

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

November 8, 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-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.*

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 November 8, 2018 Agenda Notice

*(2) Approval of October 11, 2018 Meeting Minutes

*(3) Approval of October 25, 2018 Meeting Minutes

*(4) Approval of the Payment of Bills

*(5) Approval of Payroll Change Requests

COMMISSIONERS

- *(1) Discussion only regarding the November 27, 2018 Nevada Department of Transportation (NDOT) Workshop scheduled for 9:00 am in the Community Meeting Room of the Lander County Administration Building, and all other matters properly related thereto.

Public Comment

- *(2) Discussion and possible action to approve/disapprove a medical marijuana cultivation facility license to Lander Leaf Growers, a pre-qualified applicant located in northern Lander County, and all other matters properly related thereto.

Public Comment

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

Public Comment

- *(4) Discussion and possible action to discuss the fees associated with the use of the Battle Mountain Civic Center for the Lander County Convention and Tourism Authority, and all other matters properly related thereto.

Public Comment

- *(5) Discussion only regarding an update of the Austin Realignment Project as presented by Summit Engineering, and all other matters properly related thereto.

Public Comment

- *(6) Discussion and possible action to set a date, time and location for an Austin Town Hall meeting to discuss the Austin Youth Center, and all other matters properly related thereto.

Public Comment

PLANNING

- * (7) Discussion and possible action regarding approval/disapproval of parcel map for Mt. Lewis, LLC located at Mount Lewis Drive, Battle Mountain, Nevada, as APN 002-320-12, splitting seven (7) acre parcel into four (4) parcels, that was approved by the Planning Commission on September 12, 2018, and all other matters properly related thereto.

Public Comment

- * (8) Discussion and possible action to approve/disapprove the parcel map for Gospill Land, LLC located at Willow Creek/Mountain Spring Road, Battle Mountain, Nevada, APN 011-120-03 to split one (1) parcel of 17.42 acres into four (4) parcels, that was approved by the Planning Commission on September 12, 2018, and all other matters properly related thereto.

Public Comment

COMMISSIONERS

- * (9) Discussion and possible action regarding ratification of a grant application and map submitted by the Lander Economic Development Authority (LEDA) for a bike/pedestrian path to include benches, trash receptacles, lighting and landscaping to connect with the existing SR 305 and Broad Street path, and all other matters properly related thereto.

Public Comment

- * (10) Discussion and possible action regarding the Old Courthouse and all of the furniture within, and to come up with a plan for disposal, and all other matters properly related thereto.

Public Comment

- * (11) Discussion and possible action to accept or decline the canvas of the votes for the November 6, 2018 General Election, and all other matters properly related thereto.

Public Comment

- *(12) Discussion only regarding a proposed BDR providing counties with populations of less than 100,000 the option to enact a diesel tax of up to .05 cents/per gallon to pay for road maintenance, and all other matters properly related thereto.

Public Comment

- *(13) Discussion and possible action to approve/disapprove regarding a request to submit an amicus brief supporting Lyon County, Walker River Irrigation District, et al. in the case captioned Mineral County; and Walker Lake Working Group, Appellants, vs. Lyon County; Centennial Livestock; Bridgeport Ranchers; Schroeder Group; Walker River Irrigation District; State of Nevada Department of Wildlife; and County of Mono, California, Respondents, before the Nevada Supreme Court concerning issues including: (1) Whether the public trust doctrine applies to rights already adjudicated and settled under the doctrine of prior appropriation and, if so, to what extent? (2) If so, whether the abrogation of such adjudicated or vested rights constitute a "taking" under the Nevada Constitution requiring payment of just compensation? Discussion, consideration and possible action regarding: (a) Authorization for county manager and district attorney's office on behalf of Lander County to support and/or join the Carson Water Subconservancy District (CWSD) or another party or entity in the preparation and submission of an amicus brief in this matter, and all other matters properly related thereto.

Public Comment

***CORRESPONDENCE**

- *(14) 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 2nd day of November, 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 2nd day of November, 2018

Witness Pelle Fuller _____

Name of Agenda: Lander County Board of Commissioners

Date of Meeting: November 8, 2018