

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 January 24, 2019, at 8:59 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

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

22 We are going to call to order the Lander County
23 Commissioners meeting, Town Board of Battle Mountain and Austin,
24 Board of County Highway Commissioners for January 24th, 2019.

25 Judie, will you start us out with the Pledge of Allegiance,
26 please.

27 COMMISSIONER ALLAN: Certainly.
28

29 (Pledge of Allegiance)
30

31 CHAIRMAN WAITS: Thank you.

32 And if you all might join us in just a moment of silence,
33 please.
34

35 (Moment of silence)
36

37 CHAIRMAN WAITS: Thank you.

38 First of all, a warm welcome to all of you: our -- our
39 staff, our fellow commissioners, and our guests and speakers and
40 citizens. Thank you, all, for joining us this morning.

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

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7 **COMMISSIONER REPORTS**

8
9 CHAIRMAN WAITS: Next will be our commissioners' report.
10 And, Art, I'll start with you if you have anything to
11 report for us.

12 COMMISSIONER CLARK: We had a public lands meeting and we
13 talked mostly about sage grouse.

14 Patsy covered that from the NACO's end. So I don't have
15 anything to -- last meeting you talked about it.

16 I don't have anything past that.

17 Nobody --

18 CHAIRMAN WAITS: Okay.

19 COMMISSIONER CLARK: -- knows what's going on with the sage
20 grouse still.

21 CHAIRMAN WAITS: Thank you, Art.

22 Bryan?

23 COMMISSIONER SPARKS: Nothing to report.

24 CHAIRMAN WAITS: Kathy?

25 COMMISSIONER ANCHO: I went to the Nevada Regional Water
26 Authority meeting. And I --

27 There's lot. I put pa- -- copies in the packets.

28 But, briefly, they were going over AB 30, AB 51, AB 62 on
29 the drought issues for the state of Nevada and the different
30 bills that are changing the authority for the state engineer's
31 office.

32 So Judie went also. So I'm -- I'll let her report on that as
33 well.

34 COMMISSIONER ALLAN: No, that's why I -- you get to go
35 first.

36 COMMISSIONER ANCHO: Okay.

37 CHAIRMAN WAITS: Thank you.

38 Judie?

39 COMMISSIONER ALLAN: So, yes, I did also attend the Central
40 Nevada Regional Water Authority. And that was in Fallon.

1 It --

2 As Kathy mentioned, we did discuss the -- the bills coming
3 before the legislature. And a couple pretty important ones that
4 were definitely --

5 The board decided to oppose AB 51.

6 And also we did discuss the -- the bill draft request that
7 Central Nevada Regional Water Authority is -- is going to propose.
8 And that deals mainly with water plans for counties.

9 And other than that, it -- it was an interesting meeting. We
10 had some different presentations talking about water regeneration
11 and -- and the different aquifers and -- and rebuilding those
12 aquifers and the time frame. So that was pretty interesting.

13 There is a website. And actually I was going to look it
14 up and -- and give everyone the -- the address. But the Central
15 Nevada Regional Water Authority does have a web page. And I am
16 sorry I don't have that information for you, but I think if you
17 were interested, you could Google it.

18 It's -- it's got a lot of the presentations that are brought
19 before us and additional information.

20 So it's -- it's worth looking into.

21 Other than that, that was it.

22 CHAIRMAN WAITS: Thank you.

23 I do have a couple things to report and share with you.

24 Actually, on the 9th and 10th of January, I did go to
25 Washington, D.C.

26 NACO sponsored a state association presidents and a state
27 executive meeting.

28 So our Executive Director Dagny Stapleton and myself
29 attended. And it was just a -- a quick couple day session. They
30 crammed everything in. It was really interesting.

31 We had several panels. And we had some of the different
32 congressmen and congresswomen there with the panels. And it
33 was -- it was all very encouraging. It was so -- we had Democrats
34 and Republicans. And it was all talk of bipartisan. It really
35 was.

36 And they said you have to remember that the media hype hits
37 the worst, but that business is really going on in Washington,
38 D.C. They really are passing laws and -- and things as -- as we
39 speak. And he said we speak to each other in the halls. It's not
40 that bad. We would -- do have some differences, of course. But

1 they were really encouraged about it.

2 And I thought it was kind of refreshing to hear for -- for a
3 change.

4 We also had a -- a couple gentlemen that actually -- that sit
5 on -- they're -- they are special assistants to the President of
6 the White House and intergovernment affairs. We had the director
7 and the deputy director both there. And we had a couple of the
8 high-ranking officials from the White House also that spoke to us
9 on infrastructure and such.

10 The -- the House legislation on the controversial FCC 5G
11 order I have spoke about before and how that was detriment to the
12 counties.

13 We actually have had one of our -- our congress ladies that
14 has put in a bill. It's a House bill, HR 530. And that would
15 dismantle the controversial 5G legislation.

16 NACO has been really strong on this with our lobby efforts.
17 And, in fact, they even tried to get a stay on it so it wouldn't
18 go into effect. And currently, they denied that.

19 So right now we'll see where the House bill goes. But that
20 would -- would change things a little bit so the counties would
21 have more authority on what's going on with that.

22 So we'll -- we'll see. We'll watch it very, very closely.

23 Of course, the farm bill naturally passed. It was an
24 excellent article in *The Bugle*. They really covered that pretty
25 well if you saw that one too.

26 And they gave us some interesting figures. Of the 101 new
27 members in Congress, 79 of them actually have had a role in county
28 government.

29 So it's nice to know that at least they understand our side.
30 And we'll see what comes out of that one.

31 They were very concerned about the opioid crisis. And we had
32 a lot of discussion on that. And they said that actually is the
33 number one death. It surpasses auto accidents even. So there was
34 a lot of good information on that part.

35 On the 14th of January, we did have the Austin Airport Board
36 meeting, working on our budget, of course, and also working on our
37 sign. We have such a small little sign says airport. We're
38 looking to see if we can maybe enlarge that a little bit more.

39 People do miss it as they whip by, even going the speed
40 limit, on 722.

1 We're concerned about one of our fences that really is a
2 problem out there. So we'll probably be looking at budget to do
3 a little bit and repair some fencing.

4 On the 15th, I had the Justice and Public Safety call.
5 That's my national meeting.

6 There's a lot of discussion going on, of course, on -- on
7 several things in the opioid and juvenile and such.

8 But I did want to share one thing with you that actually
9 has passed and that's the Juvenile Justice and Delinquency
10 Prevention Act. And there's a 2018 with a lot of reforms to it.

11 And this -- this prevention act in history was first
12 authorized in 1974. It was established to ensure states and
13 territories meet certain common standards for how the youth across
14 the country are treated in the justice system.

15 It established two core protections. And one was the prohibi-
16 -- the prohibition of the incarceration of youth charged with the
17 status offenses. That means something that wasn't criminal, like
18 skipping school or breaking curfew, some of the lighter things.

19 And requirement that youth have sight and sound separation
20 from adult inmates.

21 Two additional protections were added in the reauthorization.
22 A prohi- -- prohibition against housing young people in adult
23 facilities while awaiting trial as juveniles and requiring the
24 states address disproportionate minority contact.

25 States receive federal formula grant funding for complying
26 with these protections. So we reauthorized it in 2002. It
27 expired in 2007. And on December 13, 2018, we passed this bill
28 with broad bipartisan support.

29 And, as you know, we've been working with that on our budget
30 for some time and the juveniles housed separately and all that
31 type of thing.

32 But there's a lot of -- lot of reform on that one.

33 Let's see. Coming up we have NACO tomorrow. Judie and I
34 will be taking off right after the meeting today and going to
35 Clark County.

36 They're actually going to -- we're going to do a tour on the
37 planning efforts of the national conference. We're going to look
38 at some of the event sites and such before we go into our meeting.
39 And this is all for our national convention in July. Naturally
40 that will be held and sponsored by Clark County.

1 Some of the more interesting things, just to remind you all,
2 and I -- we kind of put it in our head and keep saying it. The
3 counties actually handle 46 percent of all the roads, 40 percent
4 of all the bridges, and 34 percent of all the airports. So our
5 budgets are so important bringing this stuff.

6 And we know we're going to have a divided congress in this
7 116th session, but we're certainly looking forward to still some
8 good things coming out of that.

9 So with that, that ends our report for commissioners.

10
11
12 **STAFF REPORTS**

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14 CHAIRMAN WAITS: So we go into staff reports.
15 Keith?

16 KEITH WESTENGARD: All right.

17 I wanted to point out in the Nevada -- Nevada Magazine
18 January/February 2019, there's a real nice article in here about
19 Battle Mountain referred to true grit, Battle Mountain.

20 It's -- it talks about the town, the county, and a little bit
21 about history and how it was come forward.

22 So it's a good article here if you're -- anybody's
23 interested in it.

24 Last year Commissioner Clark and I were -- started working
25 on a -- on a program for our -- our high school students to
26 receive credit through the high school. That's finally come
27 through. And we are using it.

28 I had a discussion with Russ Klein about this recently. And
29 then he sent me an email.

30 So we do have that program available. And it's being used
31 at our rec center right now that students get credit for
32 actually working for the county.

33 Let's see.

34 I met with the state fire marshal last week for several
35 hours regarding new legislation he's putting forth, which is
36 going to affect our volunteer fire departments throughout the
37 county. It's minimum standards for required training and
38 education.

39 DISTRICT ATTORNEY HERRERA: It's statewide.

40 KEITH WESTENGARD: Yeah. It's statewide. Yeah. It's --

1 it's in a BDR. I have all that information here. I'll keep you
2 updated on -- on where that's going. It's quite a -- quite a
3 big bill.

4 I also met a little bit with NDF regard- -- re- -- regarding
5 our rural fire protection. That's another bill that's going into
6 place.

7 So I'll keep you updated on how we're go- -- or the direction
8 that rural fire protection's going within the state and how it may
9 affect the county.

10 I also met with OSHA recently regarding our citation. And we
11 have -- I have a direction to go on that with -- with OSHA. I --

12 I told them about the new job we're working on. They were
13 pretty happy about that. That's one of the things they're going
14 to look at as far as what they call to closing our file.

15 We were fined, nowhere near where I thought it would be.
16 Our fine ended up being right at \$2500. It cited -- and I do
17 have that if anybody would like to read it in detail. It cited
18 lack of training and lack of PPE. That's what we were cited
19 for.

20 I have airport update. But since Tom is here from J-U-B,
21 he's -- he's going to give a pretty in-depth update on our
22 airports, where we're at with that, our grants, and the future of
23 -- of what we're looking at.

24 I think that's it. Thank you.

25 CHAIRMAN WAITS: Thank you.

26
27
28 **PUBLIC COMMENT**

29
30 CHAIRMAN WAITS: We are into public comment time right now.
31 It's for nonagendized items only.

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

40 Do we have any public comments?

1 **CONSENT AGENDA**

2
3 CHAIRMAN WAITS: With that, we'll move down to the consent
4 agenda, then.

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

13 Number 1, approval of January 24th, 2019, agenda notice;
14 number 2, approval of November 29, 2018, meeting minutes; number
15 3, approval of December 13th, 2018, meeting minutes; number 4,
16 approval of December 31st, 2018, meeting minutes; number 5
17 approval of December 7th, 2019, meeting minutes --

18 COMMISSIONER ALLAN: January.

19 CHAIRMAN WAITS: Thank you. January 7th, 2019, meeting
20 minutes; and number 6, approval of payment of bills; number 7,
21 approval of payroll change requests.

22 We did receive all the minutes except number 3,
23 December 13th. The rest of them were here. If anybody has
24 anything they have any questions about, we'll pull that.

25 COMMISSIONER SPARKS: On -- yeah. On Consent Agenda Item
26 6, approval of payment of bills, I need to abstain from Check
27 201669 because I'm employed by the vendor.

28 CHAIRMAN WAITS: Okay.

29 COMMISSIONER ALLAN: So I'll make a motion that we approve
30 the consent agenda items number 1, 2, 4, 5, 6, and 7.

31 CHAIRMAN WAITS: Thank you. Judie made a motion.
32 Second?

33 COMMISSIONER CLARK: I'll second it.

34 CHAIRMAN WAITS: Art seconded the motion.

35 Any other discussion?

36 Any public comment?

37 (No comment.)

38 CHAIRMAN WAITS: All those in favor?

39 COMMISSIONER SPARKS: Aye.

40 COMMISSIONER ANCHO: Aye.

1 COMMISSIONER ALLAN: Aye.
2 COMMISSIONER CLARK: Aye.
3 CHAIRMAN WAITS: Any opposed?
4 Thank you.
5 We are going to take one out of order.
6 First of all -- let's see -- is --
7 COMMISSIONER SPARKS: Yes. Jerry's here.
8 CHAIRMAN WAITS: Okay.
9 COMMISSIONER SPARKS: Number 6.

10
11
12 **BOARD APPOINTMENTS**

- 13
14 6) **Discussion and possible action regarding appointment of one**
15 **individual to serve as a Lander County representative on the**
16 **Lander County Conservation District, position expiring two**
17 **(2) years from appointment and to consider the following: a)**
18 **Jerry Annis; and all other matters properly related thereto.**
19

20 CHAIRMAN WAITS: Thank you. We're going to go down to
21 Number 6 right now.

22 Discussion and possible action regarding the appointment of
23 one individual to serve as a Lander County representative on the
24 Lander County Conservation District. And it's a position expiring
25 two years from the day of appointment. And we will be considering
26 the following: Jerry Anis. And all other matters properly
27 related thereto.

28 And Mr. Annis has served before, but not as a county
29 representative.

30 So we have his letter with our information.

31 COMMISSIONER SPARKS: He's a --

32 Jerry, you want to come forth to the table here?

33 JERRY ANNIS: I wasn't prepared for that.

34 CHAIRMAN WAITS: You thought we'd just approve it without
35 saying hello personally?

36 JERRY ANNIS: No.

37 COMMISSIONER SPARKS: Yeah, please.

38 CHAIRMAN WAITS: Please do.

39 COMMISSIONER ALLAN: And state your name for the record,
40 please.

1 JERRY ANNIS: Jerry Annis.
2 COMMISSIONER ALLAN: Good morning, --
3 CHAIRMAN WAITS: Thank you.
4 COMMISSIONER ALLAN: -- Jerry.
5 CHAIRMAN WAITS: Any comments at all on your service?
6 Or --
7 JERRY ANNIS: Well, you're probably aware that the Lander
8 Conservation -- Lander County Conservation District has one seat
9 reserved for a member that is appointed by the county
10 commissioners. That seat has been empty, I believe, since Rod
11 Davis, former county extension agent retired.
12 I just finished my second four-year term on the Conservation
13 District Board and did not run to fill that position again.
14 They had some good people apply and take interest in being a
15 member of the com- -- commission, the district board.
16 And with the intention of -- of running to -- or expressing
17 interest in the -- in the position that you appoint. I'd be --
18 it's a -- it's a -- it's an important board and does a lot of good
19 work.
20 And what I'd like to do is do a little bit more
21 communication with county commissioners. I would commit to
22 attending in as many as -- of your meetings as possible and work
23 towards continuing the collaboration, cooperation between the
24 conservation district and the county commission.
25 CHAIRMAN WAITS: Thank you.
26 COMMISSIONER SPARKS: Thanks, Jerry.
27 COMMISSIONER ALLAN: I'll make a motion that we approve
28 Jerry Annis to fill the position of the Lander County
29 Conservation District and with a term expiring two years from
30 the date of the appointment.
31 COMMISSIONER SPARKS: I'll second that.
32 CHAIRMAN WAITS: Thank you.
33 It's been moved by Judie that we approve that position.
34 And Bryan has seconded it.
35 Any other discussion?
36 Public comment?
37 (No comment.)
38 CHAIRMAN WAITS: All in favor?
39 COMMISSIONER SPARKS: Aye.
40 COMMISSIONER ANCHO: Aye.

1 COMMISSIONER ALLAN: Aye.
2 COMMISSIONER CLARK: Aye.
3 CHAIRMAN WAITS: Aye.
4 Any opposed?
5 (No comment.)
6 CHAIRMAN WAITS: Thank you very much --
7 COMMISSIONER SPARKS: Thanks, Jerry.
8 CHAIRMAN WAITS: -- for your service, Jerry.
9 COMMISSIONER ALLAN: Thank you, Jerry.
10 COMMISSIONER ANCHO: Thank --
11 JERRY ANNIS: Thank --
12 COMMISSIONER ANCHO: -- you.
13 JERRY ANNIS: -- you.
14 CHAIRMAN WAITS: Okay.
15 COMMISSIONER CLARK: Thank you.
16
17

18 COMMISSIONERS

- 20 1) Discussion and possible action to approve/disapprove the
21 purchase of two (2) urban/brush fire trucks in an amount not
22 to exceed \$350,000 for the Battle Mountain Volunteer Fire
23 Department, and all other matters properly related thereto.
24

25 CHAIRMAN WAITS: Agenda Item Number 1.
26 Discussion and possible action to approve or disapprove the
27 purchase of two urban/brush fire trucks in an amount not to
28 exceed \$350,000 for the Battle Mountain Volunteer Fire
29 Department, and all other matters properly related thereto.

30 Gentlemen.

31 SHERIFF RON UNGER: Good morning.

32 COMMISSIONER SPARKS: Good morning, guys.

33 SHERIFF RON UNGER: Ron Unger, for the record.

34 JERRY ANNIS: And Bart Negro.

35 SHERIFF RON UNGER: All right. I believe you all have --
36 all of this in your packet. I am correct?

37 COMMISSIONER SPARKS: Yep.

38 SHERIFF RON UNGER: All right.

39 What we're here to do today is see if we could get some
40 money for the purchase of two urban/brush trucks is what we

1 looked at.

2 And the information is all in front of you there.

3 Do you have any questions from me?

4 CHAIRMAN WAITS: I -- I do.

5 SHERIFF RON UNGER: Okay. Good.

6 CHAIRMAN WAITS: As long as we're going to be discussing
7 this.

8 Is this replacing anything?

9 I mean, why -- why is -- why are these trucks different? And
10 why do we need two?

11 SHERIFF RON UNGER: Well, yes. Yes and no.

12 We're looking at -- with the wildland fires that we've been
13 having and that we're probably going to have, we have -- right now
14 we have a two brush 1- -- brush trucks.

15 One's a mini pumper with a 250-gallon tank. And the other is
16 Pumper 2. It's 7400, like you're looking at here on the pictures,
17 with a 750-gallon tank.

18 Now at some of the meetings that we've been to, there's been
19 discussions on taking some of the trucks to the rurals because
20 they presented that they would like to have trucks out in the
21 rural part of the county.

22 So we do have a 1985 Chevy with a 2500 -- or a 250-gallon
23 tank.

24 And so what -- what the thoughts would be is if we could
25 get two of these.

26 The reason for two is at last year's budgets there was money
27 set aside for a fire truck.

28 And when we got to looking into these, we figured out that we
29 could get two of these trucks with thousand gallon tanks, the
30 bigger trucks like we have, for about -- for right around the
31 price that was set aside.

32 Now with these trucks here, we looked at going with a urban
33 type of a deal to where on some of the pictures you will see to
34 where they've got the inch and a half hose lays in the back.

35 There's two of them on there. There's places for your SCBAs.

36 It was our thoughts that if we had a fire in the Hill Top
37 area or a -- a ranching community, we could roll these trucks
38 out to the fire to give us two -- 2,000 gallons, plus the third
39 truck with the 750. We could roll those out to those areas and
40 a water tanker and leave the big trucks, our stretcher trucks,

1 in town in case something happened here.

2 So that's the intent of these.

3 But the reason we was looking at two is because we did have
4 the money to do that at that point in time.

5 CHAIRMAN WAITS: Okay. Thank you.

6 The only concern that I -- I have on this is in -- in
7 reading through the bylaws, it does say that the membership
8 needs to vote on anything over \$500 and has to pass by
9 two-thirds. And I didn't see anything in here that that was
10 done.

11 SHERIFF RON UNGER: That hasn't been done.

12 What we've done right at this point is gone out for quotes to
13 see if we could get it. And once we get the quotes -- and if you
14 agree -- then we go back to the department and we'll show them
15 what we've got and go that way with it.

16 CHAIRMAN WAITS: On that, that seems kind of backwards to
17 me because when we have an advisory board, we look to the
18 advisory board to tell us what has happened and then we take
19 action. I'd hate to set the precedent of us taking action and
20 then giving it back to your board to decide whether you're going
21 to do what the commissioners --

22 SHERIFF RON UNGER: In -- in the --

23 CHAIRMAN WAITS: -- said you --

24 SHERIFF RON UNGER: -- past --

25 CHAIRMAN WAITS: -- could.

26 SHERIFF RON UNGER: -- what they've done is when we've
27 decided -- or the money has been put into the county budget to
28 purchase trucks, regardless of the amount -- okay -- that's when
29 we go out and we try to figure out the vehicles that we need and
30 stay within that amount.

31 See where I'm going with that?

32 CHAIRMAN WAITS: I -- I do. But I'm -- I'm going to ask
33 for some legal advice on it, because I -- I hate to set a
34 precedent on something.

35 COMMISSIONER ALLAN: Patsy, can I --

36 CHAIRMAN WAITS: Absolutely.

37 COMMISSIONER ALLAN: -- interject?

38 So, you know, I understand according to the bylaws. And I
39 don't believe we've approved those bylaws yet.

40 I mean, these might be the old ones. But the one thing you

1 have to consider is, you know, with two-thirds vote of the fire
2 department, that's 16 members. Is, you know, if you're going to
3 have a business meeting and you're going to have this presented
4 and -- and bring it before the members for discussion and vote,
5 you typically don't have that many members at a meeting because
6 work schedules, whatnot. So I don't know how they could actually
7 get a two-thirds vote to approve this.

8 I mean, certainly, the chief and the fire chief can go around
9 and talk to the different members at different times and -- and
10 have discussions. But to actually do it during a meeting, I don't
11 know if that's really --

12 SHERIFF RON UNGER: You need a copy?

13 COMMISSIONER SPARKS: I'd like to hear from Ted.

14 COMMISSIONER ALLAN: -- practical.

15 COMMISSIONER SPARKS: What -- what is the legal standing of
16 the bylaws of how they're written in this particular situation?

17 SHERIFF RON UNGER: You need to see the bylaws?

18 COMMISSIONER SPARKS: Because -- and if I'm not mistaken,
19 it's always been -- it's never been done that way from my
20 recollection.

21 SHERIFF RON UNGER: It's never been done that way since
22 I've been in the department.

23 DISTRICT ATTORNEY HERRERA: No. It never has been done
24 that way.

25 COMMISSIONER SPARKS: But the bylaws do state that.

26 DISTRICT ATTORNEY HERRERA: But the bylaws do --

27 COMMISSIONER SPARKS: Yeah.

28 DISTRICT ATTORNEY HERRERA: -- state that it should be done
29 that way.

30 SHERIFF RON UNGER: And we was looking at after or when we
31 get ready to approve, whatever, and it's -- it goes to the
32 department and say, Here, gentlemen. This is what we're looking
33 at. Do you need any changes? We're within the budget. If
34 you're going to make any changes, we do it and then order the
35 truck.

36 CHAIRMAN WAITS: I -- I understand that.

37 I just -- when I looked at it, I thought it was backwards.
38 And I --

39 DISTRICT ATTORNEY HERRERA: It -- it is kind of backwards.
40 But it's not backwards to them because that's the way they've

1 been doing it. But -- but it's certainly in opposition to how
2 the bylaws are written.
3 The --
4 Commissioner, Ron has told me in the past that these bylaws
5 have been approved. So --
6 SHERIFF RON UNGER: Well, they were approved years ago.
7 DISTRICT ATTORNEY HERRERA: Yeah. So --
8 COMMISSIONER ALLAN: In 2007.
9 SHERIFF RON UNGER: Here. And -- and just so the board
10 knows is because of the situation that we got into this last
11 year, --
12 DISTRICT ATTORNEY HERRERA: Right.
13 SHERIFF RON UNGER: -- the bylaws are being rewritten at
14 this point in time.
15 So there -- there is going to be bylaw changes. And they
16 will go to the district attorney. They're penciled out. They're
17 not done at this point. But they will be brought up to the
18 department also for their adding or taking away. And then they'll
19 be approved by legal to make sure that we're legal in what we're
20 doing and then go in front of you folks.
21 But that's -- that's a month down the road or so.
22 DISTRICT ATTORNEY HERRERA: It's --
23 COMMISSIONER SPARKS: So do we currently have money set
24 aside?
25 DISTRICT ATTORNEY HERRERA: No.
26 SHERIFF RON UNGER: No.
27 COMMISSIONER SPARKS: No? Okay.
28 SHERIFF RON UNGER: Did have, but it's no longer there.
29 COMMISSIONER SPARKS: Okay.
30 CHAIRMAN WAITS: Judie, --
31 COMMISSIONER ALLAN: So --
32 CHAIRMAN WAITS: -- in response to yours too, I've sat on
33 associations where it's been difficult --
34 COMMISSIONER ALLAN: Yeah.
35 CHAIRMAN WAITS: -- be- -- because of -- of work conflicts
36 and such.
37 So they've had emergency, like, phone meetings and such to --
38 to confirm that -- that many in the membership if that's happened.
39 So, I mean, it still c- -- it still can be -- can be done.
40 So what are the wishes of the commission?

1 COMMISSIONER ALLAN: Well, I'd like to -- to kind of add a
2 little bit more. And in -- in response to that, Bryan, the
3 situation was that this money was initially set aside for the
4 fire department. And there was a truck ordered. And it
5 really -- I -- I can't go into the feelings of the fire
6 department regarding this other truck. But Ron had been in the
7 process of -- of spec'ing out and -- and going over these two
8 other trucks.

9 So we had a discussion, Ron and Keith and I. And Cindy does
10 have money in a budget that there -- there is money available.
11 It's not out of this specific set-aside for this, which I
12 believe -- I'm not sure which fund it was going to come out of
13 initially. But there is funding available.

14 COMMISSIONER SPARKS: So the truck that was ordered, was it
15 -- did we follow this two-thirds vote --

16 COMMISSIONER ANCHO: No.

17 COMMISSIONER SPARKS: -- to the members?

18 DISTRICT ATTORNEY HERRERA: That -- Commissioner, that --
19 that was then ordered by the county. And under the -- under the
20 ordinance, the county can do that.

21 COMMISSIONER SPARKS: Oh, okay.

22 DISTRICT ATTORNEY HERRERA: So this is a bunch of different
23 things happening in one year that's -- that's -- shows us why we
24 have to fix it. And that's why I've talked to -- to Ron and --
25 and Bart. And we're -- and we're trying to fix the ordinance
26 too.

27 COMMISSIONER SPARKS: Right.

28 DISTRICT ATTORNEY HERRERA: Because the --

29 COMMISSIONER SPARKS: So --

30 DISTRICT ATTORNEY HERRERA: -- ordinance allows the county
31 --
32 Matter of fact, it's the only one that is allowed to order
33 things --

34 COMMISSIONER SPARKS: Right.

35 DISTRICT ATTORNEY HERRERA: -- for the --

36 COMMISSIONER SPARKS: So my question is, then, if we make a
37 motion just to say that we do approve it, where are the
38 legalities because the bylaws state that?

39 I mean, first and foremost, we're supposed to uphold the
40 law --

1 DISTRICT ATTORNEY HERRERA: Right.
2 COMMISSIONER SPARKS: -- as commissioners. And that's --
3 that's my concern.
4 So if it becomes a legal question, then do we just need to
5 put it back and they have a meeting, encourage two-thirds of their
6 members to be there? And if it is, then it comes to us and -- and
7 it's not an issue.
8 DISTRICT ATTORNEY HERRERA: That -- that's how I would
9 usually recommend doing something. When I read of bylaws, I say
10 you should follow the bylaws.
11 Bart and Ron are here arguing that we've done it this other
12 way all along. And -- and I'm joining in, saying that -- not on
13 any side because that's -- that's up to you guys -- but that's
14 why we need to change the ordinance.
15 COMMISSIONER SPARKS: Right.
16 DISTRICT ATTORNEY HERRERA: And -- and I think we're all
17 alerted to the fact that the ordinance needs to be changed.
18 And if they're going to change the by- -- bylaws in the
19 future, that's fine. But the bylaws that exist today clearly
20 show that -- that -- that, in my opinion, that -- that the
21 volunteer fire department should be the one deciding this --
22 COMMISSIONER SPARKS: So -- so it's fair --
23 DISTRICT ATTORNEY HERRERA: -- or their --
24 COMMISSIONER SPARKS: -- to say --
25 DISTRICT ATTORNEY HERRERA: -- members.
26 COMMISSIONER SPARKS: So there would -- there could be
27 legal ramifications.
28 DISTRICT ATTORNEY HERRERA: There could be by -- by -- by
29 other members --
30 COMMISSIONER SPARKS: Right.
31 DISTRICT ATTORNEY HERRERA: -- who --
32 COMMISSIONER SPARKS: So --
33 DISTRICT ATTORNEY HERRERA: -- have standing --
34 COMMISSIONER SPARKS: -- there's other --
35 DISTRICT ATTORNEY HERRERA: -- to object.
36 COMMISSIONER SPARKS: -- volunteer firemen in the audience.
37 Does -- does anybody have anything to say on the matter?
38
39 (Cell phone ringing.)
40

1 KEITH PIAZZA: Keith Piazza, for the record.
2 COMMISSIONER SPARKS: Hi, Keith.
3 KEITH PIAZZA: Hi.
4 I believe, reading the bylaws, -- and I'm not a hundred
5 percent sure. So I'm going to have redouble-check me -- but it
6 requires as two-thirds majority of a quorum.
7 A quorum for us right now is eleven members. So you need
8 two-thirds of that, which would be seven. I'm going from memory.
9 I don't have them in my handbook.
10 COMMISSIONER SPARKS: Well, you --
11 KEITH PIAZZA: I believe that's what I read.
12 COMMISSIONER SPARKS: Well, I -- I'll read it to you.
13 I have it --
14 KEITH PIAZZA: Okay.
15 COMMISSIONER SPARKS: -- right here.
16 KEITH PIAZZA: All right.
17 COMMISSIONER SPARKS: It says, disbursement of purchases in
18 excess of --
19
20 (Cell phone ringing.)
21
22 COMMISSIONER SPARKS: -- \$500 must be passed by affirmative
23 vote of two-thirds of the active membership at any regularly
24 scheduled business meeting. Proxy vote and absenteeism will be
25 accepted.
26 That's what it --
27 KEITH PIAZZA: It's not --
28 COMMISSIONER SPARKS: -- says.
29 KEITH PIAZZA: -- two-thirds of a quorum. Okay. I don't
30 know.
31 COMMISSIONER SPARKS: Yeah.
32 KEITH PIAZZA: I'm mistaken.
33 SHERIFF RON UNGER: See, we've never done that.
34 KEITH PIAZZA: Thank you.
35 BART NEGRO: Uh-uh.
36 SHERIFF RON UNGER: You know, and we'd like to throw in
37 there that we buy a lot of stuff in that fire department as far
38 as hoses, nozzles, that type of stuff that the chief does order.
39 And we've never done that.
40 We've bought the stuff and put it on the trucks. And -- and

1 a nozzle alone is over \$500 of that.

2 COMMISSIONER SPARKS: Ron, so let me ask you this. What --
3 if we -- what would it do -- I mean, not putting a crush on
4 your -- on what you want to do, --

5 SHERIFF RON UNGER: No, that's --

6 COMMISSIONER SPARKS: -- but --

7 SHERIFF RON UNGER: -- okay.

8 COMMISSIONER SPARKS: -- if we did go back to a business
9 meeting and we had two-thirds of our firemen there and we -- and
10 you guys brought us an acceptance of that --

11 DISTRICT ATTORNEY HERRERA: Commissioner, excuse me. They
12 -- they don't have to be there. They can vote by proxy.
13 It's --

14 COMMISSIONER SPARKS: Oh.

15 DISTRICT ATTORNEY HERRERA: It says right --

16 COMMISSIONER SPARKS: That's right.

17 DISTRICT ATTORNEY HERRERA: -- here --

18 COMMISSIONER SPARKS: You're --

19 DISTRICT ATTORNEY HERRERA: -- in the --

20 COMMISSIONER SPARKS: -- correct.

21 DISTRICT ATTORNEY HERRERA: -- bylaws.

22 COMMISSIONER SPARKS: Yeah.

23 COMMISSIONER ALLAN: Well, I -- I -- I -- one of the
24 frustrating things for me right now is -- is we're kind of
25 getting hung up on this, which I understand the bylaws and --
26 and following it and the legalities and whatnot.

27 But, you know, as -- as Ron stated that, you know, they've
28 never done it -- this in the past. Is we have a fire truck on
29 order now that who knows if two-thirds of the fire department
30 really wanted it. It was arbitrarily ordered without much
31 discussion amongst the department, much less the chief and the
32 assistant chief.

33 And now the assistant chief and chief are up here asking
34 for what they want and are willing to discuss it with the other
35 firemen to get what that they want and what they need because
36 they're the ones that know what, you know, the experience
37 sitting right there with the volunteer fire department in Battle
38 Mountain, the years. They know what's needed.

39 And, you know, the other truck, that was -- that was an
40 arbitration that just was not discussed with -- with the -- the --

1 DISTRICT ATTORNEY HERRERA: Doesn't have to be legally.
2 The county can buy anything they want pursuant to or --
3 I'm not --
4 COMMISSIONER ALLAN: Counselor, --
5 DISTRICT ATTORNEY HERRERA: -- I'm not disagreeing --
6 COMMISSIONER ALLAN: -- Counselor, --
7 DISTRICT ATTORNEY HERRERA: -- with you.
8 COMMISSIONER ALLAN: -- I'm not arguing with you. And I
9 understand what you're saying is this is an issue for discussion
10 amongst --
11 DISTRICT ATTORNEY HERRERA: Right.
12 COMMISSIONER ALLAN: -- the commissioners.
13 And I'm just putting it out there that we wouldn't be here
14 with this discussion had the process gone the way it probably
15 should have in the first place --
16 DISTRICT ATTORNEY HERRERA: By the --
17 COMMISSIONER ALLAN: -- with --
18 DISTRICT ATTORNEY HERRERA: -- bylaws? Or by the past --
19 COMMISSIONER ALLAN: By --
20 DISTRICT ATTORNEY HERRERA: -- (indiscernible)?
21 COMMISSIONER ALLAN: -- by the -- the fire department.
22 And, you know, if we're talking about the bylaws, is, yes, it
23 does say there we have not followed them.
24 And I'm not trying to say that just because they've never
25 been followed verbatim in the past that I'm excusing it. What I'm
26 saying is, is to now to bring up the issue and say, well, we have
27 to have a two-thirds vote for this and that, is what happened when
28 the other truck was ordered? There wasn't a two-thirds vote. And
29 I do know that the -- the county can do that. It is out of the
30 county's budget. It was not out of the fire department's budget.
31 But it was still wrong.
32 And I want to give them the option.
33 COMMISSIONER SPARKS: So let me see if I can simplify this.
34 What if -- Ron's basically coming forth and saying, hey, can --
35 could we set this money aside for these two trucks? Could we as
36 a board say, "Yes, pending two-thirds vote from the fire
37 department"?
38 DISTRICT ATTORNEY HERRERA: Certainly.
39 CHAIRMAN WAITS: Certainly.
40 COMMISSIONER SPARKS: You know what I'm saying? And

1 it's --
2 DISTRICT ATTORNEY HERRERA: Certainly.
3 CHAIRMAN WAITS: And bring --
4 COMMISSIONER SPARKS: -- like --
5 CHAIRMAN WAITS: -- your motion.
6 COMMISSIONER SPARKS: -- if the fire department agrees on
7 it as a whole, --
8 DISTRICT ATTORNEY HERRERA: Since the money's not budgeted
9 anyway, as -- as commissioner pointed out, it's available, but
10 not budgeted, you certainly can do that under -- under that cir-
11 -- circumstance.
12 If -- if the money wasn't available, then I would be legally
13 recommending you wait till the budget year.
14 COMMISSIONER SPARKS: Right. Ron, what are your thoughts
15 on that?
16 SHERIFF RON UNGER: It -- it's fine. Just so the board
17 knows, this has been a discussed -- at the fire -- at our
18 meetings. It was brought up. And there was some discussion.
19 Originally, when we were looking at this, we were looking
20 at just an extended cab -- okay -- a two-door with a -- with a
21 bench seat in the back, which -- which you've got pictures of.
22 And when it was brought up at the department, after the
23 meeting, there was some discussion on that.
24 And some of the fire department -- as a matter of fact, most
25 of them decided they wanted the four-door as opposed to the
26 extended cab.
27 So we did. We went back, and we got quotes. That's why
28 you have two quotes in front of you -- one is of an extended
29 cab. And one's a four-door -- because that was the preference
30 of the department or several of the members at that time.
31 So it's not like this is a big surprise.
32 You know, there has been discussion on this with most of the
33 members. But if that's the direction you want to go, I -- I would
34 say I'm not opposed to that.
35 COMMISSIONER SPARKS: Yeah. I just don't want to
36 complicate it.
37 I'm not saying that we've done everything in the past right.
38 And if we haven't, that's fine. We have an opportunity to correct
39 it and make it right going forward.
40 There's some other things we're looking at going forward to

1 make right that -- that haven't been.
2 So it's --
3 SHERIFF RON UNGER: Yeah.
4 CHAIRMAN WAITS: We have some --
5 COMMISSIONER ANCHO: But --
6 CHAIRMAN WAITS: -- more public comment.
7 RANDY ARTZ: Yes. Randy Artz, for the record.
8 I was curious if it would be easier for the board to approve
9 this since next business meeting Bart and Ron are supposed to
10 present our budget to us for the upcoming year. Is I believe how
11 it works in March, you guys approve our budget.
12 COMMISSIONER SPARKS: Right.
13 RANDY ARTZ: So if we were to put this in our actual budget
14 for the upcoming year, if that would be an easier way to go
15 about this. Because we're supposed to have our -- our budget
16 for the year presented to us next business meeting. And then we
17 vote on it and approve it. So if Ron and Bart had that all in
18 our budget so we could all look at it, maybe that would be an
19 easier route for us to go.
20 And then that way we all are on the same page. And the
21 commissioners understand where we are as a department.
22 CHAIRMAN WAITS: It's -- it's --
23 COMMISSIONER CLARK: Does that sound better to you, Cindy?
24 CINDY BENSON: Cindy Benson, for the record.
25 RANDY ARTZ: That's all I have.
26 COMMISSIONER SPARKS: Thanks, Randy.
27 COMMISSIONER ALLAN: Cindy, please come up.
28 CINDY BENSON: Sorry.
29 CHAIRMAN WAITS: Actually, it -- it's a good
30 recommendation. The only situation with that is the delay in
31 ordering --
32 BART NEGRO: It's a lot more --
33 CHAIRMAN WAITS: -- the trucks.
34 BART NEGRO: -- time that way.
35 CHAIRMAN WAITS: And that's another couple months down the
36 road and fire season and so forth.
37 Cindy, go ahead.
38 CINDY BENSON: Cindy Benson, for the record.
39 It being this close to the budget, it actually would be.
40 Because right now, if you order it, we have the time constriction

1 of it being here by June 30th.

2 So it would give them more time if they waited and put it in
3 their budget next month. Might --

4 CHAIRMAN WAITS: Okay. Of course, we won't be approving
5 the budgets for -- I mean, we look at it in March, but it's not
6 approved. So it still takes a while.

7 So what's the pleasure of the board?

8 COMMISSIONER ANCHO: Well, I -- I --

9 COMMISSIONER ALLAN: Well, --

10 CHAIRMAN WAITS: Do I --

11 COMMISSIONER ALLAN: -- I do have --

12 CHAIRMAN WAITS: -- have any motion?

13 COMMISSIONER ANCHO: I have something I would like to add
14 into this.

15 Even though the -- the county does have the authority to
16 order this fire truck, the red one that's over there, my
17 question's out there. Why would you do that without presenting it
18 to the fire department to begin with?

19 CHAIRMAN WAITS: Well, that -- that's another whole agenda
20 item, though.

21 COMMISSIONER ALLAN: Yeah.

22 CHAIRMAN WAITS: We'll be happy to talk to you about that.

23 COMMISSIONER ANCHO: Okay.

24 CHAIRMAN WAITS: But that's not --

25 COMMISSIONER ALLAN: Ron?

26 COMMISSIONER ANCHO: Okay.

27 CHAIRMAN WAITS: -- that's not --

28 SHERIFF RON UNGER: Yes, ma'am.

29 CHAIRMAN WAITS: -- the situation.

30 COMMISSIONER ANCHO: Okay. All right.

31 CHAIRMAN WAITS: Thank you, Kathy.

32 SHERIFF RON UNGER: The reason -- if I might jump in here a
33 little bit -- we have noticed in the past that, you know, and
34 I'm going to give you little history.

35 Back in the early '80s, we never did have a brush truck. All
36 we had was structure trucks.

37 We had one -- one truck that would be able to pump and roll
38 that we would use. It was a 700-gallon truck.

39 But we started getting lots of range fires. So the
40 250-gallon little mini pumpers are good because you could get out

1 on it quicker. You had 250 gallons of water. So --
2 And it was mainly sagebrush. You were able to -- to get a
3 handle on it.
4 Now, you know -- and we went from the -- the '85 to the '95,
5 which is our number one.
6 And then I believe our international's a 2,000-something, a
7 big truck. But now these fires are all cheat grass, and they're
8 running -- they're running fast. And so we're looking at -- the
9 reason that we're looking at this truck is because it's got a
10 thousand gallon tank of water on the back of it -- two of them.
11 Okay?
12 They're a bigger truck. You can get there just as quick.
13 You can't get into a lot of places that you can with the little
14 mini pumpers. But you've got an ex- -- you've got an extra 750
15 gallons of water or an extra 250 gallons of water, depending on
16 which truck you take.
17 So with these trucks and the bigger trucks, we have a better
18 opportunity of catching these fires quicker as opposed to burning
19 up 75,000 acres or 300-and-some-odd thousand acres. We still may
20 do that. But the quicker we get there, the quicker we can put
21 water on it without running back and forth.
22 And as an example, last year we had a fire up here at Mule
23 Canyon. Bart and I was on that fire. There was also BLM there.
24 We flanked that fire and took off on it. We had 750 gallons of
25 water.
26 By the time we run of the water -- we has -- we were up
27 there a mile or further -- but by the time we turned around and
28 came back to get water, we lost it.
29 So with the 250-gallon or 500-gallon, whatever the case,
30 you're going to lose it better.
31 These trucks got more water, which we need. They're better
32 capable of doing what we need because they're double usage.
33 They're urban and brush fire. We designed them that way.
34 And we are looking at time. You know, if -- if things had
35 have went right, these trucks would be on their way to us at this
36 point so they'd be usable.
37 CHAIRMAN WAITS: And -- and --
38 SHERIFF RON UNGER: Now, with --
39 CHAIRMAN WAITS: -- with --
40 SHERIFF RON UNGER: -- what --

1 CHAIRMAN WAITS: -- with the change --
2 SHERIFF RON UNGER: -- Randy's saying is absolutely
3 correct. Yeah. I won't argue that point.
4 But the budget won't be approved until -- we won't even have
5 that money until June 1st? June? July?
6 COMMISSIONER ALLAN: July.
7 SHERIFF RON UNGER: Or July 1st. That means we won't even
8 get these trucks this fire season.
9 COMMISSIONER SPARKS: Okay. I have an idea.
10 So what if we had you go back -- you scheduled a -- an
11 emergency volunteer fire meeting for this exact rea- -- this is
12 only problem I have is it states in the bylaws. And it's just
13 the bylaw- --
14 BART NEGRO: No.
15 COMMISSIONER SPARKS: -- I mean, --
16 SHERIFF RON UNGER: We're -- we're --
17 COMMISSIONER SPARKS: Do you understand?
18 SHERIFF RON UNGER: -- we're reading it.
19 COMMISSIONER SPARKS: You know what I'm saying? It's just
20 what if you did that? And then we could schedule it for our
21 next meeting --
22 CHAIRMAN WAITS: We can --
23 COMMISSIONER SPARKS: -- which is early.
24 CHAIRMAN WAITS: -- or -- or your motion can say predicated
25 on it. If --
26 COMMISSIONER CLARK: I agree --
27 CHAIRMAN WAITS: And since this is --
28 COMMISSIONER CLARK: -- with Bryan.
29 COMMISSIONER ANCHO: Uh-huh.
30 CHAIRMAN WAITS: Since --
31 COMMISSIONER ANCHO: And (indiscernible).
32 CHAIRMAN WAITS: -- we've --
33 COMMISSIONER SPARKS: You know, then we have the -- the
34 agreement of the volunteer, you know, --
35 CHAIRMAN WAITS: Okay.
36 SHERIFF RON UNGER: That's not --
37 COMMISSIONER SPARKS: -- majority.
38 SHERIFF RON UNGER: -- a problem with us, guys.
39 COMMISSIONER SPARKS: Okay.
40 SHERIFF RON UNGER: It's just --

1 CHAIRMAN WAITS: Okay.

2 SHERIFF RON UNGER: -- a -- a time factor that -- that I'm
3 looking at.

4 COMMISSIONER SPARKS: Right.

5 SHERIFF RON UNGER: -- personally. You know, we're going
6 to make do with what we've got. I'll be real honest with you.
7 We'll do what we can.

8 This is just better in the community and our county is what
9 this is doing. It's just a -- an improvement. And it's --

10 COMMISSIONER SPARKS: Right.

11 SHERIFF RON UNGER: -- your --

12 CHAIRMAN WAITS: And the --

13 SHERIFF RON UNGER: -- discussion.

14 CHAIRMAN WAITS: -- change in the environment is so noted.
15 Things are different today.

16 SHERIFF RON UNGER: They are.

17 CHAIRMAN WAITS: That's absolutely accepted.
18 Who would like to start with a motion?

19 COMMISSIONER SPARKS: I'd like to make moti- -- make a
20 motion to that effect of what I just stated.

21 CHAIRMAN WAITS: Would you state that again for the record
22 for --

23 SHERIFF RON UNGER: What'd you --

24 CHAIRMAN WAITS: -- us, --

25 SHERIFF RON UNGER: -- what'd you --

26 CHAIRMAN WAITS: -- Bryan?

27 SHERIFF RON UNGER: -- state, Bryan?

28 COMMISSIONER SPARKS: That basically we approve on the
29 contingency that we have a two-thirds vote from the fire
30 department and schedule it for our next commissioner meeting
31 to --

32 COMMISSIONER CLARK: Second.

33 COMMISSIONER SPARKS: -- do final approval. Would that be
34 correct, Ted?

35 DISTRICT ATTORNEY HERRERA: That would be --

36 COMMISSIONER CLARK: I'll second --

37 DISTRICT ATTORNEY HERRERA: -- fine.

38 COMMISSIONER CLARK: -- that.

39 DISTRICT ATTORNEY HERRERA: Since -- since they haven't
40 approved it yet, they -- we don't know whether you -- we don't

1 know the exact amount.
2 COMMISSIONER SPARKS: Right.
3 DISTRICT ATTORNEY HERRERA: So not putting the amount there
4 is a good thing. But --
5 COMMISSIONER SPARKS: Okay.
6 DISTRICT ATTORNEY HERRERA: -- but I think your motion --
7 CHAIRMAN WAITS: If --
8 COMMISSIONER CLARK: I'll second --
9 CHAIRMAN WAITS: -- if --
10 COMMISSIONER CLARK: -- that.
11 COMMISSIONER ALLAN: So business meeting is the first of
12 the month?
13 BART NEGRO: First Tuesday.
14 COMMISSIONER ALLAN: Okay. So we will have -- they'll have
15 their -- their meeting before.
16 COMMISSIONER SPARKS: Right.
17 COMMISSIONER ALLAN: So it can be --
18 COMMISSIONER SPARKS: So we --
19 COMMISSIONER ALLAN: -- on the --
20 COMMISSIONER SPARKS: -- could agendize it.
21 COMMISSIONER ALLAN: We could have it on the agenda for --
22 BART NEGRO: When is your next meeting?
23 COMMISSIONER ALLAN: The 14th.
24 And your meeting would be on the 5th.
25 DISTRICT ATTORNEY HERRERA: Yeah.
26 BART NEGRO: Yeah.
27 CHAIRMAN WAITS: Okay. We have a motion on the floor by
28 Bryan and seconded by Art.
29 Any other public comment?
30 (No comment.)
31 CHAIRMAN WAITS: Okay. All in favor?
32 COMMISSIONER ANCHO: Aye.
33 COMMISSIONER SPARKS: Aye.
34 COMMISSIONER CLARK: Aye.
35 COMMISSIONER ALLAN: Aye.
36 CHAIRMAN WAITS: Aye.
37 Any opposed?
38 Okay.
39 BART NEGRO: Thank you.
40 CHAIRMAN WAITS: Gentlemen, --

1 SHERIFF RON UNGER: Thank you.
2 CHAIRMAN WAITS: -- we'll see you next agenda.
3 SHERIFF RON UNGER: Okay. That --
4 So we're going to have a meeting prior to the county
5 commission meeting.
6 How many days do we have before we need the agenda request?
7 CHAIRMAN WAITS: No, put the agenda request in right away.
8 SHERIFF RON UNGER: Okay.
9 COMMISSIONER SPARKS: And then have your meeting. You can
10 always pull it.
11 SHERIFF RON UNGER: All right. I'll make that happen.
12 Thank you.
13 COMMISSIONER SPARKS: Thanks, guys.
14 BART NEGRO: Thank you.
15 COMMISSIONER CLARK: Thanks, --
16 COMMISSIONER ANCHO: Thank you.
17 COMMISSIONER CLARK: -- Ron.
18 Thanks, Bart.
19
20 2) **Discussion and possible action regarding approval/disapproval**
21 **of a parcel map for 235 Pleasant Hill Drive, Battle Mountain,**
22 **Nevada, APN 011-071-09, splitting one (1) 3.8 parcel into two**
23 **(2) parcels, and all other matters properly related thereto.**
24
25 CHAIRMAN WAITS: Number 2.
26 Discussion and possible action regarding
27 approval/disapproval of a parcel map for 235 Pleasant Hill
28 Drive, Battle Mountain, Nevada. APN 011-071-09. Splitting one
29 3.8-acre parcel into two parcels, and all other matters properly
30 related thereto.
31 Hi, Kyla.
32 KYLA BRIGHT: Good morning, Commissioners.
33 Kyla Bright, planning coordinator, for the record.
34 This was heard and approved in front of the planning
35 commission on January 9th.
36 All notices were made in the paper and to the public
37 (indiscernible) 300 feet.
38 I have Raymond Etcheverry here for any questions that you
39 may have.
40 I'm going to go ahead and stretch this out right here.

1 COMMISSIONER SPARKS: Morning, guys.
2 UNIDENTIFIED PARTICIPANT: Morning.
3 RAYMOND ETCHEVERRY: Good morning.
4 COMMISSIONER ANCHO: Morning.
5 CHAIRMAN WAITS: I notice in the splitting we have it in
6 feet. And so I had to go back and figure out my acre-feet, 4-
7 to 3,560 square feet. So -- so they're -- they're almost --
8 they're over an acre and a half, basically.
9 COMMISSIONER SPARKS: Do you want to look --
10 KYLA BRIGHT: Yes.
11 COMMISSIONER SPARKS: -- at this, --
12 CHAIRMAN WAITS: And it was --
13 COMMISSIONER SPARKS: -- Kathy?
14 CHAIRMAN WAITS: -- pretty close to two.
15 KYLA BRIGHT: I did send this to Austin. I faxed it over.
16 There was a mistake on --
17 COMMISSIONER SPARKS: Oh, okay.
18 CHAIRMAN WAITS: Okay.
19 KYLA BRIGHT: -- the plain one on the foot- -- the square
20 footage. This is the correct, highlighted in yellow.
21 COMMISSIONER ANCHO: Thank you.
22 CHAIRMAN WAITS: Okay.
23 KYLA BRIGHT: Uh-huh.
24 COMMISSIONER ALLAN: Did you get Kathy one?
25 KYLA BRIGHT: I did.
26 COMMISSIONER SPARKS: Yeah. Right --
27 COMMISSIONER ANCHO: Yeah. Right here.
28 COMMISSIONER SPARKS: Right.
29 CHAIRMAN WAITS: Any questions from the board?
30 KEITH WESTENGARD: Thanks, Kyla.
31 DISTRICT ATTORNEY HERRERA: Thanks, Kyla.
32 KYLA BRIGHT: Uh-huh.
33 COMMISSIONER CLARK: Bert? Are we headed that way with our
34 sewer line and our water line?
35 BERT RAMOS: Bert Ramos, for the record.
36 Yeah. We --
37 Pending budget, could be two years before we get all the
38 sewer to bring us to our capacity. We're currently --
39 COMMISSIONER CLARK: Okay.
40 BERT RAMOS: -- slightly over the state's --

1 COMMISSIONER CLARK: Okay.
2 BERT RAMOS: -- recommended capacity. But that doesn't --
3 COMMISSIONER CLARK: Yeah. We need to get that water and
4 sewer out this -- in that direction.
5 BERT RAMOS: The -- Pleasant Hill isn't actually on that
6 part of it. When I'm talking about our capacity, I'm -- I was
7 thinking more of -- what is it by the golf course? --
8 UNIDENTIFIED PARTICIPANT: Sheep Creek?
9 BERT RAMOS: What's that?
10 UNIDENTIFIED PARTICIPANT: Sheep Creek?
11 BERT RAMOS: Sheep Creek Road.
12 COMMISSIONER CLARK: Sheep Creek.
13 BERT RAMOS: That would bring us down to the recommended
14 capacity.
15 The one thing that we do have going for us is a lot of
16 these people are serviced by municipal water, not off of
17 domestic wells, within that mile radius of the septic. So --
18 COMMISSIONER CLARK: Okay. Two years is not that long.
19 COMMISSIONER ALLAN: I'll approve the parcel map for 235
20 Pleasant Hill Drive, Battle Mountain, APN 011-071-09, splitting
21 one 3.80-acre -- -acre parcel into two parcels, and authorize
22 the chair to sign.
23 COMMISSIONER SPARKS: I'll --
24 KYLA BRIGHT: Bef- --
25 COMMISSIONER SPARKS: -- second it.
26 CHAIRMAN WAITS: Thank you. It's been moved by Judie,
27 seconded by Bryan.
28 Yes, Kyla?
29 KYLA BRIGHT: Before you move on, I do need to point out
30 that the utility signatures aren't there. So it was
31 conditionally approved to not be signed until those -- by the
32 planning commission. I don't know if you want to reflect that
33 with your guys' (indiscernible).
34 COMMISSIONER ALLAN: So I'll amend that emot- -- that
35 motion to state that -- authorize the chair to sign when the --
36 the necessary signatures for utilities have been signed.
37 COMMISSIONER SPARKS: I'll second.
38 CHAIRMAN WAITS: Okay. Amended and seconded.
39 Any other discussion?
40 Public comment?

1 (No comment.)
2 CHAIRMAN WAITS: All in favor?
3 COMMISSIONER ANCHO: Aye.
4 COMMISSIONER SPARKS: Aye.
5 COMMISSIONER ALLAN: Aye.
6 COMMISSIONER CLARK: Aye.
7 CHAIRMAN WAITS: Any opposed?
8 Thank you so much.
9 UNIDENTIFIED PARTICIPANT: Thank you.
10 RAYMOND ETCHEVERRY: Thank you.
11 COMMISSIONER ANCHO: Uh-huh.
12 CHAIRMAN WAITS: So we're not signing anything today with
13 the mylar?
14

15 3) **Discussion and possible action regarding the annual Lander**
16 **County Local Emergency Planning Committee (LEPC) letter of**
17 **promulgation and authorization for the chair to sign, and all**
18 **other matters properly related thereto.**
19

20 CHAIRMAN WAITS: Number 3.

21 Discussion and possible action regarding the annual Lander
22 County Local Emergency Planning Committee, LEPC, letter of
23 promulgation and authorization for the chair to sign, and all
24 other matters properly related thereto.

25 KEITH WESTENGARD: This is our annual letter of
26 promulgation that we have to submit to state as part of LEPC.
27 And it's just a -- the declaration of -- of what LEPC is.

28 CHAIRMAN WAITS: It's an open letter to our citizens with
29 actually our -- our emergency operation plan and such. So --

30 COMMISSIONER SPARKS: You --

31 COMMISSIONER ALLAN: I make a motion that we approve the
32 annual -- the Lander County Local Emergency Planning Commission
33 letter of prom- -- promulgation and authorize the chair to sign.

34 COMMISSIONER SPARKS: I'll second.

35 CHAIRMAN WAITS: Thank you.

36 It's been moved by Judie, seconded by Bryan.

37 Any other public discussion?

38 (No comment.)

39 CHAIRMAN WAITS: All in favor?

40 COMMISSIONER SPARKS: Aye.

1 COMMISSIONER ANCHO: Aye.
2 COMMISSIONER ALLAN: Aye.
3 CHAIRMAN WAITS: Aye.
4 COMMISSIONER CLARK: Aye.
5 CHAIRMAN WAITS: Thank you.
6 And it passes.
7 We now move on to the airport.

8
9

10 **AIRPORT**

11

12 4) **Discussion and possible action to approve/disapprove a grant**
13 **application for the design-only portion of the reconstruction**
14 **and expansion of the west airport apron at the Battle**
15 **Mountain Airport, and authorize the county manager to sign,**
16 **and all other matters properly related thereto.**

17

18 CHAIRMAN WAITS: Discussion and possible action to approve
19 or disapprove a grant application for the design-only portion of
20 the reconstruction and expansion of the west airport apron in
21 Battle Mountain Airport and authorize the county manager to
22 sign, and all other matters properly related thereto.

23 TOM LEMENAGER: I'm Tom Lemenager from J-U-B in Boise.

24 CHUCK LARSON: Chuck Larson, J-U-B.

25 CHAIRMAN WAITS: Gentlemen, good morning.

26 Okay. Do you have any questions on this for the board here?

27 TOM LEMENAGER: Just to -- excuse me -- just to kind of lay
28 out what we're approving.

29 In 2019 we've got a -- the FAA on board to rehab the west
30 part of the apron at Battle Mountain and then expand the apron
31 90 feet by 215 feet as well. So what you're signing is the design
32 for that in 2019.

33 And then in 2020 in the spring, as soon as we can get in
34 there as conditions are right, we'll go ahead and construct it.

35 But for what you're signing now is the design only. And what
36 we were able to pull off with the FAA is this airline capacity or
37 aircraft capacity is going to be a lot deeper than it was and a
38 lot more higher-capacity aircrafts that we can bring BLM aircraft
39 into this area legally and not be tearing up asphalt or whatnot.

40 I know they're bleeding into that area now and parking in

1 here. So what we pulled off with the FAA, at least the latest, is
2 they're going to let us dig that out deeper and have the -- dig
3 out more capacity for bigger aircraft out --
4 CHAIRMAN WAITS: The big tankers --
5 TOM LEMENAGER: -- there.
6 CHAIRMAN WAITS: -- and such?
7 TOM LEMENAGER: Yep. Yep.
8 And then that'll continue on to the edge out here 90 feet
9 beyond where the edge of the asphalt is now.
10 So what you're signing is actually more than what we're
11 seeing in our engineering calculations, because we do the
12 applications first.
13 We want to be really conservative with that, that we have
14 enough money in that so that if we don't, then we don't have to
15 come back to you and get it signed again. So the engineering's
16 going to be around 150,000. And I've got, I think, 180- in there
17 now. So --
18 CHAIRMAN WAITS: 180...
19 TOM LEMENAGER: Thousand.
20 CHAIRMAN WAITS: That FAA and 12,000 for us? Something --
21 TOM LEMENAGER: Yeah.
22 CHAIRMAN WAITS: -- like that --
23 TOM LEMENAGER: It's --
24 CHAIRMAN WAITS: -- I think --
25 TOM LEMENAGER: -- it's --
26 CHAIRMAN WAITS: -- is what --
27 TOM LEMENAGER: Everything is 93.75 percent FAA.
28 CHAIRMAN WAITS: Okay. Thank you.
29 TOM LEMENAGER: Uh-huh.
30 CHAIRMAN WAITS: Any questions?
31 COMMISSIONER SPARKS: Ted, on these grant requests, do
32 you -- do you look over, like, grant requests that we put out
33 where we're receiving money from federal government to do
34 things?
35 DISTRICT ATTORNEY HERRERA: Usually they cross my desk --
36 COMMISSIONER SPARKS: Yeah.
37 DISTRICT ATTORNEY HERRERA: -- at some point what -- right
38 before they -- they cross your desk.
39 COMMISSIONER SPARKS: Yeah. So, I mean, it's always nice
40 to get free money, but my question is whenever you're receiving

1 it for the govern- -- federal government, my concern would be
2 are there any strings attached that we don't know about?
3 Because, I mean, reading through it, there's a lot of legalese.
4 And it's just like, you know, am I missing something?
5 DISTRICT ATTORNEY HERRERA: There are strings attached, but
6 those are FAA. They're attached to everything they do.
7 COMMISSIONER SPARKS: Right.
8 DISTRICT ATTORNEY HERRERA: And -- and -- and we use them
9 on just about everything we do.
10 So those are -- we are accustomed to those strings.
11 COMMISSIONER SPARKS: Right. Okay.
12 DISTRICT ATTORNEY HERRERA: But you're right. They're --
13 they --
14 COMMISSIONER SPARKS: Okay.
15 DISTRICT ATTORNEY HERRERA: -- did attach them.
16 Right, Keith?
17 KEITH WESTENGARD: Yes.
18 COMMISSIONER ALLAN: I'll make a motion that we approve a
19 grant application for the design-only portion of the
20 reconstruction and expansion of the west apr- -- apron at the
21 Battle Mountain Airport and authorize our county manager to
22 sign.
23 COMMISSIONER ANCHO: I'll second.
24 CHAIRMAN WAITS: Thank you. So moved by Judie and seconded
25 by Kathy.
26 Any public comments?
27 (No comment.)
28 CHAIRMAN WAITS: All those in favor?
29 COMMISSIONER SPARKS: Aye.
30 COMMISSIONER ALLAN: Aye.
31 COMMISSIONER ANCHO: Aye.
32 CHAIRMAN WAITS: Aye.
33 COMMISSIONER CLARK: Aye.
34 Okay. That passes unanimously.
35 Thank you so much.
36 TOM LEMENAGER: Okay. The next thing we wanted to come
37 up -- I guess moving to the next --
38 CHAIRMAN WAITS: Just a minute.
39 TOM LEMENAGER: -- item here --
40 CHAIRMAN WAITS: We're going into Number 5.

1 TOM LEMENAGER: Okay. Yeah.
2 CHAIRMAN WAITS: I need to do that.
3 TOM LEMENAGER: Sorry.
4 CHAIRMAN WAITS: Thank you, Tom.

5
6 **5) Discussion only regarding the status of current and upcoming**
7 **projects at the Austin and Battle Mountain Airports, and all**
8 **other matters properly related thereto.**
9

10 CHAIRMAN WAITS: Okay.
11 Discussion only regarding the status of current and upcoming
12 projects at the Austin and Battle Mountain Airports, and all other
13 matters properly related thereto.

14 Now it's yours.

15 TOM LEMENAGER: Okay. Okay.

16 We wanted to go over the seven projects that are active. We
17 either have projects that are winding down in their very
18 conclusive stage or we're starting projects for 2019. And we're
19 in the contracting stage on those.

20 So the first project -- and I know I've talked to you guys
21 several times. But for the newer commissioners, just to -- kind
22 of a brush up. The project is completed.

23 But what we did in 2018 and ac- -- actually we designed it in
24 '17, is the re- -- reconfigure of the Taxiway C coming into the
25 runway.

26 The FAA did not like not coming in to the end of the runway
27 at a perpendicular.

28 So this project ended up being stuff that you do for the FAA
29 to keep them happy so that the next round you get what you want to
30 do, which is the ramp that we just talked about, that kind of
31 thing.

32 So we did that. And that was the bulk of the money in this
33 million-dollar project.

34 We also had to change the nomenclatures on the signs because
35 both of the runway numbers changed due to magnetic variations.

36 So every once in a while your runway numbers change, then
37 the signs have to be changed. And then off of Runway 3-21, we
38 moved signs back, and we changed the numbers on the signs there
39 as well.

40 And then we moved three wind cones out of the object-free

1 area. Two of them were unlit. One of them was lit.
2 And then the segmented circle had to go with the lit wind
3 cone. So we moved those as well.
4 So that was the project in a nutshell.
5 Again, it's a 93.75 funded by the FAA type of project.
6 So we got in there as soon as we could after the fire season.
7 In fact, we were working outside the Runway 12 before the fire
8 season was even done. And then as soon as it was done, we jumped
9 in and worked closer to the runway.
10 We finished the job on October -- October 18th after starting
11 on September 5th. We -- we finished it six days ahead of time.
12 We were \$8700 under budget. And our engineering -- bidding and
13 engineering fees are underrunning drastically because we got out
14 of there faster. There were no change orders. So our role in the
15 project was less. So our fees are coming in. And their T&M fees
16 are coming in at a lot less. We're thinking \$30,000.
17 We do still have some work to do out there, because two years
18 ago when you did your master plan, you set up this AGIS survey,
19 which is FAA's kind of new thing of nailing down elevations and
20 configurations on all these airports. So we got the base AGIS
21 survey done. But when we do stuff like reconfigure, change the
22 runway numbers, change the signs, we have to update that.
23 So that update is underway, but it's not done. And that's
24 the only thing that's keeping us from finalizing that project.
25 Although we have sent the final report in to the FAA saying,
26 what do you think of it? If we change the numbers around, you
27 know, and finalize the numbers, are you going to like this thing?
28 And they like what they see so far.
29 So we're kind of locked and loaded on wrapping up that
30 project.
31 The next project -- let's see if we've got -- is the
32 hangars that we built with local funds that you guys wanted us
33 to engineer. That's these two buildings that are in gray here,
34 north and east of the apron. And those hangars were 253,000.
35 As it turned out, we got taxi lanes in here in gravel 6 inches
36 deep to provide access to the hangars. Each hangar was 90 by
37 40. Hang- -- hangar construction was actually done earlier than
38 the road was. We didn't want to track a bunch of junk on the
39 new taxiways while we were building the building. So the
40 buildings were done on December 8th. And we finalized the

1 taxiways on December 21st.

2 And the only thing that's left on this project, we have a
3 final retainage, I think, from the contractor that we got to pay
4 that. And then that project is complete.

5 Then we installed a self-service av gas unit right about in
6 this location, just north of the apron and just east of the FBO,
7 across the road there at the FBO.

8 Again, you guys requested us to do the engineering on that.

9 The -- the tanks are completed. And they were commissioned
10 on December 20th.

11 And the only thing that held us up on that is Nevada Energy
12 kind of drug their feet in getting power to it.

13 And so we couldn't commission the tank as fast as we'd like
14 to.

15 And Nevada Energy gave us some fiasco on this project a
16 little bit. So they -- they kept delaying things. And Anna was
17 working with us dili- -- very diligently to get things done with
18 them.

19 But they kind of pulled the woools over all of our eyes on
20 that deal. So that got a little bit delayed. But it was
21 commissioned on December 20th.

22 The only thing remaining on that project is get- -- getting
23 the operations and maintenance books, their manuals, to you guys
24 so you know how to operate this unit, you know, if something
25 goes wrong with the unit, you know, that kind of thing. So
26 we're waiting on that from the contractor to wrap up the
27 project. Otherwise it's done.

28 The 2019 projects. We kind of discussed those. It's the one
29 that you're applying for. It's the design only for this
30 ultimately \$3 million job. It's going to be a big one because
31 we've got to dig down through all this 12 1/2 thousand loading
32 depth to get to something deeper to put these bigger aircraft in.

33 So that's the 2019 project as it stands now.

34 We actually -- in the supplemental appropriation, which you
35 may be aware of, which is FAA's new program where they pay a
36 hundred percent of these projects, especially in counties with
37 less population, is how it's turned out -- or started out.

38 Turned out, then, they threw in a bunch of commercial stuff
39 in there and then the bigger airports and then everybody started
40 throwing money in.

1 But in October 3rd, we put in for this ramp and this
2 extension at a hundred percent, but we didn't get it. They -- I
3 think it instigated them to -- to speed up their state
4 apportionment funds. So they gave us this a little bit earlier
5 than they had planned to, I think, as a compromise because they
6 didn't give us the hundred percent money. But we still have a
7 application out there for (indiscernible) the 30-foot extension by
8 200 feet for BLM to the east.

9 And that application is, I think, at headquarters. They
10 can't even tell us in the ADO what's the status of that. They
11 don't know anything. We called them just a couple of days ago.

12 So we're still waiting on that to happen.

13 And if that could happen, we could build these things
14 together, and it would be a lot more cost-effective. But we're
15 losing time in the meantime.

16 So that's where we stand in Battle Mountain on projects.

17 CHAIRMAN WAITS: When we -- when we actually -- do we have
18 to dig up the runway or do we just add to it to make it
19 stronger?

20 TOM LEMENAGER: Well, the geotech will tell us. But the
21 chances are if this is 12 1/2 -- for a 12 1/2-pound loading now,
22 it's probably not deep enough.

23 CHAIRMAN WAITS: So --

24 TOM LEMENAGER: And it -- we --

25 CHAIRMAN WAITS: What kind of --

26 TOM LEMENAGER: -- probably --

27 CHAIRMAN WAITS: -- time frame are we looking at that we
28 won't have access to that runway?

29 TOM LEMENAGER: Early in the spring, as soon as we can get
30 in there and fast as we can get through there and put strict
31 requirements on the contractor.

32 CHAIRMAN WAITS: I mean, are we talking weeks or months or
33 --

34 TOM LEMENAGER: No, we're talking well more --

35 CHAIRMAN WAITS: Once we --

36 TOM LEMENAGER: -- than a --

37 CHAIRMAN WAITS: -- start.

38 TOM LEMENAGER: -- month.

39 You know, you're talking about a month and a half, minimum, I
40 would think.

1 But, again, we're going to try to start before the fire
2 season starts, to get a jump on it.

3 CHAIRMAN WAITS: Of course, they tell us now all year long
4 is the fire season. So, --

5 TOM LEMENAGER: I know.

6 CHAIRMAN WAITS: Yeah, it's scary.

7 TOM LEMENAGER: I know.

8 CHAIRMAN WAITS: Okay.

9 TOM LEMENAGER: Yeah.

10 CHAIRMAN WAITS: Thank you. Go ahead. Austin, you said.

11 TOM LEMENAGER: So in Austin the red areas are the projects
12 that have been given to us -- again, design only -- for next --
13 well, this year we're trying to get under contract now for --
14 with you guys for the engineering of these.

15 The first one is to -- to overlay, basically, the airport
16 road coming in. That's been on your CIP for four years. And
17 we'll probably have to brush up the aggregates to get to grade,
18 and then we'll put a thin lift asphalt overlay.

19 We probably won't be able to go past the -- the boundary of
20 the airport. Probably won't be able to get to the highway
21 because FAA has made that typically ineligible. But we're
22 asking that question. We think, though, by their handbook,
23 it's -- it's not going to happen.

24 But that's the project on that part. It's a twofold project.

25 The other part is to extend the taxiway along and on top of
26 the old parallel taxiway to the crosswind to the southwest, about
27 300 feet 25 feet wide so we have room for hangar development in
28 the future.

29 And then in the supplemental appropriations, we actually
30 put in for the taxiway and we got it. But we didn't get the 100
31 percent funding. We got the 93.75 because it -- it was on the
32 CIP and it kind of rolled in.

33 But we put in for the apron out here, which spun out of the
34 master plan that the SEATs aircraft that come in this part of the
35 airport can't get turned around once they get loaded. So we put
36 in this application for a hundred percent funding for this
37 extension of that ramp, 70 feet by 210 feet.

38 And then you guys were interested in a hangar down there,
39 similar to one of the hangars that we built at Battle Mountain.
40 That's this blue spot at 90 by 40 is what we applied for.

1 Again, we haven't heard anything from the FAA on this stuff.
2 What we found out, though, in other regions is the projects
3 that the people in the ADO thought would be the high priority
4 projects were the ones that didn't make it. And the ones that
5 they thought were, you know, the low priority projects were the
6 ones that were approved.
7 So who knows? You know, we're at their mercy.
8 CHAIRMAN WAITS: And we have our meeting set with FAA.
9 When -- when is that coming up? Do you remember?
10 TOM LEMENAGER: There's that Nevada conference that's in
11 April or it's late -- in late March. And that follows that
12 conference pretty -- pretty -- it's -- it follows the FAA
13 conference in Seattle pretty tight.
14 CHAIRMAN WAITS: But we'll know --
15 TOM LEMENAGER: So it's -- I think --
16 CHAIRMAN WAITS: -- before --
17 TOM LEMENAGER: -- it's in late --
18 CHAIRMAN WAITS: -- then?
19 TOM LEMENAGER: -- March. I -- I don't know if they're
20 going to know any more.
21 CHAIRMAN WAITS: Okay.
22 TOM LEMENAGER: But maybe they will, you know.
23 CHAIRMAN WAITS: Thank you.
24 Any questions?
25 Public comment?
26 Yes, we have some public comment.
27 Good morning, Doug.
28 DOUG MILLS: Good morning.
29 Doug Mills, for the record.
30 TOM LEMENAGER: Hey, Doug.
31 DOUG MILLS: Tom, how are you doing?
32 TOM LEMENAGER: How's it going?
33 DOUG MILLS: Good.
34 Hi.
35 Just a couple comments. One is on that Taxiway C
36 realignment.
37 TOM LEMENAGER: Uh-huh.
38 DOUG MILLS: One of the things that was not mentioned was
39 when Taxiway C was realigned, I mean, getting it perpendicular
40 to the runway was great, but one of the things they did was

1 narrow the taxiway when they did the realignment. And one of
2 the things I've noticed out there now is that when planes are
3 going through that section of the taxiway, they're cutting the
4 corners.

5 And I don't have to in my plane because my plane's small
6 enough. But I've seen a lot of evidence of -- of air- -- the
7 bigger planes are cutting the corners.

8 So that --

9 TOM LEMENAGER: Yeah.

10 DOUG MILLS: -- hasn't, in my opinion, hasn't been great.

11 TOM LEMENAGER: Yeah. And we fought that with the FAA.

12 DOUG MILLS: Yeah.

13 TOM LEMENAGER: We fought tooth and toenails to get a TG2
14 group to get back to the widening that existed, because we knew
15 this would be a fiasco.

16 And we tried to get BLM. And they did. They wrote letters
17 to the FAA.

18 FAA is -- is not getting away from their width criteria.

19 And so we used tapers as best we could to maintain as much of
20 the 50 feet as we could out there.

21 You kind of notice that it -- it starts out narrow and then
22 it gets wider as we go into the tapers and whatnot. But in --
23 in any straightaway places, we had to go back down to what they
24 forced us to come down to.

25 And like I say, we fought that. We had BLM write letters and
26 they just --

27 CHAIRMAN WAITS: So at the --

28 TOM LEMENAGER: -- ignored us.

29 CHAIRMAN WAITS: -- point there's no fix?

30 TOM LEMENAGER: Until --

31 CHUCK LARSON: Not from a federal-funded standpoint.

32 TOM LEMENAGER: Yeah. I mean --

33 CHUCK LARSON: You could widen it on -- on your own --

34 CHAIRMAN WAITS: But we need --

35 CHUCK LARSON: -- (indiscernible).

36 CHAIRMAN WAITS: -- to keep it on -- on -- on our priority
37 list is what we're saying if it's --

38 DOUG MILLS: I -- I --

39 CHAIRMAN WAITS: -- a problem.

40 DOUG MILLS: -- I'd like you to keep an eye on it because

1 having experience with getting my plane stuck in the mud out
2 there, if -- if one of those big planes gets off and they're
3 cutting the corner and it's muddy, they might get stuck.

4 TOM LEMENAGER: We did put some aggregate shoulders out
5 there that --

6 DOUG MILLS: Yeah.

7 TOM LEMENAGER: -- should help. But --

8 DOUG MILLS: It'll help. But those -- when they're loaded,
9 they're heavy.

10 TOM LEMENAGER: These are one of the things that you know
11 is coming and -- and we communicate. We -- we talked to Doug.
12 We -- we even mentioned that in one of the commissioners'
13 meetings how, you know, they were making us narrow this thing
14 down.

15 But I showed you the picture of the tapers and everything.
16 And it -- it averages well over 50 feet wide, but the problem is
17 it narrows down to the -- the -- the smaller dimension. And,
18 you know, they --

19 CHAIRMAN WAITS: But can we --

20 TOM LEMENAGER: If --

21 CHAIRMAN WAITS: -- keep it on our radar? And maybe we can
22 at least keep bringing it up?

23 TOM LEMENAGER: Yeah. And it could be next round of FAA
24 criteria requirements --

25 CHAIRMAN WAITS: Okay.

26 TOM LEMENAGER: -- they'll change it again.

27 CHAIRMAN WAITS: Thank you.

28 DOUG MILLS: And then some time ago -- I -- I don't
29 remember when it was. And I don't remember the guy's name, the
30 guy from the state that does all the airport stuff.

31 KEITH WESTENGARD: Kurt.

32 DOUG MILLS: Kurt.

33 CHAIRMAN WAITS: Kurt.

34 DOUG MILLS: Yeah. He was -- he was out doing a survey of
35 our airport up here.

36 And one of the things that he recommended was that we put
37 some colored gravel at the ends of each of the runways. And the
38 reason for that is that as the planes are landing, when they're
39 landing close enough to the end of the runway, the jet blast is
40 blowing the gravel away from -- from the asphalt. And now

1 there's a -- there's a notable -- noticeable step in the asphalt
2 to the gravel. And it's blown all that out. And it needs to be
3 refilled.

4 If a plane were to land short, that step is getting big
5 enough that it could damage the landing gear and -- and cause some
6 problems.

7 He recommended that that get filled back in with a -- like
8 with a -- like, with a two-inch rock. But he also recommended
9 that it be colored so that it's not black, the same -- same color
10 as the asphalt. So that there's a distinct line between the end
11 of the runway and the actual runway itself.

12 And that's --

13 CHAIRMAN WAITS: Well --

14 DOUG MILLS: -- one of the things that he recommended some
15 time ago.

16 CHAIRMAN WAITS: As long as it's desig- -- designated
17 somehow. I mean, we could even finish it up with cement over
18 the top and paint the cement. I mean, it's just like any kind
19 of step when you're going down -- people.

20 If -- if it's a dark step, you want to highlight it. So if
21 it's something to --

22 DOUG MILLS: Right.

23 CHAIRMAN WAITS: -- know -- they -- they aren't sure where
24 the end is as they're coming in, we need to highlight that
25 somehow.

26 So what do we need to do? Do we have to wait for FFA --

27 DOUG MILLS: Well, it's --

28 CHAIRMAN WAITS: -- FAA? Or can we --

29 DOUG MILLS: It -- it -- it should be very fairly
30 inexpensive to just take some two-inch grade rock and throw out
31 there at the end of the r- -- end of the runway for a couple
32 yards and make a distinction there and fill in that -- fill in
33 that area.

34 And it's probably something that is going to continue to
35 happen over time. Where they land that just -- he recommended
36 2-inch rock so it doesn't get blown out as much.

37 CHAIRMAN WAITS: Well, I understand --

38 DOUG MILLS: But the --

39 CHAIRMAN WAITS: -- the rocks blowing. But if we put the
40 rocks in cement, you know, and they were colored or if we --

1 DOUG MILLS: Yeah.

2 CHAIRMAN WAITS: -- paint the cement or whatever we need to
3 do. We just need to highlight a different color. That's all.
4 So --

5 DOUG MILLS: (Indiscernible.)

6 CHAIRMAN WAITS: -- can you look into that for us?

7 DOUG MILLS: Again, I don't know if the --

8 CHAIRMAN WAITS: Okay.

9 DOUG MILLS: -- cement's really necessary. It -- it's
10 going to take a long time for that to blow out.
11 It's a -- it's a -- it's a time problem. And it's been going
12 on long enough now that it's a problem.

13 TOM LEMENAGER: Is this on 3-21?

14 DOUG MILLS: It's -- it's on all -- it's on all the
15 runways.

16 TOM LEMENAGER: Okay.

17 CHAIRMAN WAITS: Okay.

18 Thank you very much.

19 TOM LEMENAGER: There were a couple of projects I forget to
20 mention if you want to go back.

21 CHAIRMAN WAITS: Yes.

22 DOUG MILLS: Let me -- let me just finish. I'm sorry. I'm
23 hoping as -- as we do the -- the revamping of the ramp on the
24 west side there, part of the talk when we put the hangars in was
25 that when we did that ramp project that that would also include
26 paving in front of those hangars rather than having that be the
27 compressed gravel. Because asphalt's always better. So that's
28 one --

29 TOM LEMENAGER: Yeah. Yeah.

30 DOUG MILLS: -- of the things we talked about that we would
31 --

32 We didn't do it at -- we didn't do it when we built the
33 hangars because we were going to do it at the time we did the --
34 the ramp.

35 TOM LEMENAGER: Yeah. I don't think that --

36 CHAIRMAN WAITS: Okay.

37 TOM LEMENAGER: -- got into the scope of work.

38 But one thing that we could --

39 DOUG MILLS: That's all I have.

40 TOM LEMENAGER: -- one thing that we could do in answer to

1 that is while we're out there with the men and the equipment is
2 that would be the time to get it done. And if -- if it isn't
3 FAA money, it could be your money.

4 But it would be at a -- a best-cost because they're out there
5 with the men and equipment and laying asphalt anyway.

6 CHAIRMAN WAITS: Will you --

7 COMMISSIONER CLARK: So how far --

8 CHAIRMAN WAITS: So --

9 COMMISSIONER CLARK: -- do we need to extend it so that we
10 get away from this step issue?

11 TOM LEMENAGER: For the hangars is one issue that he was
12 talking about, about 200 feet, up that 25 feet.

13 On the overrun, you know, typically they're a hundred feet.

14 CHUCK LARSON: Yeah. It's very long.

15 TOM LEMENAGER: Right. There is a standard for an overrun.

16 COMMISSIONER CLARK: Okay.

17 If we can get FAA to buy on it, maybe the next project where
18 we touch the runway, we can get that through them. We can only
19 try. You never know what's coming from them, you know, next.

20 CHAIRMAN WAITS: Well, we want to take care of it, though,
21 quickly. So we may not even wait for them. We'll see what you
22 two talk about. But stay in touch over that.

23 KEITH WESTENGARD: Oh, yeah. We --

24 CHAIRMAN WAITS: Okay.

25 KEITH WESTENGARD: -- we talk --

26 CHAIRMAN WAITS: You had -- you had --

27 KEITH WESTENGARD: -- pretty regularly.

28 CHAIRMAN WAITS: -- some more, you said?

29 TOM LEMENAGER: Yeah. The master plan at ma- -- at Austin
30 is being completed. And so the FAA has reviewed all the
31 documents. You guys have looked at it. I believe the airport
32 board has looked at it pretty closely. So we're ready to sign
33 documents on that.

34 And I brought those for Keith to sign after this meeting.

35 And that pretty much wraps up the master plan after, you
36 know, a year -- year and a half --

37 CHAIRMAN WAITS: Great.

38 TOM LEMENAGER: -- that we've been working on it.

39 And then the Jet A fueling system, I forgot to mention
40 that. How could I do that?

1 And that is the project that we've been working on diligently
2 to convert, actually, the av gas to the Jet A system. And then
3 the av gas system was actually put in new.

4 We commissioned the av gas part of it.

5 We didn't have any difficulty with the new system on
6 November 15th. But when we got to put the fuel from the old av
7 gas into the Jet A, there was a filter in there that everybody was
8 telling us -- the last contractor who installed it, the
9 supplier -- that this filter should be in there. And we opened it
10 up and it wasn't there. So we had to get that, order that, and
11 come down and have that installed. So that was commissioned on
12 December 19th.

13 And, again, the only thing we're waiting on is those O&M
14 manuals to complete those projects.

15 So we're done there too.

16 And I think there was a little bit of difficulty that was
17 solved. Tyler, our subcontractor, got with the road and bridge
18 guy and they figured out that there was some valves left over.

19 When Walt came to prime the pump, he couldn't get the pump
20 primed. We walked him through that too. So --

21 CHAIRMAN WAITS: Thank you.

22 TOM LEMENAGER: Uh-huh.

23 CHAIRMAN WAITS: Any other questions?

24 Okay.

25 We're going to take a quick ten-minute break. You had
26 something before we leave?

27 KEITH WESTENGARD: Yeah, I do.

28 I -- I just want to point out, we are still battling with the
29 FAA -- -AA over our crosswind run- -- runway.

30 There's a good possibility they're going shut it down.

31 If they shut it down, that's really going to affect our
32 air -- air tanker operations. Well, it's going to affect all of
33 our operations. That might be something, if the FAA's going to
34 continue on the road we're on, we might need to look at that at
35 budgets. And that is a multi- -- multimillion dollar project.

36 TOM LEMENAGER: You know, we've taken all kinds of wind
37 data off the AWOS. I know Noah came up, --

38 KEITH WESTENGARD: Yep.

39 TOM LEMENAGER: -- talked to Keith, gave us the data for
40 wind. And we could not make it fit.

1 It's -- you know, everybody says out there physically,
2 including my guys that are out there all summer building these
3 projects, that in the summer the -- the crosswinds do occur. And
4 they're violent. But we cannot get that on paper so that we can
5 prove it, that the main line runway doesn't have 95 percent
6 coverage. And that's their rule. So it's kind of -- kind of
7 frustrating.

8 One of the things that we talked about is maybe getting a
9 wind machine. I know when I worked for the state of Wyoming,
10 they had these wind machines that that's what they recorded.
11 That's all they recorded. And seeing if we can get one of those
12 and put it out there right there on the crosswind and away from
13 the AWOS and see if we can get better numbers. But we --
14 without faking the numbers, which we don't want to do, we can't
15 make the numbers work.

16 And we looked at several sets of --

17 CHAIRMAN WAITS: Well, we'll keep hoping --

18 TOM LEMENAGER: -- them.

19 CHAIRMAN WAITS: -- for a wind tunnel here.

20 Okay. Whatever you can do on it --

21 TOM LEMENAGER: Okay.

22 CHAIRMAN WAITS: -- because we need --

23 TOM LEMENAGER: We're still --

24 CHAIRMAN WAITS: -- we need --

25 TOM LEMENAGER: -- working --

26 CHAIRMAN WAITS: -- to take care of --

27 TOM LEMENAGER: -- on --

28 CHAIRMAN WAITS: -- it.

29 TOM LEMENAGER: -- that.

30 Yeah. I know Winnemucca has lost their crosswind. And
31 Elko has lost their crosswind --

32 CHAIRMAN WAITS: Holy cow.

33 TOM LEMENAGER: -- as well for the same -- FAA's really
34 stomping down on these crosswinds.

35 CHAIRMAN WAITS: Okay. We --

36 TOM LEMENAGER: (Indiscernible.)

37 CHAIRMAN WAITS: -- have to think outside the box.

38 Let's go.

39 TOM LEMENAGER: Yeah. We got to do that.

40 CHAIRMAN WAITS: Okay.

1 Miteshell, we're going to take a ten-minute break.
2 MITESHELL LANHAM: Okay.

3
4 (Break taken between 10:11 a.m. and 10:21 a.m.)

5
6 CHAIRMAN WAITS: Call our meeting back to order.
7 And Number 6 we have already handled. So we're moving into
8 Finance, Number 7.

9 COMMISSIONER SPARKS: We need to make sure Miteshell --
10 Miteshell, are you on the phone?

11 MITESHELL LANHAM: We're still here.

12 COMMISSIONER SPARKS: Okay. Perfect.

13 CHAIRMAN WAITS: Thank you.

14

15

16 **FINANCE**

17

18 7) **Discussion and possible action to approve/disapprove the plan**
19 **of corrective action letter to be sent to the State of Nevada**
20 **Department of Taxation, and all other matters properly**
21 **related thereto.**

22

23 CHAIRMAN WAITS: Discussion and possible action to
24 approve/disapprove the plan of corrective action letter to be
25 sent to the State of Nevada Department of Taxation, and all
26 other matters properly related thereto.

27 KEITH WESTENGARD: Commissioners, this is related to the
28 corrective actions that were set forth in our budget through
29 HintonBurdick, our -- our audit. I'm sorry. And it deals with
30 the areas that we -- they found us to need corrective action
31 taken in.

32 This letter goes to the State Department of Taxation. It
33 outlines how we are going to address those corrective actions.

34 CHAIRMAN WAITS: The only correction I had on at all was
35 Judie's name at the back that goes with it when they say who
36 voted and how we voted.

37 And I think they may have taken care of that. I did bring it
38 to their attention --

39 KEITH WESTENGARD: Oh.

40 CHAIRMAN WAITS: -- earlier.

1 KEITH WESTENGARD: Okay.
2 Uh-huh.
3 CHAIRMAN WAITS: But before we send anything in, we wanted
4 that one right.
5 KEITH WESTENGARD: We'll take care of that.
6 CHAIRMAN WAITS: Okay.
7 Action from the board?
8 COMMISSIONER ALLAN: I'll make a motion that we approve the
9 plan of corrective action letter with the corrections to be made
10 and sent to the State of Nevada Department of Taxation.
11 And do we need to authorize our county manager to sign?
12 Or no?
13 KEITH WESTENGARD: I'll sign the -- the cover letter and
14 then we'll --
15 COMMISSIONER ALLAN: And then --
16 KEITH WESTENGARD: -- need the --
17 COMMISSIONER ALLAN: -- authorize --
18 KEITH WESTENGARD: -- chair.
19 COMMISSIONER ALLAN: -- the chair to sign.
20 KEITH WESTENGARD: Yes, please.
21 COMMISSIONER ANCHO: I'll -- I'll second it.
22 CHAIRMAN WAITS: Thank you.
23 Motion has been made by Judie, seconded by Kathy.
24 Any public comment?
25 COMMISSIONER CLARK: I have a -- a question on the
26 purchasing requirements.
27 Do we need to advertise this -- this --
28 CHAIRMAN WAITS: We didn't have it on the website.
29 COMMISSIONER CLARK: You need to have it on the website.
30 CHAIRMAN WAITS: Right. And --
31 COMMISSIONER CLARK: That's the only place we didn't put
32 it.
33 CHAIRMAN WAITS: Right.
34 COMMISSIONER CLARK: Okay.
35 CHAIRMAN WAITS: And that could've due to all the problems
36 we've had with --
37 COMMISSIONER CLARK: Yeah.
38 CHAIRMAN WAITS: -- with our website recently.
39 COMMISSIONER CLARK: Okay.
40 CHAIRMAN WAITS: But we'll make sure that that's -- that's

1 done.

2 Okay. All those in favor?

3 COMMISSIONER ALLAN: Aye.

4 COMMISSIONER SPARKS: Aye.

5 COMMISSIONER ANCHO: Aye.

6 CHAIRMAN WAITS: Any --

7 COMMISSIONER CLARK: Aye.

8 CHAIRMAN WAITS: -- opposed?

9 Aye.

10 Thank you so much.

11 KEITH WESTENGARD: We'll take care of that.

12 CHAIRMAN WAITS: We'll take care of all that immediate
13 business that needed to be handled.

14 KEITH WESTENGARD: All right.

15

16 8) **Discussion and possible action regarding the direction the**
17 **Board of Lander County Commissioners would like to take for**
18 **the FY 2019/20 budget, and all other matters properly related**
19 **thereto.**

20

21 CHAIRMAN WAITS: Number 8. Discussion and possible action
22 regarding the direction the Board of Lander County Commissioners
23 would like to take for the fiscal year 2019-2020 budget, and all
24 other matters properly related thereto.

25 And with our new commissioners, what -- they didn't really
26 have a chance to get their feet wet and see what -- where we've
27 been and where we're going and what's going on. So now that we've
28 had a couple more weeks to digest some of the county business,
29 what is your pleasure?

30 COMMISSIONER SPARKS: Well, my two cents on it is obviously
31 we need to lean it up. And I don't say that just to say it.

32 With the changes in our state government and net proceeds at
33 possible risk, our money at possible risk, we need to run, I feel,
34 as lean as possible.

35 Yeah. I mean for that reason alone.

36 And I'd like -- is Cindy here?

37 CHAIRMAN WAITS: No.

38 COMMISSIONER ALLAN: No.

39 CHAIRMAN WAITS: She --

40 KEITH WESTENGARD: She had to step out for a little bit.

1 COMMISSIONER SPARKS: I mean, with any business, you have,
2 like, a make/break. And I would like to know what that is for
3 Lander County to continue our operations. You know, how much
4 does it take just to continue our operations? I'd like to know
5 that number because I think that would be important in giving a
6 correct direction as far as where budgets need to be.

7 COMMISSIONER ALLAN: Bryan, --

8 COMMISSIONER SPARKS: Yes.

9 COMMISSIONER ALLAN: -- I'm not sure if you and Kathy are
10 aware, last year we did pass limiting the amount, total overall
11 amount for grants at a hundred thousand.

12 COMMISSIONER SPARKS: Yeah. I have the total as 436,000
13 that was --

14 COMMISSIONER ALLAN: Okay.

15 COMMISSIONER SPARKS: -- approved.

16 COMMISSIONER ALLAN: But this will be for this upcoming
17 budget. It was after last year's budget. But for future
18 budgets, the grants are limited total to a --

19 COMMISSIONER SPARKS: A hundred --

20 COMMISSIONER ALLAN: -- hundred thousand.

21 COMMISSIONER SPARKS: -- thousand?

22 COMMISSIONER ALLAN: That was really --

23 CHAIRMAN WAITS: It's going to be hard to work within too.
24 Everybody --

25 COMMISSIONER SPARKS: Oh, I know.

26 CHAIRMAN WAITS: -- is so needy.

27 COMMISSIONER ALLAN: Well, yeah.

28 CHAIRMAN WAITS: You know. But we'll see if we can keep --
29 keep to it.

30 They -- we did do that. They curtailed it quite a bit.

31 Cindy, Bryan had a question for you. I don't know whether
32 it's something you can answer right or have to check on for him,
33 but --

34 COMMISSIONER SPARKS: Cindy, I was just kind of curious as
35 far as just what's our make/break for our county? Meaning like,
36 how much money do we have to have to run our county?

37 You know, kind of a make/break. I -- you may not know that
38 question off the top of your head, but --

39 CINDY BENSON: No, I don't.

40 COMMISSIONER SPARKS: -- it would be something, I think, I

1 would like to know.
2 CINDY BENSON: Okay.
3 Cindy Benson, for the record.
4 We won't know until the 15th of February on our pre- --
5 preliminary projections for budgets for next year on the revenue.
6 So I don't know if you mean for this fiscal year? Or do you
7 want it for next --
8 COMMISSIONER SPARKS: Well, I'd just kind --
9 CINDY BENSON: -- fiscal --
10 COMMISSIONER SPARKS: of like, --
11 CINDY BENSON: -- year?
12 COMMISSIONER SPARKS: -- I guess --
13 I don't know. I'm just thinking in terms of business, you
14 know. I see you take business A and it takes this amount of
15 money to run this business.
16 CINDY BENSON: Uh-huh.
17 COMMISSIONER SPARKS: Not to put money away, not to lose
18 money, but this is what it takes to run the county.
19 You know, if we had -- if we ever did get ourselves in a
20 position that we had to sustain ourselves, what is that number?
21 CINDY BENSON: Okay.
22 COMMISSIONER SPARKS: You know, it's like if our net
23 proceeds went away, you know, could we live off the tax revenues
24 that we collect? It's that type of --
25 CINDY BENSON: We --
26 COMMISSIONER SPARKS: -- information.
27 KEITH WESTENGARD: So --
28 CHAIRMAN WAITS: But we --
29 KEITH WESTENGARD: -- so you don't --
30 CHAIRMAN WAITS: -- don't -- we don't budget in our net
31 proceeds for our --
32 CINDY BENSON: No.
33 CHAIRMAN WAITS: -- our regular --
34 COMMISSIONER CLARK: Uh-uh.
35 CHAIRMAN WAITS: -- business.
36 CINDY BENSON: Operations.
37 COMMISSIONER SPARKS: Okay.
38 CHAIRMAN WAITS: That --
39 COMMISSIONER ALLAN: No, we --
40 CHAIRMAN WAITS: -- that's --

1 COMMISSIONER ALLAN: -- operate --
2 CHAIRMAN WAITS: -- all -- yeah.
3 COMMISSIONER ALLAN: -- totally --
4 CHAIRMAN WAITS: Yeah.
5 COMMISSIONER ALLAN: -- on --
6 CINDY BENSON: Our -- our --
7 COMMISSIONER SPARKS: Okay. Good.
8 CHAIRMAN WAITS: We do --
9 COMMISSIONER CLARK: Ad --
10 CHAIRMAN WAITS: -- sustain --
11 COMMISSIONER CLARK: -- *valorem*.
12 CHAIRMAN WAITS: -- ourselves on that.
13 COMMISSIONER SPARKS: Excellent.
14 CHAIRMAN WAITS: Yeah.
15 COMMISSIONER SPARKS: Okay.
16 CHAIRMAN WAITS: So that's --
17 CINDY BENSON: On our revenue.
18 CHAIRMAN WAITS: -- why we have to cut and lean.
19 And people say, "Well, you have money."
20 Well, that's -- that isn't anything we want to use.
21 Unfortunately, a lot of counties have to. We're one of the
22 luckier ones that don't have to. So --
23 CINDY BENSON: Yes.
24 COMMISSIONER SPARKS: Thanks.
25 CHAIRMAN WAITS: But what we need for this year is
26 direction to Cindy for what you'd like to do. And you're saying
27 you would like to see them cut a little bit?
28 COMMISSIONER SPARKS: Uh-huh. Yeah. Lean it up.
29 CINDY BENSON: I would like to see that as well.
30 COMMISSIONER ALLAN: I honestly -- I agree.
31 Is, you know, looking at the -- the budget documents every
32 year -- I mean, every month -- is -- of course, right now it's
33 hard to, you know, halfway through the year when you get those
34 reports. But you do see a lot of -- of -- they don't utilize all
35 of the money that -- that is budgeted into their -- so, you know,
36 if you're not going to use it, you can cut some.
37 And -- and I don't see a problem with really, you know, kind
38 of sharpening your pencil on those budgets a little bit. I don't
39 know as though we want to set a real amount, say, 10 percent, 20,
40 30, whatever, percent. But I think definitely encourage the

1 departments to --
2 CINDY BENSON: Yeah.
3 I would like them to not be able to use all of the net
4 proceeds. I would like to be able to bank some of that for future
5 use in case we do lose to -- if -- if they do cut it back.
6 CHAIRMAN WAITS: I guess the hard part is too because
7 the -- the -- the more that we -- we build with this
8 administration building and -- and our recreation center, the
9 cost goes up with what have to maintain. And our budget goes up
10 accordingly.
11 And then we have growth, which is a good thing. But on the
12 other hand, that means that some departments need another
13 employee.
14 And we're saying, Please be lean. Please cut. And they --
15 they might be able to cut a little bit, but then what they do
16 need, a new employee, goes up again.
17 So our direction is that we're looking to maintain what we
18 have right now as slim as we can.
19 So if they look at that and -- and not what they'd wish for,
20 but what they really desperately --
21 CINDY BENSON: Need.
22 CHAIRMAN WAITS: -- need and to cut where they can. And I
23 think that's the direction we're looking at. Is that correct?
24 COMMISSIONER CLARK: So it's workload versus the number of
25 employees in each -- each department --
26 CHAIRMAN WAITS: Right.
27 COMMISSIONER CLARK: -- is what you're talking about.
28 Okay. I agree.
29 COMMISSIONER ANCHO: And something else that -- as far as
30 infrastructure, the things that are going on. I don't know if
31 anybody -- you guys have heard. But Paradise, California is not
32 allowing those people to rebuild there or anywhere there's trees
33 or grass, basically.
34 So they're forcing them out of the -- to -- if they're going
35 to pay their claims, they're forcing them out of the state. And
36 we're already receiving some people out here that are buying out
37 property from Paradise, California, because they will not cover
38 their homes if they want them replaced in California.
39 So you know that there's -- it's slowly coming out this way
40 for -- made possible more growth just in that -- from that alone.

1 It was interesting. I didn't realize there's a handful of
2 people that are -- have bought out properties out here from
3 Paradise because they can't get their homes covered if they don't
4 move out of the state of California, basically.

5 So --

6 And I had also on the budget as far as the grants -- I had
7 spoken with Cindy a couple of times as far as having some backup
8 and reporting done by the people that we're issuing these grants
9 to, quarterly reports or monthly reports that they send in
10 receipts and a report so we know exactly what the money is being
11 spent on. It's just not carte blanche. We give them the money
12 and they don't send in receipts so we know what the money's
13 being spent for.

14 CHAIRMAN WAITS: Kathy, you can put conditions on any one
15 of them in any way when they come before us. So absolutely.
16 Great idea.

17 CINDY BENSON: Okay. Yeah.

18 CHAIRMAN WAITS: Any public comment? On the budget items?
19 Okay. Hopefully there will be as we go along.

20 CINDY BENSON: Yeah.

21 CHAIRMAN WAITS: So they'll all be coming in to you.
22
23

24 CORRESPONDENCE

26 9) Correspondence, reports, potential upcoming agenda items.

27
28 CHAIRMAN WAITS: Okay. With that, we move into
29 correspondence, reports, potential upcoming agenda items.
30 Number 9.

31 (The following correspondence was received:

32 1. State of Nevada Department of Conservation & Natural
33 Resources to Lander County Commissioner, regarding draft water
34 pollution control discharge permit and 30-day public notice
35 period for renewal of statewide general permit, NV050000, to
36 regulate discharge of stormwater associated with industrial
37 activities to waters of the United States.

38 2. State of Nevada Department of Conservation & Natural
39 Resources, regarding notice of decision for Water Pollution
40 Control Permit Number NEV2018110 for Barrick Gold Exploration,

1 Inc., Toiyabe Exploration Project II.)
2
3 CINDY BENSON: We had new ones made up.
4 COMMISSIONER ALLAN: I do know there was an agenda request
5 filled out --
6 CINDY BENSON: I gave them to --
7 COMMISSIONER ALLAN: -- for --
8 CINDY BENSON: -- (indiscernible) --
9 COMMISSIONER ALLAN: -- an ordinance change.
10 CINDY BENSON: -- (indiscernible).
11 KEITH WESTENGARD: Oh, okay.
12 COMMISSIONER ALLAN: -- for -- Robin, what's your str- --
13 road number? Street number?
14 ROBIN: 1800 East Hill Top.
15 COMMISSIONER ALLAN: Okay. 1800 East Hill Top. And it
16 didn't make this agenda. So --
17 And --
18 CHAIRMAN WAITS: Okay. We have --
19 COMMISSIONER ALLAN: -- hoping --
20 CHAIRMAN WAITS: -- a few, I think, that were carryover
21 from last time.
22 KEITH WESTENGARD: So the reason that didn't make the
23 agenda is that will require an ordinance change countywide
24 because there's other -- other -- and I explained this to
25 Robin -- there are other roads that have concerns over speed
26 limits.
27 And the DA and I have talked about it. It's going to require
28 an ordinance change.
29 So we want to get them all together. If -- if we're going
30 to go that route, we want to get them together at once and make
31 the ordinance a -- a one-time change.
32 COMMISSIONER ALLAN: Okay. Because I know that -- that one
33 of them we did discuss previously was Muleshoe.
34 KEITH WESTENGARD: Yes. That- --
35 COMMISSIONER ALLAN: And --
36 KEITH WESTENGARD: -- that's the one that we spoke of.
37 Correct.
38 COMMISSIONER ALLAN: Okay.
39 CHAIRMAN WAITS: Nothing else?
40 You have a couple from today. And then we'll have some new

1 agenda items. But nothing that we have that we --

2 KEITH WESTENGARD: Yeah. There's -- there's some holdovers
3 from last time.

4 CHAIRMAN WAITS: Right.

5 KEITH WESTENGARD: And we'll -- we'll take care of those.

6 CHAIRMAN WAITS: We did cut a little short since Judie and
7 I are heading south.

8 But --
9
10

11 **PUBLIC COMMENT**

12
13 CHAIRMAN WAITS: Okay. With that, then, we go into our
14 public comment time, again, for nonagendized item only.

15 Persons are invited to submit comments in writing and/or
16 attend and make comments on nonagenda item on the board meeting,
17 if any, and discussion of those comments at the discretion of
18 the board. All public comment may be limited to three minutes
19 per person, again at the discretion of the board. Reasonable
20 restrictions may be placed on public comments based upon time,
21 place, and manner, but public comment based upon viewpoint may
22 not be restricted.

23 Any public comment before we leave?

24 (No comment.)

25 CHAIRMAN WAITS: Okay. None noted.
26
27

28 **ADJOURNMENT**

29
30 COMMISSIONER ALLAN: Motion to adjourn.

31 COMMISSIONER ANCHO: I'll second that.

32 CHAIRMAN WAITS: Motion by Judie. Seconded by Kathy.
33 All in favor?

34 COMMISSIONER ALLAN: Aye.

35 COMMISSIONER SPARKS: Aye.

36 CHAIRMAN WAITS: Aye.

37 COMMISSIONER CLARK: Happy birthday, Kayla.

38 CHAIRMAN WAITS: Thank you. Meeting is adjourned.
39

40 (Meeting adjourned at 10:33 a.m.)

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



ATTEST:

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 24TH DAY OF JANUARY, 2019, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO/VIDEO RECORDING ALLOWED.
20

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

25
26 _____
27 TIFFANY ELKINGTON, CCR #930
28
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	-
BART NEGRO: [9] 18/34 22/31 22/33 25/13 27/12 27/21 27/25 27/38 28/13	-AA [1] 46/29 -acre [1] 30/21
BERT RAMOS: [7] 29/34 29/39 30/1 30/4 30/8 30/10 30/12 CHAIRMAN WAITS: [237]	0
CHUCK LARSON: [5] 32/23 41/30 41/32 41/34 45/13 CINDY BENSON: [24] 22/23 22/27 22/37 51/38 52/1 52/8 52/10 52/15 52/20 52/24 52/31 52/35 53/5 53/16 53/22 53/28 54/1 54/20 55/16 55/19 56/1 56/5 56/7 56/9	011-071-09 [3] 28/22 28/28 30/20 09 [3] 28/22 28/28 30/20
COMMISSIONER ALLAN: [77]	1
COMMISSIONER ANCHO: [29] 2/24 2/35 8/39 10/39 11/9 11/11 16/15 22/4 23/7 23/12 23/22 23/25 23/29 25/28 25/30 27/31 28/15 29/3 29/20 29/26 31/2 31/10 31/40 34/22 34/30 49/20 50/4 54/28 57/30	1/2 [2] 37/31 38/21 1/2-pound [1] 38/21 10 [1] 53/39 100 [1] 39/30 101 [1] 4/26 10:11 [1] 48/4 10:21 [1] 48/4 10:33 [1] 57/40 10th [1] 3/24 116th [1] 6/7 12 [4] 36/7 37/31 38/21 38/21 12,000 [1] 33/20 12:00 o'clock [1] 2/2 13 [1] 5/27 13th [2] 8/15 8/23 14th [2] 4/35 27/23 150,000 [1] 33/16 15th [3] 5/4 46/6 52/4 16 [1] 14/2 180 [2] 33/16 33/18 1800 [2] 56/14 56/15 18th [1] 36/10 1974 [1] 5/12 1985 [1] 12/22 19th [1] 46/12 1:15 [1] 2/2 1st [2] 25/5 25/7
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