item at the Board meeting if any, and discussion of those comments at the discretion of the Board. All public comment may be limited to three (3) minutes per person, again at the discretion of the Board. Reasonable restrictions may be placed on public comments based upon time, place and manner, but public comment based upon viewpoint may not be restricted.*

ADJOURN

*Denotes "for possible action". Each such item may be discussed and action taken thereon with information provided at the meeting. Action may be taken according to the "Nevada Open Meeting Law Manual" via a telephone conference call in which a quorum of the Board members is simultaneously linked to one another telephonically.

NOTE: TIMES ARE APPROXIMATE

This is the tentative schedule for the meeting. The Board reserves the right to take items out of order to accomplish business in the most efficient manner. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the County Manager in writing at the Courthouse, 50 State Route 305, Battle Mountain, Nevada 89820, or call (775) 635-2885 at least one day in advance of the meeting.

NOTICE: Any member of the public that would like to request any supporting material from the meeting, please contact the clerk's office, 50 State Route 305, Battle Mountain, Nevada 89820 (775) 635-5738.

AFFIDAVIT OF POSTING

State of Nevada)
) ss
County of Lander)

Keith Westengard, Lander County Manager of said Lander County, Nevada, being duly sworn, says, that on the 19th day of October, 2018, he posted a notice, of which the attached is a copy, at the following places: 1) Battle Mountain Civic Center, 2) Battle Mountain Post Office, 3) Lander County Courthouse, 4) Swackhamer's Plaza Bulletin Board, 5) Kingston Community Hall Bulletin Board, and 6) Austin Courthouse in said Lander County, where proceedings are pending.



Keith Westengard, Lander County Manager _____

Subscribed and sworn to before me this 19th day of October, 2018

Witness Pilla Fuller _____

Name of Agenda: Lander County Board of Commissioners' meeting

Date of Meeting: October 25, 2018