

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 February 14, 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**
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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: Thank you. We are going to call our
22 Lander County Commissioners meeting, Town Board of Battle
23 Mountain and Austin, Board of County Highway Commissioners to
24 order for February 14, 2019.

25 Austin's on okay?

26 COMMISSIONER SPARKS: Yep.

27 CHAIRMAN WAITS: Thank you.

28 Bryan, could I ask you to lead us in the salute to our flag
29 this morning?

30 If you'd all rise for the Pledge of Allegiance.
31

32 (Pledge of Allegiance)
33

34 CHAIRMAN WAITS: Thank you.

35 Now if -- if you'd join us all in just a moment of silence,
36 please.
37

38 (Moment of silence)
39
40

1 CHAIRMAN WAITS: Thank you.

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

6 So we welcome all of you: our fellow commissioners, our
7 staff, our guests, our citizens, and our speakers.

8 Thank you, all. And Happy Valentine's Day.
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10

11 COMMISSIONER REPORTS

12

13 CHAIRMAN WAITS: We'll start with commissioners' reports on
14 meetings, conferences, and seminars attended.

15 Judie, anything to report for us this morning?

16 COMMISSIONER ALLAN: Okay. Actually, let's --
17 Trying to remember.

18 So January I did go to Vegas for the NACO meeting. I'm
19 going to let Patsy kind of run through that.

20 So then the following week in Reno, I attended the Nevada
21 Water Resources Association conference. It was actually a -- a
22 three-day conference.

23 And I went to -- was enrolled in a symposium. This one
24 dealt mainly with mining, which kind of wasn't what I was
25 expecting, but it was interesting. It -- it talked about the
26 hydrology and -- and evaporation process with their open pits
27 and -- and whatnot. But it was -- it was interesting. Some --
28 a little bit.

29 The 1st of February I had a Humboldt River Basin Water
30 Authority legislative committee teleconference. And I know I've
31 touched on that before. We talked about the -- the bills coming
32 through the assembly or the legislature and also the bill that
33 the Central Nevada Regional Water Authority, the bill draft
34 request is proposing.

35 So on the 8th we actually did have a meeting for the
36 Humboldt Basin Water Authority. And one of the things that came
37 out of that is they -- the snowpack, they monitor that. And
38 February 1st we were below levels. But our guest speaker -- on
39 the 7th they took results. And we are -- pretty much most of
40 the monitoring stations are at a hundred percent or more. So

1 just in that one week is they reached a hundred percent average
2 snowpack, which is kind of good news for -- for Nevada. And, of
3 course, this past week has been pretty wet. And that's only
4 going to help some more.

5 So that's kind of encouraging on -- on our drought
6 situation.

7 Again, we did talk about the -- the bills before the
8 legislature and there's some pretty -- pretty important ones
9 that we're looking at, dealing with the -- actually, these are
10 proposed by the state engineer. And the monitoring, mitigating,
11 and modeling of -- of certain basins and whatnot that could
12 really impact the Humboldt River Basin plus, you know, basically
13 with the Central Nevada Regional Water Authority that deals
14 mostly with northern Nevada and -- and some other states. But
15 we're -- we're pretty much opposed to, you know, any kind of
16 transfer of water to the Vegas area.

17 And so we're really looking hard at those. So --
18 That's it.

19 CHAIRMAN WAITS: Thank you.

20 COMMISSIONER ANCHO: All right. I did -- the only meeting
21 I had this month was the hospital board meeting. And we had
22 some exciting news. Abby Burkhart will be joining the staff as
23 a PA, which is -- she's one of our own. And we -- it's
24 wonderful that she'll be doing that after she completes her --
25 passes her boards. That's what her contract is contingent on.

26 And so I think that's just very exciting that this
27 community and this county have helped her get, you know, one of
28 our own come back and serve our community. And I think that
29 that's wonderful.

30 The other thing was they're just about finishing up on the
31 construction on the next phase at the hospital. They were just
32 waiting for the state to sign off on the -- those -- that work.
33 And then what's really nice on that second phase is they'll all
34 have a chapel. One of the rooms they have converted into a
35 chapel, which is very nice for the long-term care and for the
36 families and also will be utilized for, like, when there's car
37 accidents and stuff like that or people come in and someone has
38 passed away, they could go have that there for them to use,
39 which is wonderful.

40 And the next -- they add -- did an add-on to this for the

1 clinic lobby. And they are going to be redoing the lobby doors
2 so they're handicap accessible. Because if anybody who's ever
3 tried to see anybody with a wheelchair try to get into the
4 clinic, it's impossible to do. So they are redoing those doors
5 and a lot of the cement work for the walkway for the
6 handicapped. And that's pretty much it --

7 CHAIRMAN WAITS: Thank you, --

8 COMMISSIONER ANCHO: -- on that.

9 CHAIRMAN WAITS: -- Kathy.

10 Bryan?

11 COMMISSIONER SPARKS: Nothing to report.

12 CHAIRMAN WAITS: Okay. Thank you.

13 Art?

14 COMMISSIONER CLARK: Oh, I'll go after you, Patsy.

15 CHAIRMAN WAITS: No. That's okay. I called on you.

16 COMMISSIONER CLARK: Okay. I -- I do have something to
17 discuss and unusually more winded than I am in the past.

18 On February the 8th I noticed a post on Facebook. And I --
19 I disregarded it because what it said -- it was a -- a post from
20 a Second Amendment group in Nevada. And they laid out this
21 theory that the state legis- -- legislature was going to try to
22 have a secret meeting to pass antigun legislation and I -- I
23 didn't believe it.

24 The next day on the 9th, I went to the luncheon here and
25 Ira Hansen grabbed me up and wanted to tell me about what was
26 going on.

27 And he said it was true, that not one Republican knew about
28 this and not all the Democrats. So I decided to go since we're
29 going to monitor this Second Amendment stuff. And I went down,
30 and, sure enough, that hearing was totally orchestrated by the
31 people that are after gun rights.

32 There were nationally known groups there. The attorney
33 from Sandy Hook was there to make a presentation. People from
34 Brady were -- was there. Moms Against Guns had their -- their
35 t-shirts on, marching around. People were there from the
36 massacre down in Vegas.

37 And Ira Hansen pointed out that he disagreed with some of
38 these statistics but because there were no -- there -- there was
39 no notice and there wasn't enough time to get experts there for
40 the anti that he felt that it should be tabled and, you know,

1 there needs to be more discussion. But that -- that was of
2 interest to the people that want to do this.

3 Now there's copies of this bill around here. And, you
4 know, as I read it, I didn't see one thing -- one thing in this
5 bill that is going to stop crime, that's going to stop violence.
6 It's just going to interfere with Second Amendment rights. And
7 as you read through this, you go, you should not have to be an
8 attorney to understand your gun rights. And there's so many
9 gray areas here.

10 If you borrow a gun and you get stopped and you can't prove
11 that it's your gun, there's a problem.

12 If you want to give a fam- -- a -- a family heirloom, a --
13 a grandparent to a grandson or a grandchild, you've got to go
14 together to get a background check on the receiver. And it goes
15 through transfer, transferee, back and forth, and refer to this
16 and refer to that to see if you're a legal gun owner. That is
17 such an infringement, it's absolutely incredible.

18 But these people are dead set.

19 Now one of the things that was pointed out was that 16 of
20 the 17 counties voted against Question 1. And that's what the
21 government presently is clinging to that this is a resurgence.
22 We're bringing this back because the people wanted this. But
23 they twisted it. And it's not the original version. That was
24 pointed out.

25 And then there were some really smart people there that got
26 technical and, you know, they knew all the ins and outs, and
27 they argued that.

28 But it's -- it's kind of interesting that Sisolak and Ford
29 and a few other -- the other people that -- that are pushing
30 this received money from the antigunners. That was brought up
31 too.

32 So we'll continue to watch this stuff. And with 16 of the
33 17 counties against this, I expect big things from NACO and
34 Patsy. I absolutely do. We spend -- in the rurals we spend a
35 lot of money supporting NACO. Now it's NACO's turn to support
36 the rurals. Sixteen to one. Pretty good odds. So that's my
37 report.

38 CHAIRMAN WAITS: No other meetings?

39 COMMISSIONER CLARK: Pardon me?

40 CHAIRMAN WAITS: No other meetings?

1 COMMISSIONER CLARK: No.

2 CHAIRMAN WAITS: Okay. Thank you.

3 Yes, I do have a report. And -- and the comments on what
4 Commissioner Clark said, it just goes to show you what power
5 that Clark County has.

6 And unfortunately that bill is going to be signed in before
7 we can even turn around. They wanted to use today because of
8 the special day when they had the --

9 COMMISSIONER CLARK: The anniversary of the Parkland.

10 CHAIRMAN WAITS: -- of Parkland and the shooting.

11 So -- but it is scary. And there were several other
12 senators and assemblymen that spoke against this too. But, of
13 course, it was on deaf ears because of the power that we're
14 speaking about.

15 Actually, I did have a NACO meeting on the 25th. And
16 Commissioner Allan was with me. It was in Las Vegas.

17 Just a couple things I wanted to share with you on that.
18 Yolanda King is the Clark County manager. And, again, to show
19 you the power that we have in -- in the south, the Las Vegas
20 Strip is the site of 17 of the 20th largest hotels in the United
21 States. And if you want to go largest in the world, they have
22 11 of the top 20. They're the 13 -- 13th largest county by
23 population in the United States, 2.284 million and 75.3 percent
24 of the Nevada population. So there again, we -- we can speak
25 and we're not going to give up, but it sure says where we are,
26 the information.

27 Yolanda actually addressed several things. But one of the
28 things that we've been talking about here was the FCC 5G order.
29 And we spoke of that before and reported that that was so
30 controversial. And we were hoping for House legislation to
31 dismantle that.

32 But she talked about them coming in because the county does
33 not have a lot of control on that particular bill. So when the
34 -- the -- the groups came in to put their 5G -- G equipment and
35 they hung it on different power lines and things and whatever,
36 that the counties had no control over it. They just came in and
37 did it. They left -- they left people without electricity.
38 They left wires hanging. They didn't have to put anything back
39 together. And so they started really stepping in and trying to
40 control it. So that was just a little bit of the background.

1 Whether they will ever come to our county -- be --
2 probably all 16, actually, is what's left -- who knows? Because
3 they get to pick and choose. And they're going to go where they
4 have -- they can make the most money. So we may never get that.
5 We may never -- may never have those problems. But it's still a
6 concern so we're still watching that.

7 On January 29th we did have our community meeting for the
8 Austin Youth Center building. Very well attended by our
9 community in Austin. And they certainly didn't leave any doubt
10 over the fact that they want that building left as it is. So
11 therefore it comes back to -- onto our agenda. Naturally, it's
12 a county building. But we do have their input and so it will be
13 on the next agenda.

14 On February 2nd, a sec- -- can't talk -- six -- February
15 6th, I did come up for a LEDA meeting. But unfortunately we
16 didn't have a quorum. We do have some information on the agenda
17 on that, though, and some other things that they're working on
18 with the Main Street project and such.

19 And on Monday the 12th, which was the -- the special
20 meeting for the SB 143 that fortunately our county manager and
21 com- -- Commissioner Clark attended, NACO had a presentation to
22 the assembly committee on government affairs. So I was there
23 also.

24 My meeting started -- it was supposed to start at 8:00
25 o'clock at the same time as theirs. But we had a delay in ours
26 and so I went over and signed in and caught some of what was
27 going on. So at least we were there in numbers. And not that
28 it helped, but it's on the record.

29 With that --

30 COMMISSIONER CLARK: Don't --

31 CHAIRMAN WAITS: -- presentation --

32 COMMISSIONER CLARK: -- don't you think that it was pretty
33 big response from the people that were against that? I mean,
34 there were -- there were many people there.

35 CHAIRMAN WAITS: There were hundreds. But I -- I never
36 heard the final amount. But at least we got to sign in, and
37 like I said, be on the record for it. Because they were in the
38 overflow areas that were still full of (indiscernible).

39 COMMISSIONER CLARK: Then -- and with no notice that's how
40 many people were drawn there and in Las Vegas also.

1 CHAIRMAN WAITS: That's true. Yes. Which we couldn't see.
2 Yes, the 80th session is off to a huge big start, is it
3 not? And they're -- they're flexing their power. No problem
4 about it.

5 Actually, along with that, you probably heard some of the
6 news, but they -- Nevada made history again regarding that
7 session. We are the first female majority legislature in the
8 country. We've been first for all kinds of things from voting
9 all the way --

10 DISTRICT ATTORNEY HERRERA: This is --

11 CHAIRMAN WAITS: -- down.

12 DISTRICT ATTORNEY HERRERA: -- the first legislative body.
13 Right here.

14 CHAIRMAN WAITS: Wait. Okay. Lander too.

15 Okay. With our presentation to the assembly on government
16 affairs committee, like I said, we -- we got to introduce NACO.
17 There was 13 members of that committee. And the one member that
18 we -- we all know is -- is the Assemblyman Ellison from Elko
19 County who also was a county commissioner and worked up and was
20 a NACO president one time. So he's very familiar with NACO.

21 But out of the 13, he's the only one from the north. All
22 the rest are from the south.

23 COMMISSIONER SPARKS: Wow.

24 CHAIRMAN WAITS: And -- and of those -- and -- and, of
25 course, that includes Boulder City and Henderson and Pahrump,
26 naturally. The rest are all Clark County.

27 And of those, nine of them are new. So it's like, wow,
28 this is where we get a presentation into what the NACO mission
29 is, what NACO does, what the counties do. Because they're not
30 all familiar with what counties actually do and what we're
31 responsible for.

32 So that was -- that was interesting on the percentage of --
33 what'd we have? -- 65 percent of all the county -- of all the
34 roads are -- are managed and paid for by the counties. And we
35 actually -- 13 of the 17 counties contain more than 75 percent
36 of public lands.

37 So there's always an added expense. And we're trying to
38 tell all these legislators about it, which we will not forget,
39 and we'll keep on going because we have several things coming
40 up. And NACO was -- had already presented some of the bills.

1 And we will meet individually. They -- they stay on their toes.
2 This is a busy, busy season.

3 And, of course, nationally it's the same way. National
4 NACO is our lobbyists in Washington. So we're doing the same
5 thing.
6
7

8 **STAFF REPORTS**

9

10 CHAIRMAN WAITS: Okay. With that, we will move to staff
11 reports on meetings, conferences, and seminars attended.

12 KEITH WESTENGARD: Okay.

13 As -- as you've said, I -- I attended the -- the meeting as
14 well, Tuesday, with Commissioner Clark.

15 My understanding is Question 1 is going to hit the
16 governor's desk today. Or I'm sorry. Not que- -- senate bill's
17 going to hit the governor's desk for signature today.

18 I see lawsuits in the works for all of this. But it -- it
19 will certainly streamline through the process. There's no
20 question about it.

21 COMMISSIONER CLARK: Just one other thing on that.

22 NRA-ILA viewed this as such an emergency that they
23 contacted Dan Reid who was in Hawaii working on a NRA project.
24 And they said, you need to get back to the states and be in
25 Carson City on Tuesday. He had to rush back, get prepared to
26 come over the summit in a storm to get there. That's -- that's
27 how serious NRA-ILA look at this.

28 KEITH WESTENGARD: What -- what we're doing here, I'm
29 monitoring the BDRs pretty closely. We -- we have -- we've had
30 two meetings with department heads, elected officials to talk
31 about BDRs and how they could affect the county as far as
32 unfunded mandates that we might need to put into -- into place.
33 I do appreciate Commissioner Ancho and the sheriff and everybody
34 that does attend those BDR meetings. It does -- it's -- it's
35 pretty helpful to get everybody's input to see if -- how -- how,
36 if, when we are oppose these or if we actually attend the
37 session to speak out in favor or against these -- these BDRs.
38 And there's a lot of them. They're -- they're coming hot and
39 heavy. Our -- our books are probably pushing 5 inches thick
40 right now of -- of BDRs. They don't all affect the county, but

1 we are -- we are monitoring as best as we can.

2 I -- I had a -- a lady in the meeting ye- -- last night
3 with Rex Massey regarding the Fallon expansion project. We have
4 comments that we are submitting -- or he's submitting on behalf
5 of the county today. And if you're interested in those
6 comments, I -- I've got a copy here. But we did include --
7 conversation last night include- -- and -- and actually J-U-B
8 got involved in it with our GPS approach, our pro- -- our
9 projected GPS approach in Austin.

10 So if anybody's interested, I have those there -- here if
11 you're interested in looking them over. But they will be
12 submitted today.

13 And --

14 CHAIRMAN WAITS: And what was the due date? I know they --
15 they extended it. That's why it was the --

16 KEITH WESTENGARD: It's --

17 CHAIRMAN WAITS: -- February.

18 KEITH WESTENGARD: -- today. Yeah. It's today.

19 CHAIRMAN WAITS: Today's the --

20 KEITH WESTENGARD: Today is the date for publi- -- or for
21 comment. So --

22 And that's it.

23 CHAIRMAN WAITS: Thank you.

24

25

26 **PUBLIC COMMENT**

27

28 CHAIRMAN WAITS: We're now going into public comment. And
29 we ask that if you do have your cell phones with you that you
30 please put those on mute or jiggle or whatever you'd like to do
31 so that we don't have it as part of our record.

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

1 Any public comment before we begin our board meeting?
2 Miss Sadie.

3 COUNTY CLERK SULLIVAN: Good morning. I would like to let
4 you know on the bills that are going before the legislature for
5 the elections, there's a couple.

6 There is one that they're looking at extending early vote.
7 So that'll be additional days possibly if it is passed.

8 And the second one will be same-day voter registration. So
9 they would be able to come in and vote and then go on to their
10 early voting. So that'll be additional staff, extra computers,
11 that type of thing.

12 So that's something that at the state level they're looking
13 at that for sure they're -- they're thinking it's going to go
14 through.

15 So, anyway, just want to give you a heads up.

16 We don't know if -- if the extension can be a couple days
17 of early vote, if it's going to be several days. We just -- we
18 don't know that at this time. So I thought I'd give you a heads
19 up on that.

20 COMMISSIONER CLARK: Do they have to have ID to register.
21 COUNTY CLERK SULLIVAN: Not at this time.
22 We would like to. Some people automatically do give it.

23 COMMISSIONER CLARK: Do they have --
24 COUNTY CLERK SULLIVAN: It's very beneficial.
25 COMMISSIONER CLARK: -- prove where they live?
26 COUNTY CLERK SULLIVAN: Yeah. They state it.
27 We have them hand out the little ID cards -- that's ver- --
28 very beneficial -- or their sample ballot.
29 With the new system, if you bring your sample ballot, we're
30 able to scan the barcode. So that's very beneficial as well.
31 So --

32 CHAIRMAN WAITS: Thank you.

33 COUNTY CLERK SULLIVAN: Just wanted to --
34 CHAIRMAN WAITS: We --
35 COUNTY CLERK SULLIVAN: -- give you --
36 COMMISSIONER SPARKS: Thanks, --
37 CHAIRMAN WAITS: -- probably --
38 COUNTY CLERK SULLIVAN: -- a --
39 CHAIRMAN WAITS: -- won't --
40 COMMISSIONER SPARKS: -- Sadie.

1 CHAIRMAN WAITS: -- know all the results of that. But the
2 budget probably needs to reflect it, I'm sure, as you're --

3 COUNTY CLERK SULLIVAN: Right.

4 CHAIRMAN WAITS: -- working on it. So --

5 COUNTY CLERK SULLIVAN: Yes. Thank --

6 CHAIRMAN WAITS: Thank --

7 COUNTY CLERK SULLIVAN: -- you.

8 CHAIRMAN WAITS: -- you.

9 Any other public comment?

10 (No comment.)
11
12

13 **CONSENT AGENDA**

14
15 CHAIRMAN WAITS: All right, then. We'll move to the
16 consent agenda.

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

25 Number 1, approval of agenda notice, February 14, 2019;
26 Number 2, approval of December 13, 2018, meeting minutes; Number
27 3, approval of January 24th, 2019, meeting minutes; Number 4,
28 approval of the payment of bills, and Number 5, approval of
29 payroll change requests.

30 And we do need to take some of these out. So the first one
31 I'm going to ask to be removed is the approval of the agenda
32 notice, Number 1.

33 Anybody want to pull Number 2? We okay?

34 Okay. We'll pull Number 3, January 24th, 2019, meeting
35 minutes.

36 COMMISSIONER SPARKS: And then can we pull Number 4?

37 CHAIRMAN WAITS: Pull Number 4.

38 And Number 5, approval of payroll change requests is okay.
39 All right.

40 With that, then, we are pulling 1, 3, and 4. If I could

1 have a motion to approve the other two?
2 COMMISSIONER SPARKS: I'll make that motion.
3 CHAIRMAN WAITS: Thank you.
4 COMMISSIONER ALLAN: I'll --
5 COMMISSIONER ANCHO: I'll --
6 COMMISSIONER ALLAN: -- second.
7 COMMISSIONER ANCHO: -- second.
8 CHAIRMAN WAITS: Thank you. Bryan made the motion. Judie
9 seconded, so did Kathy. But I think Judie made it by a --
10 COMMISSIONER SPARKS: She did.
11 CHAIRMAN WAITS: -- hair here. So we'll take the -- the
12 second by Judie. Thank you.
13 Any public discussion?
14 (No comment.)
15 CHAIRMAN WAITS: All right. All those in favor?
16 COMMISSIONER SPARKS: Aye.
17 COMMISSIONER ANCHO: Aye.
18 COMMISSIONER ALLAN: Aye.
19 CHAIRMAN WAITS: Aye.
20 Thank you. And that passes.
21 Okay. The first one, approval of agenda notice, February
22 14th, 2019. I would like to amend that. We're -- we're going
23 to pull Number 4 under Planning. And so I would like a motion
24 to approve the agenda notice as it is amended.
25 COMMISSIONER ALLAN: I'll make that motion.
26 CHAIRMAN WAITS: Thank you.
27 COMMISSIONER ANCHO: I'll second it.
28 CHAIRMAN WAITS: Thank you. Moved by Judie that we approve
29 the amended agenda notice for today. And seconded by Kathy.
30 Any other discussion?
31 (No comment.)
32 CHAIRMAN WAITS: All those in favor?
33 COMMISSIONER SPARKS: Aye.
34 COMMISSIONER ALLAN: Aye.
35 COMMISSIONER ANCHO: Aye.
36 CHAIRMAN WAITS: Aye.
37 Okay. That passes.
38 Number 3, we don't have any meeting minutes for January
39 24th. So we go to Number 4, approval of payment of bills.
40 Bryan?

1 COMMISSIONER SPARKS: Yeah. I need to abstain from Check
2 Number 201773 because it's payment to my employer.

3 CHAIRMAN WAITS: Thank you. Then we need a motion to
4 approve it --

5 COMMISSIONER ANCHO: I'll make that --

6 CHAIRMAN WAITS: -- for the --

7 COMMISSIONER ANCHO: -- motion.

8 CHAIRMAN WAITS: -- rest of them. Okay. And Kathy made
9 that.

10 Judie?

11 COMMISSIONER ALLAN: Oh. Second.

12 CHAIRMAN WAITS: Thank you. Moved and seconded.

13 Any further discussion?

14 And you're just abstaining from the one?

15 COMMISSIONER SPARKS: Just from the one. Yeah.

16 CHAIRMAN WAITS: Okay. Thank you.

17 All those in favor?

18 COMMISSIONER ALLAN: Aye.

19 COMMISSIONER SPARKS: Aye.

20 COMMISSIONER ANCHO: Aye.

21 CHAIRMAN WAITS: Aye.

22 Thank you. And that passes and takes care of the consent
23 agenda.

24
25
26 **COMMISSIONERS**

- 27
28 1) **Discussion only regarding J.D. Heithoff and the introduction**
29 **of his new company, T-O Engineers, to the Lander County Board**
30 **of Commissioners, and all other matters properly related**
31 **thereto.**
32

33 CHAIRMAN WAITS: Under Commissioners, Number 1. Discussion
34 only regarding J.D. Heithoff and the introduction of his new
35 company, T-O Engineers. And it's to the Lander County Board of
36 Commissioners. And all other matters properly related thereto.

37 Gentlemen.

38 Good morning.

39 J.D. HEITHOFF: Good morning, Commissioners.

40 My name is J.D. Heithoff. I'm with T-O Engineers out of

1 Boise, Idaho.

2 And this is Kevin Bissell with T-O Engineers out of Boise
3 as well.

4 And we want to take some time this morning to introduce
5 ourselves.

6 I've been with T-O Engineers now for a little over two
7 years. And I'm very excited to be with them.

8 A little bit bigger airport engineering group. And so we
9 wanted to explain ourselves because we're very interested in --
10 in when your selection process does come up for a -- a
11 reselection for airport engineering. T-O Engineers does airport
12 engineering planning, construction management. And we help out
13 quite a bit with a personalized approach where we get more
14 one-on-one with the counties and cities that we work with.

15 We handle grant administration. We try to do a lot of the
16 paperwork to take that off of the various entities. So give
17 them less work. And -- and we try to act as an extension of
18 your staff.

19 So who is T-O Engineers?

20 We're a group of about 130 -- act- -- actually closer to
21 about 140 team members now with 43 of those dedicated to
22 aviation professionals.

23 Forty-three, that's a pretty large number. There aren't
24 very many firms in the region that have 43 that are dedicated
25 towards aviation. So really the heart of the company is
26 aviation.

27 We have seven offices there, as you can see, spread out
28 across the northwest. And we have experience at quite a few
29 airports, as you can see. And I included Battle Mountain and
30 Austin because I have a lot of experience with Battle Mountain
31 and Austin as -- as many of you know.

32 We are a full-service civil engineering firm. So while the
33 heart of our company is with aviation, we also do
34 transportation, land development, water, wastewater. We do
35 survey and -- and architecture, landscape architecture, and
36 environmental as well.

37 So we're able to provide a full slate of civil engineering
38 services, not only aviation, but almost everything a person
39 could need civil engineering-wise.

40 But we are aviation related. And both Kevin and I work in

1 that department. And we're very excited about it.

2 So regarding our experiences. I started off with one of my
3 favorite pictures there, which you -- many of you probably know
4 this. That's Joe and Frank there next to the Coyote III --
5 that's one of my favorite aircraft of all time -- down at Austin
6 Airport.

7 I've done several projects down there when I did work with
8 my previous firm over seven or eight years.

9 Crack seal, seal coat of the pavements. Apron expansion
10 there. Also worked on the first fuel tank installation over
11 there to get fuel down in Austin.

12 And I'm pretty excited about it. And -- and I was glad to
13 work with you guys on those projects and hope to work with guys
14 more in the future.

15 Obviously I also worked quite a bit at Battle Mountain. I
16 was excited to work at that airport. And something that Kevin
17 and I wanted to relate to you is we both have a real passion for
18 airports. We both get really excited talking about airports and
19 aircraft and aviation and stuff. I mean, we're kind of airport
20 geeks and civil engineering geeks. So we're maybe two bad
21 things combined.

22 Something that Battle Mountain has that's very interesting
23 and very, very important is they have the air attack base there.
24 And so the -- on the bottom picture, the two aircraft -- the
25 large aircraft you can see on the left side, those are actually
26 firefighting air tankers. And they're pretty substantial
27 aircraft. When you get a major fire here in northern Nevada,
28 those air tankers are called in. And they handle quite a bit of
29 -- of water repellent and -- and retardant on the aircraft.

30 The more typical aircraft is that one you see in the top
31 right. That's a -- called a SEAT aircraft. And that's
32 typically required more for the smaller fires.

33 Currently I'm working at other airports. While we'd like
34 to definitely work for Lander County, I'm working up at
35 airport -- Friedman Memorial Airport there at Hailey, Sun
36 Valley, Idaho.

37 As you can see, that's a mountainous airport as well,
38 mountain region. And there's quite a bit of corporate traffic
39 down there.

40 As you can see on that bottom left photo, those are all

1 corporate jets. Those are all 30, 40, \$60 million jets. As you
2 can see during various conferences, they literally park those in
3 there valet style.

4 They -- they give the keys to guys who operate tugs. And
5 they situate them and pull them in and out of their parking
6 slots so they can get all those aircraft in there.

7 And that's actually a picture of only about two-thirds of
8 -- of the aircraft that can get in there. They -- they really
9 cram them in there.

10 Do a lot of projects up there.

11 Also do a little work over at Boise Airport. T-O Engineers
12 is actually one of two firms. When T-O Engineer's doing the
13 preponderance of the work out at Boise Airport, we're excited
14 about that. We do some large airport projects.

15 I've done a couple small projects out there that I'm kind
16 of excited about. One is a passenger boarding bridge.

17 Another is we installed some solar panels to assist them
18 with their hot water. So they switched over from using
19 electrical energy for their hot water systems out there to
20 actually use solar heat to -- to heat their water. And it's
21 actually quite a cost savings out there.

22 Another airport I'm working at that you're probably
23 familiar with is Nampa Municipal Airport.

24 We're doing some airport master planning for them out there
25 right now. They have -- oh, about -- oh, what is it, Kevin? --
26 380 based aircraft out there.

27 KEVIN BISSELL: Yeah.

28 J.D. HEITHOFF: So they're -- they're pretty excited to
29 have us there.

30 As you can see, one of the things that we believe in
31 heavily at T-O is working with the entities -- the cities, the
32 counties -- but also working with the public. It's important to
33 get the public perspective in there. It's important to work
34 with entities such as the BLM and the FBO, the fixed-base
35 operator, who does the operations out at the airport.

36 So we have public meetings. And as you can see there in
37 that picture, Kevin was actually part of a rather large public
38 meeting out at Warhawk Museum to get feedback from the public,
39 get input for what they think is important out at that airport.

40 So with that, I'd like to turn it over to Kevin for a few

1 slides.

2 KEVIN BISSELL: Thank you.

3 Good morning, Commissioners. I'm Kevin Bissell with T-O
4 Engineers.

5 I'm the airport project manager and part owner of T-O
6 Engineers, and I've worked there for 26 years.

7 And J.D.'s kind of given you a perspective on some of our
8 larger airport clients. But my career at T-O has been focused
9 on small, rural airports and mountain airports.

10 And, in fact, when I first came to work, the first planning
11 project I worked on was for the Ely Airport.

12 So I've been -- I've been around for a while. So --

13 Would you go to the next slide, J.D.?

14 So this McCall Airport. And it's one of our long-time
15 clients. And McCall is -- is unique. It's a U.S. Forest
16 Service smokejumper base.

17 So it has a lot of operations of firefighting aircraft in
18 the summertime. And -- as well as a lot of recreational
19 backcountry flights too in and out of the airport.

20 And right now we're -- we're helping them. We just helped
21 them complete land acquisition. And we're working on a design
22 of the relocation of that parallel taxiway that see over there
23 on the right-hand side of the picture.

24 And -- yeah. Let's move on to the next side, please.

25 Next one is Baker City Airport in Oregon. And, again,
26 another high elevation, rural airport. They -- they also have
27 -- they don't have a base there. But they do have a lot of
28 firefighting operations there as well.

29 Baker Aircraft has -- has their own firefighting equipment
30 that they use. And -- and on contract with BLM and Forest
31 Service. So we help small airports, like J.D. said, with the
32 entire process.

33 So most airports of this size don't have a complete airport
34 staff. They -- they maybe have an airport manager.

35 In this case, the public works director is the airport
36 manager. And so we help them with everything from writing the
37 grants to designing the projects, writing the reports, going to
38 meetings with FAA, building the project and -- and then closing
39 out the project as well. So we're involved in all those phases
40 and really like to help support small communities with their --

1 with their airport development.

2 This is Grant County Regional Airport in John Day, Oregon.
3 Again, this is a Forest Service rappelling base. So they,
4 instead of jumping out of the airplanes, they rappel out of
5 helicopters to fight fires.

6 And we're helping -- we're just finishing up a master plan
7 for them to help them plan for the -- the growth of the airport
8 in the future. They were a state airport and recently were
9 brought into the FAA system of airports. So this is their first
10 master plan. And it -- it charts the improvements and
11 maintenance projects at the airport for the next 20-year time
12 period. And so we're helping them this summer with
13 reconstruction of their -- their general aviation apron where
14 the fuel pump is. Also helping them with redesigning a new
15 fueling system.

16 So they've got an in-ground system. We're helping them
17 design one that will be above ground.

18 And -- and then also constructing their corporate apron.
19 So that's just kind of highlight of -- of what we -- who we are
20 and -- and what we do.

21 And thank you for giving us this opportunity to talk to
22 you. Do you have any questions for J.D. or myself?

23 J.D. HEITHOFF: Well, we're definitely excited and
24 interested. As I mentioned, I worked for you guys for seven or
25 eight years with Keith and with Bert and Patsy and -- and Art
26 and Sadie. And -- and I'm hugely excited about the possibility
27 of this coming up when you go through a new airport engineering
28 selection. And I'd like to bring my experience with the
29 enhanced technical expertise of the new company I'm working for
30 to you guys. I think that they can provide an even greater
31 experience and -- and expertise than -- than like we had in the
32 past and hopefully in the future.

33 CHAIRMAN WAITS: Well, thank you.

34 We -- we appreciate you taking the time to come down and --
35 and fill us in on everything with your new company and meeting
36 you, Kevin.

37 And we wish you safe travels back with the weather.

38 KEVIN BISSELL: Yes. No problem.

39 J.D. HEITHOFF: Any questions --

40 COMMISSIONER ANCHO: Yes.

1 J.D. HEITHOFF: -- at all?
2 COMMISSIONER ANCHO: Thank you.
3 CHAIRMAN WAITS: Any public --
4 COMMISSIONER CLARK: Yeah.
5 CHAIRMAN WAITS: -- comment?
6 COMMISSIONER CLARK: You know, just a comment. Every time
7 we talk about airports and I look at the runway -- runways --
8 and I know that this is now a taboo. But I think back in the
9 days when I was a kid, we were drag racing up and down on those.
10 That'd be nice if we could do that. Even the sheriff said he'd
11 be there to race.
12 KEVIN BISSELL: Just --
13 SHERIFF RON UNGER: That would be --
14 KEVIN BISSELL: -- don't tell --
15 SHERIFF RON UNGER: -- in pursuit.
16 KEVIN BISSELL: Just don't tell the FAA.
17 CHAIRMAN WAITS: I -- I'm sorry. Was that a suggestion for
18 an agenda item? Is that what you mean?
19 COMMISSIONER CLARK: That was a commentary.
20 CHAIRMAN WAITS: Thank you.
21 COMMISSIONER ANCHO: Thank you.
22 KEVIN BISSELL: Thank you.
23 CHAIRMAN WAITS: Be sure and give your cards to Sadie if
24 you haven't already done so. Thank you.
25
26 2) Discussion and possible action to approve/disapprove the
27 purchase of two (2) urban/brush fire trucks in an amount not
28 to exceed \$350,000 for the Battle Mountain Volunteer Fire
29 Department, and to discuss whether the purchases should
30 proceed pursuant to NRS 332 - Purchasing: Local Government or
31 pursuant to NRS 333 - Purchasing: State, and all other
32 matters properly related thereto.
33
34 CHAIRMAN WAITS: Number 2. Discussion and possible action
35 to approve or disapprove the purchase of two urban/brush fire
36 trucks in an amount not to exceed \$350,000 for the Battle
37 Mountain Volunteer Fire Department, and to discuss whether the
38 purchases should proceed pursuant to *NRS 332 - Purchasing: Local*
39 *Government* or pursuant to *NRS 333 - Purchasing: State*, and all
40 other matters properly related thereto.

1 And unfortunately there wasn't the back up early enough.
2 So we do have now the -- the two NRS. But I'm -- since we
3 didn't have time to really look at this, I'm going to look to
4 our legal counsel because I'm sure he will give us the
5 information we need on that.

6 DISTRICT ATTORNEY HERRERA: Yes, ma'am.

7 Do you want me to do it now? Or do you want to take a vote
8 on whether you're going to approve the trucks first?

9 CHAIRMAN WAITS: No. Why don't we go ahead and -- and you
10 just give us the background on 332 and --

11 DISTRICT ATTORNEY HERRERA: Okay.

12 CHAIRMAN WAITS: -- 333 first. And then we'll --

13 DISTRICT ATTORNEY HERRERA: All right.

14 CHAIRMAN WAITS: -- vote.

15 DISTRICT ATTORNEY HERRERA: Three three -- NRS 332 is local
16 government purchasing. Basically to be -- in all brevity, if
17 anything's over \$50,000, you have to go out for bid. And that's
18 it.

19 If it's under \$50,000, you don't have to go out for bid.
20 And -- and there's ways to get around that.

21 That's local purchasing.

22 NRS 333 is purchasing state. So the counties can use state
23 purchasing if the person that is selling the merchandise has a
24 contract with the administrator of the state.

25 And in talking to Ron about this, if it's approved -- the
26 two trucks are approved, the -- the place he wants to purchase,
27 he's pretty sure that they have a contract with the
28 administrator. He's going to find out for sure.

29 And then -- so he would be able to get the trucks through
30 the state purchasing statute and then the tents through the
31 local purchasing statute. And he's not quite sure about the
32 prices of those yet.

33 But -- but he's pretty sure it's going to come under
34 \$50,000. So --

35 And if it doesn't, he'll take it out to bid.

36 So I talked to Ron about this. He's -- he's up to -- up to
37 par with it. And --

38 CHAIRMAN WAITS: Okay. Thank you.

39 Ron?

40 SHERIFF RON UNGER: Good morning.

1 Ron Unger, for the record.
2 Ball's in your court. We were told at the last meeting --
3 there was a motion made to approve the funding, providing that
4 we had 51 percent of the majority of the fire department
5 approve, which at that point, just for clarification, that
6 particular statement in the bylaws concerns the fire
7 department's money, not the county's money. But we would have
8 made that -- that correction in our new bylaws.
9 So at this point, we did -- I did talk to several of the
10 county commissioners. We did tell them that we would go ahead
11 and do the vote anyway, what was almost unanimous. There was
12 only two opposed out of the 18 that voted. So I'm here for you.
13 CHAIRMAN WAITS: Okay.
14 COMMISSIONER SPARKS: So -- but we're not sure that the
15 people you're buying from is set up with the state?
16 SHERIFF RON UNGER: No.
17 COMMISSIONER SPARKS: So if we approve that and they -- we
18 find out that they're not, how does that affect this process?
19 CHAIRMAN WAITS: Actually, --
20 SHERIFF RON UNGER: That -- we'll just go --
21 CHAIRMAN WAITS: -- the way --
22 SHERIFF RON UNGER: -- to another one --
23 CHAIRMAN WAITS: -- we could do the --
24 SHERIFF RON UNGER: -- that is.
25 CHAIRMAN WAITS: -- motion is we can approve it with state
26 purchasing. Or if they don't have that availability, we would
27 have to go out for bid.
28 COMMISSIONER SPARKS: That's --
29 SHERIFF RON UNGER: I --
30 COMMISSIONER SPARKS: -- it --
31 SHANNON THISS: -- can --
32 CHAIRMAN WAITS: That's all.
33 COMMISSIONER SPARKS: -- for --
34 SHERIFF RON UNGER: -- I can --
35 COMMISSIONER SPARKS: -- me.
36 SHERIFF RON UNGER: -- enlighten --
37 COMMISSIONER SPARKS: Okay.
38 SHERIFF RON UNGER: -- you a little bit on that. But Patsy
39 hit the nail on the head.
40 Silver State International is where we're getting our

1 trucks from. They are on the state purchasing. The tanks --
2 that -- the DANCO tanks, there's out of Oregon, I -- and they're
3 less than \$50,000.

4 CHAIRMAN WAITS: That's a for sure?

5 SHERIFF RON UNGER: 28,000 --

6 CHAIRMAN WAITS: Great.

7 SHERIFF RON UNGER: -- dollars. You've got the bids in
8 front of you. I can buy the tanks in individually --

9 CHAIRMAN WAITS: Okay.

10 SHERIFF RON UNGER: -- for \$28,000 and get one truck out
11 behind the building.

12 CHAIRMAN WAITS: Okay. Then we --

13 COMMISSIONER ALLAN: Can I --

14 CHAIRMAN WAITS: -- can address that motion --

15 SHERIFF RON UNGER: I do have that --

16 CHAIRMAN WAITS: -- right away --

17 SHERIFF RON UNGER: -- under --

18 CHAIRMAN WAITS: -- if you so --

19 SHERIFF RON UNGER: -- control.

20 CHAIRMAN WAITS: -- choose.

21 SHERIFF RON UNGER: I will check with DANCO. I'm sure that
22 they are GSA, one of those state agencies, even though they're
23 out of state.

24 But they are one of the nation's builders of fire
25 apparatuses so almost certain on that.

26 CHAIRMAN WAITS: Thank you.

27 COMMISSIONER ALLAN: I'll make a motion to approve the
28 purchase of two urban/brush firetrucks in the amount not to
29 exceed \$350,000 for the Battle Mountain Volunteer Fire
30 Department.

31 COMMISSIONER SPARKS: I'll second the motion.

32 CHAIRMAN WAITS: Thank you. Judie made the motion. We
33 approved that. And Bryan seconded.

34 Is there any other discussion?

35 Any public comment?

36 (No comment.)

37 CHAIRMAN WAITS: All those in favor?

38 COMMISSIONER SPARKS: Aye.

39 COMMISSIONER ANCHO: Aye.

40 COMMISSIONER ALLAN: Aye.

1 COMMISSIONER CLARK: Aye.
2 CHAIRMAN WAITS: Aye.
3 Thank you. And that is approved unanimously.
4 DISTRICT ATTORNEY HERRERA: Commi- -- Commissioner, on -- I
5 forgot to add on *NRS Chapter 333 - State Purchasing*, it
6 specifically details volunteer fire departments.
7 CHAIRMAN WAITS: Thank you.
8 DISTRICT ATTORNEY HERRERA: So I -- I thought it important
9 that you knew that.
10 CHAIRMAN WAITS: Yes. Since we didn't have a chance to
11 read that I appreciate that input. Thank you.
12 COMMISSIONER CLARK: Now -- now if this costs 325,000, then
13 that \$25,000 goes back to the county, right in -- in the General
14 Fund?
15 Okay.
16 KEITH WESTENGARD: I'm sure it did.
17 CHAIRMAN WAITS: Right. The motion was made not to exceed.
18 Yes.
19 DISTRICT ATTORNEY HERRERA: Right.
20 CHAIRMAN WAITS: So anything less, yes. Thank you, Ron.
21 SHERIFF RON UNGER: No. Thank you.
22 CHAIRMAN WAITS: We'll get started on that for you. I hope
23 we get it -- we get it soon and we know how long it takes. But
24 we'd like to have it for the fire season, I'm sure.

25
26
27 **SHERIFF'S DEPARTMENT**

28
29 3) **Discussion and possible action to approve or disapprove and**
30 **emergency replacement of a domestic hot water boiler system**
31 **for the Lander County Sheriff's Office.**
32

33 CHAIRMAN WAITS: Okay. Next is the sheriff's department.
34 Number 3.

35 Discussion and possible action to approve or disapprove and
36 emergency replacement of the domestic hot water boiler system
37 for the Lander County Sheriff's Office and detention facility in
38 an amount not to exceed \$77,617, and all other matters properly
39 related thereto.

40 COMMISSIONER CLARK: Let's just make a motion for this. We

1 discussed it last time.

2 SHERIFF RON UNGER: Yes. I believe the county
3 commissioners are aware of it.

4 I believe last time we were still in the process of -- of
5 chasing a few issues.

6 We were looking at spending approximately 16,000, in that
7 area, to fix it where we couldn't.

8 So the bottom line is -- is they're -- they're installing
9 the new boilers as we speak right now.

10 COMMISSIONER CLARK: That's good.

11 SHERIFF RON UNGER: So --

12 COMMISSIONER CLARK: Well, I'll make a motion that we
13 approve \$77,617 for the new boiler in the sheriff's office and
14 detention facility.

15 COMMISSIONER ALLAN: I'll second.

16 CHAIRMAN WAITS: Thank you. It's been moved by Art that we
17 approve that amount and seconded by Judie.

18 Any other discussion?

19 Public comment?

20 (No comment.)

21 CHAIRMAN WAITS: All those in favor?

22 COMMISSIONER ANCHO: Aye.

23 COMMISSIONER SPARKS: Aye.

24 COMMISSIONER ALLAN: Aye.

25 COMMISSIONER CLARK: Aye.

26 CHAIRMAN WAITS: Aye.

27 Thank you. And --

28 SHERIFF RON UNGER: Well, --

29 COMMISSIONER SPARKS: -- again?

30 SHERIFF RON UNGER: -- thank you very much.

31 CHAIRMAN WAITS: What did you say?

32 SHERIFF RON UNGER: And I would like to -- you guys are
33 invited to come over and take a look at what we're doing. It's
34 not what you think or what I would have thought, you know. We
35 did have a -- a big hot water heater in there and then the
36 boiler system.

37 But you're welcome to come over and take a look and --

38 COMMISSIONER CLARK: It's --

39 SHERIFF RON UNGER: -- see how --

40 COMMISSIONER CLARK: -- smaller.

1 SHERIFF RON UNGER: -- it works. So we've got our -- we've
2 got all the bases covered. Now this (indiscernible) going to
3 happen.

4 COMMISSIONER CLARK: Is it a tankless system?

5 SHERIFF RON UNGER: Well, yes and no.

6 COMMISSIONER CLARK: Okay.

7 SHERIFF RON UNGER: That's why I say you need to come over
8 and -- and take a look.

9 COMMISSIONER CLARK: Okay.

10 SHERIFF RON UNGER: Because it's -- it's quite an elaborate
11 system up there.

12 COMMISSIONER CLARK: You won't keep me --

13 DISTRICT ATTORNEY HERRERA: So --

14 COMMISSIONER CLARK: -- there if I come over.

15 SHERIFF RON UNGER: Well, maybe. Depends on if we're going
16 to go racing or not.

17 Thank you.

18 CHAIRMAN WAITS: Thank you.

19
20
21 **PLANNING**

22
23 5) **Discussion and possible action regarding approval/disapproval**
24 **of a zone change request from the Lander County Planning**
25 **Department changing 002-330-20 and 002-330-23 from Commercial**
26 **District (C-1) to General Commercial District (C-2), all**
27 **located in Battle Mountain, and all other matters properly**
28 **related thereto.**

29
30 CHAIRMAN WAITS: We're moving directly to Number 5 with our
31 amended agenda.

32 Discussion -- discussion and possible action regarding
33 approval/disapproval of a zone change request from the Lander
34 County Planning Department changing 002-330-20 and 002-330-23
35 from Commercial District, C-1, to General Commercial District,
36 C-2, all located in Battle Mountain, and all other matters
37 properly related thereto.

38 KYLA BRIGHT: Good morning, Commissioners.

39 Kyla Bright, planning coordinator.

40 Quite a few months ago it came to my attention that there

1 was a few areas in town on this side that were out of compliance
2 with our codes.

3 It's been going on for many, many years. And, yes, there
4 are many other areas that need to be cleaned up as well. But
5 this is what we decided to focus on.

6 What it had to do with was commercial, just commercial.

7 In C-1 you can have a retail business or enclose everything
8 inside the building. These specific two were zoned C-1, and
9 things were outside of the building. So we looked at it, made
10 sure it wasn't going to go against our -- we, being the planning
11 commission and myself -- to make sure it wasn't going to go
12 against -- against our master plan or codes to just change them
13 to C-2 so they could continue business without being out of
14 compliance.

15 That's what this item is about and the following one.

16 CHAIRMAN WAITS: Thank you.

17 KYLA BRIGHT: Uh-huh.

18 COMMISSIONER CLARK: This has your stamp of approval?

19 KYLA BRIGHT: It does, as well as the planning
20 commission's. It's -- it was seen in front of the planning
21 commission, I believe three meetings.

22
23 (Cell phone ringing.)

24
25 UNIDENTIFIED PARTICIPANT: Excuse me. Sorry about that.

26 KYLA BRIGHT: There was no -- no arguments against and the
27 business owners themselves were notified as well as within the
28 300 feet of all these buildings. And there was no contestment
29 against --

30 COMMISSIONER ANCHO: So --

31 KYLA BRIGHT: -- it.

32 COMMISSIONER ANCHO: -- what -- why Item 4, is it necessary
33 to have all the names attached to these? So for recording
34 purposes? So later on down the road if they're -- people are
35 doing research they know for the pl- --

36 KYLA BRIGHT: Who the owners are?

37 COMMISSIONER ANCHO: Yeah.

38 KYLA BRIGHT: So what I -- I don't -- that's -- that's a
39 question I have as well. But in the past, just to say, I went
40 back to what they -- I guess they call blanket zone changes that

1 we've done in the past. And it had the APN and the address
2 attached to it, but not the owner's name.

3 I looked through those minutes through the planning
4 minutes, not necessarily the commissioners' minutes but through
5 the planning, and this is how it was done in the past.

6 COMMISSIONER ANCHO: So -- which is all right. But I'd
7 like to ask the recorder if that is something that -- even
8 though it was done in the past, is it something that needs to be
9 updated and done with names attached for -- for researching?

10 DISTRICT ATTORNEY HERRERA: Well, it -- it's a -- excuse
11 me, Commissioner -- it's a preference. And -- and if the
12 recorder prefers names on it, then -- then all she has to do is
13 tell the -- the agenda committee and they'll put them on.

14 But it -- it's not a legal requirement if you have --

15 COMMISSIONER ANCHO: Oh. And that's not what I was a- --

16 DISTRICT ATTORNEY HERRERA: No, no. I -- I'm just --

17 COMMISSIONER ANCHO: Okay.

18 DISTRICT ATTORNEY HERRERA: -- giving that out. But
19 certainly if the recorder prefers it that way, it may be the
20 best way to do it.

21 LESLEY BUNCH: Lesley Bunch, Lander County Recorder.

22 I'm suggesting, for research purposes down the road, that
23 names be attached to the APNs that you're using because
24 sometimes APNs do change. And if someone wanted to go back and
25 research it, it would be easier to remember the names to
26 research the project by than it is not to include the names.

27 But I'm in no way giving you any legal advice. It just
28 makes it easier to locate it if someone was doing a research
29 project.

30 CHAIRMAN WAITS: And names versus the address?

31 DISTRICT ATTORNEY HERRERA: Probably both.

32 COMMISSIONER ANCHO: Both.

33 LESLEY BUNCH: Most people don't know addresses. Most
34 people know names. So when they're doing research, they look by
35 names, not so much by address.

36 So it would be preferential to the individual who's doing
37 the researching. I'm just suggesting to make it easier for
38 other individuals that are looking things up. Names are much
39 easier.

40 CHAIRMAN WAITS: Thank you.

1 LESLEY BUNCH: Yes.

2 COUNTY CLERK SULLIVAN: To add to that as well -- Sadie
3 Sullivan, for the record -- when we go and do indexing ourself
4 for the commission meetings, if there's something specific, name
5 is great as well. So you have your address, your APN, and also
6 that. Also if -- I had pulled up a couple other of the zone
7 change -- change. It did have the names on there.

8 So as a title company, if they come in and want to purchase
9 that property, they can go do their date downs and reference the
10 name. And then if there is that parcel, it's just a cross
11 reference. It makes it clearer so there's not a cloud title.

12 So just a -- a suggestion for the commission of indexing,
13 definitely it helps us if something was to arise and then also
14 for those clear titles for title companies. That's just my
15 opinion.

16 CHAIRMAN WAITS: Thank you, Sadie.

17 COUNTY CLERK SULLIVAN: Thanks.

18 DISTRICT ATTORNEY HERRERA: I would agree.

19 COMMISSIONER ALLAN: I just want to make a comment on this.
20 It's certainly easier, you know, when you're reading the
21 agenda and it has somebody's name on it.

22 And, of course, being a small community, you know, if it's
23 got the name, everybody knows whose land it is.

24 But on -- on another note on that, I think that a little
25 bit of anonym- -- anony- -- anonymous --

26 COMMISSIONER ANCHO: Anonymity.

27 COMMISSIONER ALLAN: -- anonymity. Yes. That's what I was
28 trying for. You know, is these have been approved by the
29 planning commission.

30 As a commissioner, you know, I generally take -- take the
31 planning commission's recommendations. And I don't need to know
32 who owns the property. I don't care. I don't want to base my
33 opinion on whose property it is. So I -- you know, curiosity's
34 sake, yeah. I wouldn't mind knowing. But on the other hand is
35 to me it's irrelevant.

36 You know, title companies base their research on -- on, you
37 know, your -- your legal descriptions and your --

38 COUNTY CLERK SULLIVAN: And they also use -- Sadie
39 Sullivan, for the record -- they do use your name. I worked for
40 a title company.

1 COMMISSIONER ALLAN: I have too, Sadie.

2 COUNTY CLERK SULLIVAN: Okay. And so they do reference it.
3 So for those APNs that are changed, it makes the research a
4 little easier, as you well know if you work with a title
5 company.

6 COMMISSIONER ALLAN: So that's just my opinion that if you
7 really want to know whose property this is, then you can go do
8 your legwork and go investigate it.

9 COMMISSIONER ANCHO: I -- I have one more comment on that.
10 The -- and why I would disagree with that is because while
11 working at the sheriff's office, we had to garnish some
12 property. And had I not had a name to cross reference -- we
13 found out before I garn- -- we posted the garnishment, I did my
14 research and went back to double-check because I didn't want to
15 post with making sure this was the right piece of land, and
16 found out three weeks earlier that it had been sold to someone
17 else. And without those names, I would have never caught that.

18 In catching that, we turned back to the attorney and
19 letting them know that they had sold the property before they
20 had the chance to garnish it.

21 So then the only thing I had was a name. I didn't have
22 that -- that parcel. I wouldn't even know how to look that
23 parcel number up other than some more digging.

24 So that is useful that way too. Because people do buy and
25 sell land quickly. And that was a quick turnaround for reasons
26 unknown why they immediately tried selling that property. But
27 it was very useful for us as a county, for me posting that land
28 and then doing the public sale on a piece of land that they had
29 no right to.

30 LESLEY BUNCH: I --

31 COMMISSIONER ANCHO: So that's just my example. And that's
32 why I caught that when I was reading that is why I thought, oh,
33 that -- that might be an issue as well.

34 KYLA BRIGHT: I have a comment as well, then, to go on
35 that.

36 I used to work in the Recorder's Office. I agree with you
37 all wholeheartedly. It will make my job easier, in the future,
38 to add the names too. So just throwing that out there.

39 Yes. If this can't go through right now because of the
40 names and I need to change it, that's perfectly fine. But I do

1 agree that it does make research much easier.
2 COMMISSIONER SPARKS: Kyla, I have a question.
3 KYLA BRIGHT: Okay.
4 COMMISSIONER SPARKS: Is this --
5 KYLA BRIGHT: Yeah.
6 COMMISSIONER SPARKS: -- is this follow -- is this in
7 agreement with our master plan?
8 KYLA BRIGHT: Yes.
9 COMMISSIONER SPARKS: There's no change? Okay.
10 KYLA BRIGHT: Absolutely.
11 COMMISSIONER ALLAN: I make a motion to approve the zone
12 change request from the Lander County Planning department,
13 changing 002-330-0 -- or dash 20 and 002-330-23 from Commercial
14 District, C-1, to General Commer- -- Commercial District, C-2.
15 CHAIRMAN WAITS: I have a -- a question on this, Counselor.
16 If they wanted to add names on this, could we ask them to add
17 names even though it's not on --
18 DISTRICT ATTORNEY HERRERA: I was --
19 CHAIRMAN WAITS: -- the names --
20 DISTRICT ATTORNEY HERRERA: -- just going --
21 CHAIRMAN WAITS: -- are not on --
22 DISTRICT ATTORNEY HERRERA: -- to suggest, --
23 CHAIRMAN WAITS: -- the agenda?
24 DISTRICT ATTORNEY HERRERA: -- Commissioner, that in your
25 motion if you -- if you direct Kyla to add names to it in -- in
26 her copy that she could do that.
27 CHAIRMAN WAITS: We still could. You didn't want to add
28 the names?
29 COMMISSIONER ALLAN: Well, I don't --
30 You know, it's really not on the agenda. And I am -- I've
31 made my motion. I'm happy with it.
32 CHAIRMAN WAITS: Okay.
33 Any second to that?
34 (No comment.)
35 CHAIRMAN WAITS: Okay. The motion dies.
36 I'm looking for another motion.
37 COMMISSIONER ANCHO: I'll make a motion that we approve
38 with the names added by Kyla.
39 CHAIRMAN WAITS: Any second to that motion?
40 COMMISSIONER SPARKS: I'll second the motion.

1 CHAIRMAN WAITS: Thank you.
2 Motion is that we approve it and direct Kyla to add the names
3 on this one.
4 And it's made by Kathy and seconded by Bryan.
5 Any further discussion?
6 (No comment.)
7 CHAIRMAN WAITS: Any public comment?
8 (No comment.)
9 CHAIRMAN WAITS: All those in favor?
10 COMMISSIONER SPARKS: Aye.
11 COMMISSIONER ANCHO: Aye.
12 COMMISSIONER ALLEN: Aye.
13 CHAIRMAN WAITS: Aye.
14 COMMISSIONER CLARK: Aye.
15 CHAIRMAN WAITS: Any opposed?
16 We've got everybody. Okay. Passes unanimously.
17 Thank you.
18

- 19 6) Discussion and possible action regarding approval/disapproval
20 of a zone change request from the Lander County Planning
21 Department changing 003-101-08, 003-155-01, 003-211-04 and
22 003-211-05 from Common Area to Commercial District (C-1) and
23 003-151-41, 003-161-56 through 003-161-65, 003-171-15,
24 003-191-16, 003-221-21, 003-231-04 through 003-231-08,
25 003-231-12 through 003-231-14 from Common Area to
26 Single-Family Residential District (R-1), all located in
27 Kingston, and all other matters properly related thereto.
28

29 CHAIRMAN WAITS: Number 6. Discussion and possible action
30 regarding approval/disapproval of a zone change request from the
31 Lander County Planning Department changing 003-101-08,
32 003-155-01, 003-211-04 and 003-211-05 from Common Area to
33 Commercial District, C-1, and 003-151-41, 003-161-56 through
34 003-161-65, 003-171-15, 003-191-16, 003-221-21, 003-231-04
35 through 003-231-08, 003-231-12 through 003-231-14 from the
36 Common Area to Single-Family Residential District, R-1, all
37 located in Kingston, and all other matters properly related
38 thereto.

39 KYLA BRIGHT: This one was brought to my attention by the
40 assessor.

1 They were doing some assessments. And -- and things and such
2 down in Kingston.

3 Initially what happened, there used to be a management
4 association, Kingston Management Association, and these areas were
5 designated as common area.

6 Once they dissolved it, you know, it was split up into
7 parcels and sold off to -- to private landowners.

8 You cannot own a piece of land as a private landowner and
9 it be common area.

10 So we took all of the parcels that had been overlooked,
11 figured out their surroundings, what it fit into, that -- that's
12 why we have one -- a couple in C-1, a couple in R-1, and went
13 through with the changes there.

14 I noticed almost every resident in Kingston got this. I did
15 get a few calls. After they discussed it with myself and the
16 assessor, they were at ease. There was no -- no -- how do you
17 call it? --

18 COMMISSIONER SPARKS: Complaint.

19 KYLA BRIGHT: -- contemptment, no --

20 COMMISSIONER SPARKS: Yeah.

21 KYLA BRIGHT: -- complaint against it.

22 It also was seen in front of the planning commission at two
23 meetings. This one was seen at two meetings. And it was
24 approved through the planning commission.

25 CHAIRMAN WAITS: So, actually, if you put (indiscernible)
26 on this one, it really would be the management association
27 first. And now we've got the new owners that would be second --

28 KYLA BRIGHT: Well --

29 CHAIRMAN WAITS: -- as we're clearing up the mess; right?

30 KYLA BRIGHT: Well, the -- no. Not necessarily. Because
31 it was changed. These -- these APNs are attached to the private
32 landowners.

33 CHAIRMAN WAITS: Okay.

34 KYLA BRIGHT: They're not attached any longer to --

35 CHAIRMAN WAITS: Oh, okay.

36 KYLA BRIGHT: -- Kingston Management.

37 CHAIRMAN WAITS: Okay.

38 KYLA BRIGHT: Okay?

39 CHAIRMAN WAITS: Good.

40 COMMISSIONER ANCHO: So I'll make a motion to approve the

1 zone changes with adding -- with Kayla adding -- Kyla -- excuse
2 me -- adding the name cha- -- the names attached to the APN
3 numbers.

4 COMMISSIONER SPARKS: I'll second it.

5 CHAIRMAN WAITS: Thank you. It has been moved that that
6 action is all proper with addition of the names for the parcels.
7 And it's been moved by Kathy, seconded by Bryan.

8 Any discussion?

9 Miteshell, you have anybody from Kingston in there that wants
10 to make any comments?

11 MITESHELL LANHAM: No.

12 CHAIRMAN WAITS: Thank you. Any other public comment?

13 (No comment.)

14 CHAIRMAN WAITS: All in favor?

15 COMMISSIONER SPARKS: Aye.

16 COMMISSIONER ANCHO: Aye.

17 COMMISSIONER CLARK: Aye.

18 COMMISSIONER ALLAN: Aye.

19 CHAIRMAN WAITS: Aye.

20 Okay.

21 COMMISSIONER CLARK: Take a break.

22 CHAIRMAN WAITS: Okay. That does pass unanimously. Did I
23 say aye? I'll say it again.

24 It does pass unanimously. Thank you.

25 And we are going to take a ten-minute break.

26 Okay, Austin.

27 MITESHELL LANHAM: Okay.

28

29 (Break taken between 10:01 a.m. and 10:10 a.m.)

30

31 CHAIRMAN WAITS: The board back to order, please.

32

33 (Indiscernible simultaneous conversations.)

34

35 CHAIRMAN WAITS: Okay. We are now back in session on
36 Number 7.

37

38 (Indiscernible simultaneous conversations.)

39

40

1 7) Discussion and possible action for the Lander County
2 Commission to approve/disapprove plans by the Lander Economic
3 Development Authority for a Lander County-owned industrial
4 park located by the Battle Mountain Airport, and if approved,
5 to include regular updates to the commission on
6 infrastructure costs, and all other matters properly related
7 thereto.

8
9 CHAIRMAN WAITS: Discussion and possible action for the
10 Lander County --

11
12 (Indiscernible simultaneous conversations.)

13
14 CHAIRMAN WAITS: -- Commission to approve/disapprove plans
15 by the Lander Economic Development Authority for a Lander
16 County-owned industrial park located by the Battle Mountain
17 Airport, and if approved, to include regular updates to the
18 commission on infrastructure costs, and all other matters
19 properly related thereto.

20 Okay. We have with us a couple of our ladies today.

21 PAULA TOMERA: Paula Tomera, board member on Lander County
22 Economic Development Authority.

23 KYLA BRIGHT: Kyla Bright, planning coordinator and liaison
24 for LEDA.

25 I'm trying to figure this out. There we go.

26 Just a little background. About six months ago? -- maybe a
27 little longer? --

28 PAULA TOMERA: Uh-huh.

29 KYLA BRIGHT: -- one of the commissioners had come to us
30 and asked for LEDA to look into the possibility of an industrial
31 park in Lander County.

32 We decided to do it as a workshop forum. So we put out
33 notices for public workshops to come in and discuss different
34 pieces of land.

35 I think we started with, like, 22 --

36 PAULA TOMERA: Uh-huh.

37 KYLA BRIGHT: -- pieces of land. Brought it down to eight,
38 down to six, down to two, down to three.

39 And now we think that this is probably the best suited
40 through all discussions and from the public, from NNRDA, from

1 LEDA, from planning -- the planning commission.

2 So we wanted to bring it to your attention because we would
3 rather not go forward with any plans and actually the hard work of
4 it unless we know this is really what you guys want to see.

5 I did prepare a small industrial park PowerPoint for LEDA at
6 the beginning of the discussion. The reason I did this for
7 them -- a lot of questions get raised of what is an industrial
8 park and how is it going to change our -- our community?

9 A lot of people don't know what it is. So if you guys are
10 interested, it's in your backup. I'll present it.

11 If not and you'd like us to just go forward, I'm okay with
12 that too.

13 So --

14 CHAIRMAN WAITS: Well, I read through the presentation. I
15 thought it was excellent on not only what they do, but some of
16 the pros of what it would do for the county and -- and the cons
17 of the cliché: If you build it, they will come. And the worry
18 about what if they don't. And many of them don't. And a lot of
19 them, they're sitting empty and at the expense. And -- and we
20 don't have the people lined up to come. And maybe they didn't
21 want that area to begin with.

22 So I thought it was excellent.

23 If the rest of you had a chance to look at it and you're
24 okay, that's fine. If you would like to see it presented,
25 please --

26 COMMISSIONER SPARKS: Okay.

27 CHAIRMAN WAITS: -- say so now.

28 COMMISSIONER SPARKS: Yeah. I'd like to see it presented,
29 mainly for the people in the -- in the audience. Yeah.

30 KYLA BRIGHT: Okay.

31 So importance of an industrial park is that they contribute
32 to the development of the county, state, and country's
33 infrastructure.

34 They promote -- promote moder- -- modernization of the
35 community, create employment opportunities for residents,
36 contribute to the ecological preservation, promote capacity for
37 research and technological development, establish a
38 comprehensive framework for orderly industrial planning and
39 zoning, increase tax-based revenue, and increases the living
40 standards of the communities where they are established.

1 There are industrial parks all over the country, over
2 different countries, that sit empty. And that's because they take
3 a piece of dirt, they put a designation on it, and put a sign in
4 front of it. That's not enough.

5 It takes a lot of skill, effort, and -- to make industrial
6 parks -- parks attractive to companies.

7 It's not necessarily up to the governments or to the
8 developers of who comes to these parks. It's up to the people
9 that want to bring their business to you.

10 The more attractive you make it, the more infrastructure you
11 have laid, the better your chances of bringing these people in.

12 Location is very important. You want it closest to airports,
13 railways, freeways, highways that you can.

14 Lander is very fortunate in these areas. We -- especially
15 Battle Mountain -- we have east-west rail and freeway. We have
16 a southern highway. We have a very nice airport.

17 And so I think that out there where the airport is on
18 eastern and -- or on the interchanges is probably a good place to
19 start looking.

20 Things that are important in the infrastructure is
21 electricity, telephone, internet, water, sewer, and
22 transportation.

23 They should be -- I just said that part. Sorry.

24 Management is also important. The management company of the
25 park must guide and support investors so that their business is
26 planned to run smooth. Quick and sincere response are very
27 important.

28 In some cases government policies may need to be improved to
29 parallel with the management of the industrial park.

30 Marketing. Firms must be reached, informed, and persuaded to
31 come to the community through vigorous marketing efforts locally
32 and abroad. If this is not done, site selectors will know -- will
33 not know the existence of the great business environment.

34 You need to -- things we need to look at is the labor
35 availability, political and social stability, location, and
36 incentives available.

37 Keep in mind the word "incentives." Lander does not, at this
38 time that I know of, have local incentives. I think that's
39 something that if this is approved, we should probably look at.

40 Lander County should take full advantage of the geography and

1 create the infrastructure in these areas.

2 One of the things that is in Lander County's fa- -- favor is
3 that we are a debt-free, one-layer county government.

4 So the implementation of plans. That's just kind of a layout
5 of what -- what it might look like, who would -- who would run
6 each little place to connect the puzzle.

7 LEDA could help with finding funding, NNRDA with incentives
8 and marketing, planning department with zoning issues, possibly
9 management of the park. Also dividing land into the areas that
10 would be suitable for the companies.

11 Partnerships are important with local, regional development
12 entities and also with private landowners as well.

13 The reason I throw that in there, even if it is a Lander
14 County industrial park, we are surrounded by private landowners
15 that are also in industrial areas. If they choose to expand or do
16 things with their land, it would have a lot to do with us.

17 So keeping those private-government relationships is very
18 important.

19 I'll go ahead and read my little personal note that I left to
20 LEDA.

21 Don't get discouraged. It takes massive amounts of
22 planning and implementation to create the infrastructure
23 required for attractive industrial park. Do not be surprised if
24 this takes up to five years or more to get the groundwork done.
25 If we stay diligent and focused, I promise it will be worth it
26 in the end.

27 So that kind of gives you a little -- oh, I'm sorry. Did I
28 not change to that one?

29 There you go.

30 So that's just the little introduction to industrial parks
31 that would hopefully help.

32 COMMISSIONER SPARKS: Have we had interest of people
33 coming -- wanting to come to Lander County that we've lost
34 because we haven't been set up? Or --

35 PAULA TOMERA: So Sheldon might --

36 KYLA BRIGHT: Do you mind?

37 CHAIRMAN WAITS: Didn't even see you --

38 SHELDON MUDD: (Indiscernible.)

39 CHAIRMAN WAITS: -- way back there, Sheldon.

40 SHELDON MUDD: Hello.

1 Sheldon Mudd, for the record, executive director
2 Northeastern Nevada Regional Development Authority.

3 So to answer your question directly, Commissioner, yes.
4 We've actually -- a couple of months ago, we put in -- or we
5 responded to a request for information from the Governor's
6 Office of Economic Development specifically about a company who
7 was interested in airport property. They wanted to be either on
8 or adjacent to an airport.

9 What we're seeing right now is interest throughout the state
10 in the aviation sector because of our growth in aviation
11 incentives here in the state.

12 So there was specific interest there. We responded to that.
13 That -- from what I understand that firm ended up out of the
14 state. So somebody offered something better is what it boiled
15 down to.

16 But we also had one recently, as in the last month, that were
17 looking for the same kind of location so next to an airport.
18 They -- one thing that they were interested in is a very, very
19 long runway, 9- to 10,000 feet long. And essentially we didn't
20 put Lander in for that because I think ours goes about seven.

21 I say "ours." If you're not aware, I'm a Lander County
22 resident as well. So --

23 But -- but there has been interest.

24 And -- and to add a little bit to what -- what Kyla said
25 there is Lander is really one of the only counties that we don't
26 have a -- what I would say a government-owned, partially owned and
27 operated industrial park.

28 So NNRDA covers the region from Humboldt down to White Pine
29 County. White Pine has one. West Wendover has one. City of
30 Wells has one. City of Carlin. Elko. And so does -- so does
31 Winnemucca.

32 And so these are aspects to business recruitment that help
33 us be competitive is really what it boils down to.

34 And so we would love to be able to market Lander as having
35 one of these locations that -- that we could, you know, market to
36 some of these potential companies.

37 Real quick. I had one more point. And it's -- it's escaped
38 me. But hopefully --

39 COMMISSIONER SPARKS: Sheldon --

40 SHELDON MUDD: -- that answered your question.

1 COMMISSIONER SPARKS: Yes. Well, on that note, these other
2 counties that have them, are they successful? Are they full?
3 Or are they just sitting there empty?

4 SHELDON MUDD: They're -- they're trickling in.

5 So --

6 COMMISSIONER SPARKS: They are?

7 SHELDON MUDD: -- there are -- there are a couple of
8 companies that have recently purchased land and are constructing
9 there in Wells.

10 There's been some interest in the Carlin one as well.

11 We did some site visits to the one out in Ely. I'm not sure
12 if they're going to -- they're going to operate there or not.

13 The one in Winnemucca is slowly -- you know --

14 What happens out here in rural Nevada, these things happen
15 slowly. But -- but they are slowly but surely things are
16 happening there.

17 And -- and I would like to say that I've been with NNRDA for
18 a year now. I'd like to say that we've gotten a lot more exposure
19 in 2018. These -- these properties have gotten a lot of more
20 exposure. And people are -- outside of the state are just now
21 realizing that these things even exist. And we want to continue
22 that momentum.

23 So -- so yes. I mean, the answer is slowly but surely these
24 things are happening.

25 So what you said, Commissioner Waits, in regards to the "if
26 you build it, they will come;" right? It's -- that's something
27 we deal with all the time is you want to be ready when these
28 things happen. But you know it -- it's an investment. It's a
29 waiting game.

30 And I will say that I've been disappointed. Kyla will tell
31 you. I'll -- I'll call her and say, well, we've got this thing
32 on the table. I need a couple details. And let's see if we
33 can -- we can, you know, make a match here. And unfortunately a
34 lot of the times we can't, not just here but in other areas as
35 well. But, you know, we certainly try.

36 COMMISSIONER CLARK: I -- I like this idea. And I'll tell
37 you why.

38 The projection is that we will have one million new residents
39 in two years in the Washoe area down to Carson City.

40 We're going to start getting businesses and people coming

1 this way.

2 So I think it's a good idea.

3 COMMISSIONER ALLAN: So my question. And I think, Sheldon,
4 you answer-- did answer it that I -- I kind of got a couple
5 here. But --

6 So these industrial parks are -- are -- I mean, not always,
7 but can be built by the government of the -- the county, city,
8 whatever. So it is an investment for them.

9 What all is involved in that? I mean, as far as I'm looking
10 at -- at the land map that Kayla put in the -- that's all Lander
11 County land?

12 KYLA BRIGHT: Yes. And yes and questionable.

13 Let me grab it here.

14 COMMISSIONER ALLAN: Okay. So then with that, when you
15 build the industrial park, then what all is involved? Is -- is
16 it actually, you know, like a development that we go in and we
17 put in the infrastructure, the sewer, the utilities? And do we
18 build buildings? Or is that up to --

19 KYLA BRIGHT: I -- my personal -- I'm going to let Sheldon
20 talk on this too. But from things I've learned, the more
21 infrastructure that you have there, the better. I'm not saying
22 take it to each individual lot out there, but get it as close as
23 possible that you can.

24 When they come in, they will decide what size building they
25 need, what size lot they need. So don't want to chop this down
26 into smaller lots either. We want to leave a few larger ones.
27 They have the access to power, the access to our water, sewer, you
28 know, those -- those things.

29 So then that also would kind of be where the incentive side
30 comes in. Okay?

31 COMMISSIONER ALLAN: Okay.

32 KYLA BRIGHT: We do not build the buildings or supply the
33 lots directly, you know.

34 DISTRICT ATTORNEY HERRERA: Unless it's a management
35 building for the county.

36 KYLA BRIGHT: Right. Yes. Exactly.

37 COMMISSIONER CLARK: Yeah. Which --

38 SHELDON MUDD: So I'll -- I'll add to that just -- just a
39 few things. Sheldon Mudd, for the record.

40 Really a -- a good phased approach is what -- is what I would

1 take.

2 What Kyla said as far as getting water and sewer at least
3 close by. That way you can kind of utilize that as leverage. If
4 a company's coming in, hopefully they'll -- they will take care of
5 the cost to get it the rest of the way. But it might be something
6 you really want that they're making a good capital investment,
7 some solid jobs. It might be an industry that we would really
8 like to see here. In which case, you say, You know what? We'll
9 take it the rest of the way. The county will -- will take care of
10 that cost.

11 What I'd like is phases kind of like Kyla said. Is you want
12 -- I don't know. I can't remember how -- how much is there.
13 There's about 40 acres or so, if I recall.

14 KYLA BRIGHT: This whole thing?

15 SHELDON MUDD: Yes.

16 KYLA BRIGHT: About a hundred.

17 SHELDON MUDD: Hundred. Okay. So you take, you know, five
18 to ten acres out and maybe get it -- I don't know -- paved with,
19 you know, water and sewer. Essentially you have it where a
20 company all they have to do is build their building.

21 And -- and it might be -- get to a point where you decide,
22 okay, we'll put up a, you know, 7- to \$10,000 or a
23 10,000-square-foot building. I -- I don't recommend that right --
24 right away, but it might come to that.

25 What I'm getting at is you have a property that you have
26 several options as far as what phase the company's in.

27 They might want to come in and say, well, we want to build a
28 20,000-square-foot and we want it look like this. And we want the
29 roads to come in this way and so on and so forth.

30 Well, that's why you have that 40 acres sitting out there
31 really kind of bare so that they would be able to do that.

32 So you 1- -- you -- you approach it kind of in a phased
33 approach so that you can appeal to many types of people coming in.

34 And so -- and then, you know, looking at this, if we could
35 have access to the airport, you know, in many different ways that
36 would really be helpful as well because that's just an added --
37 added bonus.

38 But -- but that would be my suggestion.

39 And, of course, there would be a lot of planning and so forth
40 to go to that. But hopefully that -- that answers your question.

1 COMMISSIONER ANCHO: Kyla, when -- and Paula, we were
2 talking earlier in the week. If you want to explain to the
3 board about the property.

4 KYLA BRIGHT: Yes.

5 COMMISSIONER ANCHO: Okay.

6 KYLA BRIGHT: Paula knows a little bit more, but I'll get
7 her started.

8 The front four, if you look -- I'm sorry for those in the
9 audience that don't have the map. That wasn't included in that.
10 The front four properties that -- those are already divided out.
11 And they are owned by the Lander County Airport Authority.

12 We've done some research to try and find out who that is and
13 if and how we can get that back into Lander's County -- at Lander
14 County name. That's part of the -- the planning process that
15 we're going through right now. But --

16 PAULA TOMERA: Yeah. So in 1983 the legislature passed the
17 airport -- airport authority for Battle Mountain, specifically
18 taking Austin out of it.

19 It -- it was originally formed as a Lander County Airport
20 Authority. And they put it down to just Battle Mountain.

21 And I think it proceeded for a number of years.

22 But in July -- on July 14th of 1992, there was a -- it
23 was voted -- it was disapproved by the Lander County voters.
24 And so that's where our paper trail right at this moment leaves
25 off. It doesn't say specifically in -- what happens to the
26 authority now that it was voted down.

27 But if you look at the sale of the property or transfer of
28 the proper- -- of those items, it doesn't say if the airport
29 authority were to be dissolved what exactly happens to it. So
30 we're still looking.

31 It is in -- in the airport authority's name. And it might
32 just be we have to clear up some things like Kyla had done on the
33 previous two agenda items.

34 So --

35 COMMISSIONER ANCHO: It was originally --

36 DISTRICT ATTORNEY HERRERA: Probably --

37 COMMISSIONER ANCHO: -- Lander County's.

38 DISTRICT ATTORNEY HERRERA: -- have to be done by quiet
39 title action.

40 PAULA TOMERA: Right.

1 COMMISSIONER ANCHO: Yeah.
2 PAULA TOMERA: Right.
3 COMMISSIONER ANCHO: Because it was originally --
4 DISTRICT ATTORNEY HERRERA: Not -- not like we --
5 COMMISSIONER ANCHO: -- Lander County's --
6 DISTRICT ATTORNEY HERRERA: -- just did.
7 PAULA TOMERA: N- --
8 COMMISSIONER ANCHO: -- property.
9 Correct. It was --
10 DISTRICT ATTORNEY HERRERA: Right.
11 COMMISSIONER ANCHO: -- originally Lander Cou- -- and then
12 they sold it for, like, \$10 --
13 PAULA TOMERA: Uh-huh.
14 DISTRICT ATTORNEY HERRERA: Right.
15 COMMISSIONER ANCHO: -- a parcel or whatever. And so then
16 when they dissolved, it was, like he said, it was --
17 DISTRICT ATTORNEY HERRERA: Yeah. So --
18 PAULA TOMERA: But --
19 DISTRICT ATTORNEY HERRERA: -- there's a cloud on the
20 property.
21 COMMISSIONER ANCHO: Uh-huh.
22 DISTRICT ATTORNEY HERRERA: We -- we just --
23 KYLA BRIGHT: Right.
24 DISTRICT ATTORNEY HERRERA: -- have to --
25 KYLA BRIGHT: Yeah. Clear it up.
26 DISTRICT ATTORNEY HERRERA: -- clear it --
27 KYLA BRIGHT: And that --
28 DISTRICT ATTORNEY HERRERA: -- up.
29 KYLA BRIGHT: -- that was part of -- of the bill that it
30 was said that all of the land that had to do with the airport
31 was to be transferred from Lander County's name into the Lander
32 County Airport Authority's name. And that's exactly what
33 happened.
34 Lo- -- there -- and there's lots of it, believe me.
35 CHAIRMAN WAITS: Oh, what? There's a lot --
36 KYLA BRIGHT: So not --
37 CHAIRMAN WAITS: -- of --
38 KYLA BRIGHT: -- just these four. There's lots of it.
39 CHAIRMAN WAITS: There's lots of research you have to do.
40 KYLA BRIGHT: Yeah.

1 CHAIRMAN WAITS: So the way -- the way it's put on the
2 agenda is for the pleasure of the board, whether they would like
3 to continue looking at more information and continuing with the
4 plans on this. It isn't anything we're going to build today,
5 but it's something they would look into what the additional
6 costs would be and such. So it's a matter of what's your
7 pleasure and whether it's something that you see is our vision
8 in our future?

9 COMMISSIONER ALLAN: Well, and I understand that.
10 I guess one of my other questions would be: Do you have an
11 idea what the potential costs could be?

12 KYLA BRIGHT: Yes.

13 CHAIRMAN WAITS: That's what they're going to bring back to
14 us, though.

15 COMMISSIONER ALLAN: Well, I think before I make a
16 decision, I'd like to have an idea of what --

17 KYLA BRIGHT: So -- so I can --

18 COMMISSIONER ALLAN: -- the costs --

19 KYLA BRIGHT: -- an- --

20 COMMISSIONER ALLAN: -- would be.

21 KYLA BRIGHT: That's okay. I can answer that. Not a
22 problem.

23 So I -- I have gone ahead and looked at it with our -- Marty
24 Ugalde. And he sent me back the information. You guys have that
25 in your packets.

26 That's not the -- the full costs. And, of course, like
27 Sheldon said, it would be taken at a phased approach. So you're
28 not looking at that as I'm going to come to you and ask for that
29 amount of money right off -- right off the top.

30 I think it would be wise, if this is what you decide to do,
31 if we do a phased approach to it too --

32 COMMISSIONER SPARKS: So in your --

33 KYLA BRIGHT: -- consider putting it into a budget.

34 COMMISSIONER SPARKS: In your documentation, I see a figure
35 of a -- \$10 million.

36 Does that take into account a sewer treatment plant?

37 KYLA BRIGHT: Yes.

38 COMMISSIONER SPARKS: It does?

39 KYLA BRIGHT: So everything in there, that is at complete
40 build-out.

1 COMMISSIONER SPARKS: Hm.
2 KYLA BRIGHT: So he gave us -- what was it? -- 6.8. But
3 that was without telephone --
4 COMMISSIONER SPARKS: Right.
5 KYLA BRIGHT: -- or what was the -- or --
6 PAULA TOMERA: Gas.
7 KYLA BRIGHT: -- gas.
8 COMMISSIONER ANCHO: Uh-huh.
9 KYLA BRIGHT: So gas, last time I heard, was pretty
10 expensive. So you might be looking at total build-out of about
11 \$10 million.
12 COMMISSIONER SPARKS: Hm.
13 COMMISSIONER ANCHO: For the phased approach, I think.
14 KYLA BRIGHT: But, of course, --
15 COMMISSIONER ANCHO: Is --
16 KYLA BRIGHT: -- taking it at a phased --
17 COMMISSIONER ANCHO: But I --
18 KYLA BRIGHT: -- approach.
19 COMMISSIONER ANCHO: -- what I would like to see is a
20 phased -- like a -- this phase, this phase, this phase to look
21 at --
22 KYLA BRIGHT: Right. And that's part --
23 COMMISSIONER ANCHO: -- so we know, --
24 KYLA BRIGHT: -- of the planning.
25 COMMISSIONER ANCHO: -- you know, one by one --
26 KYLA BRIGHT: Uh-huh.
27 COMMISSIONER ANCHO: -- of where we're at --
28 KYLA BRIGHT: Absolutely.
29 COMMISSIONER ANCHO: -- instead of it being a big, broad
30 view.
31 KYLA BRIGHT: Somewhat --
32 COMMISSIONER ANCHO: Does that --
33 KYLA BRIGHT: -- of a master --
34 COMMISSIONER ANCHO: -- make sense?
35 KYLA BRIGHT: -- plan in a way.
36 COMMISSIONER ANCHO: Yeah.
37 KYLA BRIGHT: Uh-huh.
38 COMMISSIONER ANCHO: Yes. So to speak. Yes.
39 COMMISSIONER SPARKS: Well, I agree with Art. I think it's
40 a great idea.

1 COMMISSIONER CLARK: Yeah. I'll -- I'll make a motion to
2 approve plans for the -- for LEDA to get started on a
3 county-owned industrial park.
4 But I want to make sure that these updates come regularly and
5 you got your dollar signs all in a line. Because I -- I really
6 believe that we're going to get an influx coming this way.
7 Our property's a lot cheaper than Reno. Reno's property's a
8 lot cheaper than California. So it just makes sense.
9 COMMISSIONER ANCHO: And like I mentioned before that in
10 Paradise, California, they're not allowing them to rebuild in
11 that area, any area like that.
12 So we already have a few families from Paradise that are
13 buying homes here because this is where the insurance company
14 will -- little do they know that we have fires also. But they're
15 having them move this way.
16 So I -- I believe Art's correct when we're saying, when
17 they're not all, one, going to live in Reno or, you know --
18 So I think we're -- they're going to spread out along the
19 way. So I'd have to agree with that.
20 KYLA BRIGHT: Okay.
21 COMMISSIONER SPARKS: So did you make a motion, Art?
22 CHAIRMAN WAITS: He --
23 COMMISSIONER CLARK: Yeah.
24 CHAIRMAN WAITS: And Art --
25 COMMISSIONER SPARKS: I'll --
26 COMMISSIONER CLARK: I need a second.
27 COMMISSIONER SPARKS: -- I'll second that --
28 COMMISSIONER ANCHO: Okay.
29 COMMISSIONER SPARKS: -- motion.
30 CHAIRMAN WAITS: Okay. Art did make a motion that we
31 continue with plans. And, of course, this will be on the agenda
32 many, many times as we -- as we --
33 COMMISSIONER CLARK: Yeah.
34 CHAIRMAN WAITS: -- go forward.
35 It's not an approval for, yes, let's do the park. But -- but
36 let's continue with -- with planning and looking at that.
37 So the motion was made by Art. Seconded by Bryan.
38 Any other discussion from the board?
39 (No comment.)
40 CHAIRMAN WAITS: Any other public comment?

1 (No comment.)
2 CHAIRMAN WAITS: All those in favor?
3 COMMISSIONER SPARKS: Aye.
4 COMMISSIONER ANCHO: Aye.
5 COMMISSIONER CLARK: Aye.
6 COMMISSIONER ALLEN: Aye.
7 CHAIRMAN WAITS: Aye.
8 Any opposed?
9 Thank you.
10 And that passes unanimously.
11 And on we go to --
12 COMMISSIONER SPARKS: Thanks, guys.
13 CHAIRMAN WAITS: -- the future.
14 COMMISSIONER ANCHO: Thank --
15 KYLA BRIGHT: Thank you.
16 COMMISSIONER ANCHO: -- you very much.
17 COMMISSIONER CLARK: Good job, Kyla.
18 KYLA BRIGHT: Thank you.

19
20

21 **AIRPORT**

22

23 8) **Discussion and possible action to approve/disapprove FY**
24 **'19/'20 FAA grant application for the Austin Airport design**
25 **of hangar, taxi lane and road rehabilitation, and authorize**
26 **the county manager to sign, and all other matters properly**
27 **related thereto.**

28

29 CHAIRMAN WAITS: And with that, we move right directly into
30 the airport.

31 Discussion and possible action to approve/disapprove fiscal
32 year '19, slash, '20 FAA grant application for the Austin Airport
33 design of hangar, taxi lane and road rehabilitation, and authorize
34 the county manager to sign, and all other matters properly related
35 thereto.

36 KEITH WESTENGARD: J-U-B needed to be called in for this.

37 CHAIRMAN WAITS: Okay.

38 KEITH WESTENGARD: I'm not sure how to do it either.

39 COMMISSIONER SPARKS: How do I do it? Because I have
40 somebody on the phone right now. So how do I add another?

1 CHAIRMAN WAITS: You know, I've never done that phone for a
2 second one either.

3 KEITH WESTENGARD: Let me see if I can just --

4 CHAIRMAN WAITS: It's probably too late to call Sean.

5 KEITH WESTENGARD: Let me see --

6 CHAIRMAN WAITS: He --

7 KEITH WESTENGARD: -- if I can call him and --

8 CHAIRMAN WAITS: He always did it.

9 KEITH WESTENGARD: -- my speaker will be high enough.

10 COMMISSIONER CLARK: You know, one of the neat things about
11 these airports is that the federal government pays for most of
12 them.

13 COUNTY CLERK SULLIVAN: Is there a hold and then dial and
14 --

15 KEITH WESTENGARD: Tom Lemenager, please.
16 Lander County.

17 COUNTY CLERK SULLIVAN: We'll try to get him on here and
18 then (indiscernible).

19 See if we can put them on hold and then you dial and then
20 somehow you connect it as a conference.

21 COMMISSIONER SPARKS: Conference?

22 COUNTY CLERK SULLIVAN: But I'm not --

23 KEITH WESTENGARD: Hello, Tom.

24 TOM LEMENAGER: Yes?

25 KEITH WESTENGARD: Okay. I've got you on speakerphone. I
26 don't know how good everybody can hear, but we're on that agenda
27 item for the Austin --

28 TOM LEMENAGER: Okay.

29 KEITH WESTENGARD: Now we can hear it.

30 CHAIRMAN WAITS: Hi, Tom. We just read the agenda item
31 into the record. So if you have any comment at all on that for
32 the Austin?

33 TOM LEMENAGER: No real comments.

34 This is the application for the design only, which is the
35 engineering and admin for the upcoming FY '19 project in Austin,
36 which includes a taxi lane to, you know, eventually build
37 hangars next to. But that taxi lane construction and then to
38 overlay the access road going into the airport.

39 And the only thing that would maybe -- would be an alteration
40 ever on this application is we're -- we're kind of fighting for a

1 road all the way to the highway from the boundary. But this
2 describes the road from the boundary of the airport into the
3 airport. And the figures -- the figures aren't going to change.
4 The only thing would -- that would change on the application,
5 perhaps after the fact, would be the scope on one of the pages, a
6 very minor change to it.

7 So I -- I would recommend if -- if this is a project you're
8 interested in, to go ahead and sign it. And then if we get that
9 added portion of the road into the scope of the work, then we'll
10 add it in and -- and go from there.

11 CHAIRMAN WAITS: Okay.

12 Thank you.

13 TOM LEMENAGER: Okay.

14 CHAIRMAN WAITS: Do we have anything anybody from the
15 airport board in Austin that wants to comment?

16 FRANK WHITMAN: Frank Whitman here for Austin, on the
17 Austin Airport Board.

18 We certainly stand in favor of getting that road paved
19 finally and getting the taxi lane done. I think it's a great
20 idea, a great project. Thank you.

21 CHAIRMAN WAITS: Thank you.

22 Okay. The pleasure of the board?

23 COMMISSIONER ANCHO: I'll make a motion to approve the FY
24 '19/'20 FAA grant application for the Austin Airport design and
25 hangar taxi and road rehabilitation.

26 COMMISSIONER ALLAN: And authorize the county manager to
27 sign.

28 COMMISSIONER ANCHO: And authorize the county manager to
29 sign.

30 CHAIRMAN WAITS: Did you -- was that a second, Judie?

31 COMMISSIONER ALLAN: No.

32 CHAIRMAN WAITS: Okay.

33 COMMISSIONER ALLAN: I --

34 COMMISSIONER ANCHO: She just --

35 COMMISSIONER ALLAN: -- will second it.

36 CHAIRMAN WAITS: Okay.

37 COMMISSIONER ANCHO: She was just helping me.

38 CHAIRMAN WAITS: Okay. We have a motion on the floor.

39 COMMISSIONER SPARKS: I'll second.

40 COMMISSIONER ALLAN: I seconded it already.

1 COMMISSIONER SPARKS: You did? Okay.
2 CHAIRMAN WAITS: Oh. That -- no, that's what I was asking.
3 I didn't hear you. I heard your comment, but I didn't know if
4 seconded.
5 Okay. It was moved by Kathy that we approve that. The
6 second was by Judie.
7 Thank you.
8 And any other discussion?
9 (No comment.)
10 CHAIRMAN WAITS: Any other public comment?
11 (No comment.)
12 CHAIRMAN WAITS: All in favor?
13 COMMISSIONER SPARKS: Aye.
14 COMMISSIONER ALLEN: Aye.
15 COMMISSIONER ANCHO: Aye.
16 COMMISSIONER CLARK: Aye.
17 CHAIRMAN WAITS: Aye.
18 Thank you so --
19 COMMISSIONER CLARK: Aye.
20 CHAIRMAN WAITS: -- much.
21 Thank you, Tom.
22 KEITH WESTENGARD: Okay. (Indiscernible conversation with
23 Tom Lemenager.) Talk to you later. Thanks. Bye.
24 He -- he appreciates it and thanked the board for their
25 support on the application.
26 CHAIRMAN WAITS: Thank you.

27
28
29 **BOARD APPOINTMENTS**

- 30
31 9) **Discussion and possible action to appoint one individual to**
32 **serve on the Lander County Economic Development Authority**
33 **with the term expiring June 30, 2020, and to consider the**
34 **following: a) Monica Sill; and all other matters properly**
35 **related thereto.**
36

37 CHAIRMAN WAITS: Number 9, Board Appointments.
38 Discussion and possible action to appoint one individual to
39 serve on the Lander County Economic Development Authority with
40 the term expiring June 30th, 2020, and to consider the

1 following: Monica Sill; and all other matters properly related
2 thereto.
3 And there is a letter from Monica with her background and her
4 interest in serving on that board.
5 COMMISSIONER SPARKS: I'd like to make a motion we accept
6 Monica Sill for the vacancy --
7 COMMISSIONER ANCHO: I'll --
8 COMMISSIONER SPARKS: -- for the --
9 COMMISSIONER ANCHO: -- second.
10 COMMISSIONER CLARK: Second.
11 CHAIRMAN WAITS: Thank you. It's been moved by Bryan,
12 seconded by Kathy that we approve Monica Sill.
13 And we appreciate her stepping up.
14 Any public comment?
15 (No comment.)
16 CHAIRMAN WAITS: All those in favor?
17 COMMISSIONER ANCHO: Aye.
18 COMMISSIONER CLARK: Aye.
19 COMMISSIONER ALLEN: Aye.
20 COMMISSIONER SPARKS: Aye.
21 CHAIRMAN WAITS: Aye.
22 COMMISSIONER CLARK: Thank you.
23 MONICA SILL: Monica Sill, for the record.
24 I would just like to thank you for that appointment. I'm
25 looking forward, as a Lander County resident, to working with
26 the board on the industrial park, the approved infrastructure,
27 all of the things that we have going on now.
28 So thank you.
29 CHAIRMAN WAITS: Thank you for --
30 COMMISSIONER ANCHO: Thank you.
31 CHAIRMAN WAITS: -- all you do, Monica.
32 MONICA SILL: Uh-huh.
33 CHAIRMAN WAITS: Thank you.
34 And in case I didn't vote, that was an aye. I -- I listen
35 to everybody else and I sometimes forget. Thank you. And
36 that's unanimous.
37
38
39
40

1 PUBLIC WORKS

2
3 10) Discussion and possible action to approve/disapprove a change
4 order request for H E Hunewill Construction for the White
5 Knife project already approved in an amount not to exceed
6 \$283,050 for a sewer wet well on Round Mountain Drive, Battle
7 Mountain, and all other matters properly related thereto.
8

9 CHAIRMAN WAITS: Okay. Number 10.

10 Public works. Discussion and possible action to approve or
11 disapprove a change order request for H E Hunewill Con- --
12 Construction for the White Knife project already approved in an
13 amount not to exceed \$283,050 for a sewer wet well on Round
14 Mountain Drive, Battle Mountain, and all other matters properly
15 related thereto.

16 Hello, Bert.

17 BERT RAMOS: Hello. Okay. Bert Ramos, for the record.

18 A few things I'd like to address before we -- before I get
19 started on it is -- because I know when the term "change order"
20 comes up that it perks everybody's ears in the public. And it's
21 kind of shunned upon.

22 But I'd like to point out a couple things. One is that on
23 our Silver State lift station project, we just did add six change
24 orders that was a total of \$8,068 in credits to the county. So
25 you guys don't ever get to see the credit side of this. I'm going
26 to go through a more few more credits so the community and
27 everybody sees that when we bring a change order before you guys,
28 it's for -- for the better of Lander County. We don't do it --

29 CHAIRMAN WAITS: To cost us more money.

30 BERT RAMOS: Yes. Some of these -- some of these change
31 orders are good. The ones that come before you guys are
32 additional cost to a project. But typically for the savings of
33 the project in the whole, we're looking forward to the next
34 project coming for the county.

35 And then we did bonus Echo Bay and Well 4. We also had six
36 change orders there for a credit of \$83,000 to the county.

37 We had two change orders for Well 3. That was a credit for
38 \$70,000 to the county.

39 And a change order for our Allen Road water line project,
40 which was the previous one, why we are calling this the White

1 Knife project. It actually goes down Allen Road, but we didn't
2 want to mix up Finance on what projects bills were coming in
3 for. So we had to change the name on that.

4 For clarification for public, this isn't for the White
5 Knife, the -- this is a county project. But we use that as --
6 as a label to make sure we don't get the billing mixed up. But
7 we had a \$52,474 change order for the credit of Lander County
8 there.

9 So I pride myself in making sure that we get change orders
10 back to the credit of the county with all of our projects.

11 So when I come before you with a change order that is
12 outgoing, it's -- it's to look out for future projects and save us
13 money.

14 And this one specifically, there's a hundred thousand dollars
15 in mobe. It's, like, 112,000, I think, exact number in mobe alone
16 to get the dewatering well back -- drillers back out here. That's
17 not to include anything else.

18 So if we can do this now, we have -- that's just to mobe them
19 out there. That's not to mobe whoever the contractor is. That's
20 not to pay our engineer to put this out to bid. That's so this --
21 this could be a substantial savings to the county.

22 CHAIRMAN WAITS: Just a clarification for me because I'm
23 not familiar with -- with the -- the actual name is sewer wet
24 well? It's like a lift station?

25 BERT RAMOS: Correct.

26 CHAIRMAN WAITS: Okay.

27 BERT RAMOS: Correct. And so is why we just called it a --
28 a wet well instead of a lift station is because it doesn't have
29 any of the guts in it. So we aren't putting the pumps in it.
30 We aren't putting the -- the piping that lifts it to --

31 CHAIRMAN WAITS: Okay.

32 BERT RAMOS: -- to our forced main. So right now it's just
33 a wet well. It's just a well that's going to collect
34 everything.

35 CHAIRMAN WAITS: Thank you.

36 COMMISSIONER ANCHO: So my concerns were not that you
37 weren't doing it in the best interest of the county because I
38 think you're doing a good job. My concerns -- I had brought up
39 a concern that with that amount of money that I was wondering if
40 we had -- if that project had to go back out for bid.

1 And I just wanted to see somewhere on paper where it said we
2 didn't have to. So that was one of my questions to him was to
3 show me. And not picking -- to pick you apart. I just wanted to
4 be shown --

5 CHAIRMAN WAITS: The definition of a change order --
6 COMMISSIONER ANCHO: Exactly.
7 CHAIRMAN WAITS: -- and whether we could do --
8 COMMISSIONER ANCHO: Versus the --
9 CHAIRMAN WAITS: -- that.
10 COMMISSIONER ANCHO: Exactly. A change order versus -- and
11 then how -- how high are we allowed to go on change orders
12 before it's above and beyond? Is there a certain amount that
13 we're supposed to stop at at change orders?
14 That's all I was asking for --
15 DISTRICT ATTORNEY HERRERA: I -- I can address --
16 COMMISSIONER ANCHO: -- was --
17 DISTRICT ATTORNEY HERRERA: -- that.
18 COMMISSIONER ANCHO: Okay. So, yeah, so that's one of my
19 main questions was as far as change order, where is it going to
20 having to go back out for bid?
21 DISTRICT ATTORNEY HERRERA: No, it --
22 COMMISSIONER ANCHO: Was --
23 DISTRICT ATTORNEY HERRERA: -- doesn't.
24 COMMISSIONER ANCHO: -- that --
25 DISTRICT ATTORNEY HERRERA: A change --
26 COMMISSIONER ANCHO: Okay. Very good.
27 DISTRICT ATTORNEY HERRERA: -- order is a bilateral
28 amendment to a construction contract.
29 The word "change order," they just created that. It's an
30 amendment to a contract. And it's bilateral. It has to be done
31 on both parties.
32 So it's ame- -- they are amending the contract.
33 If they put a percentage limit on it, it -- it wouldn't be a
34 valid amendment.
35 COMMISSIONER ANCHO: Okay.
36 DISTRICT ATTORNEY HERRERA: It wouldn't work.
37 So it -- it's -- you're just amending your original contract.
38 And it's common.
39 And -- and both parties have to agree and -- and sign.
40 Now there are -- are some cases where an oral change order

1 is -- they've sued.

2 But -- but, in general, you're creating a contract. You're
3 amending the original contract. And you're adding -- you're
4 adding terms.

5 So there's no -- there's absolutely no percentage.

6 Now, if the legislative body wants to create a percentage,
7 they can do that. But it usually works against them if they try
8 to do that because sooner or later they'll come up with a contract
9 where they want to change it that's higher than --

10 COMMISSIONER ANCHO: It'll be counterproductive --

11 DISTRICT ATTORNEY HERRERA: -- that, --

12 COMMISSIONER ANCHO: -- to do --

13 DISTRICT ATTORNEY HERRERA: -- that's --

14 COMMISSIONER ANCHO: -- that.

15 DISTRICT ATTORNEY HERRERA: Yes.

16 COMMISSIONER ANCHO: And I -- I respect that.

17 Okay. Yeah. I just wanted to know --

18 DISTRICT ATTORNEY HERRERA: No, that's --

19 COMMISSIONER ANCHO: -- you know, --

20 DISTRICT ATTORNEY HERRERA: It's fine.

21 COMMISSIONER ANCHO: -- to cover all bases to make sure
22 that --

23 DISTRICT ATTORNEY HERRERA: It's just an amendment --

24 COMMISSIONER ANCHO: Okay.

25 DISTRICT ATTORNEY HERRERA: -- to the contract. So it's
26 allowed.

27 COMMISSIONER ANCHO: All right. Very good. Thank you.

28 BERT RAMOS: So to clarify even further on that, the -- the
29 scope of work isn't changing. That's why it doesn't have to be
30 rebid because it's not the -- the scope of work or what they're
31 doing is not changing.

32 It's just an ex- -- extended unit price.

33 So we're asking for more work to be done. For example, if
34 you pave a road, you pave 20 feet and you get this great price
35 and you had a budget of \$10,000 and it only came in at five,
36 they don't put a percentage. If you wanted to change order a
37 hundred percent or 200 percent of that job, you can in your
38 benefit, as long as they maintain their unit price --

39 COMMISSIONER ANCHO: Okay.

40 BERT RAMOS: -- and not -- the scope of work doesn't

1 change.

2 COMMISSIONER ANCHO: Okay.

3 COMMISSIONER ALLAN: Why wasn't this originally put in the
4 original bid contract?

5 BERT RAMOS: I missed it, to be frank. It was -- I didn't
6 think that we had the money in the -- in the contract to get
7 everything done to start.

8 And we knew that the lift station was going to have to come
9 at some point.

10 I did not see the dewatering being such a expensive process
11 to have a driller come out here and drill all the dewatering
12 wells. And I figured that that needs to be part of this upcoming
13 project, one that I'm budgeting for in the -- in the future. And
14 then when the well driller came out and the contractor brought it
15 to our attention, I said I think it's the right thing to do.

16 So --

17 CHAIRMAN WAITS: Good catch.

18 COMMISSIONER ANCHO: Yes.

19 COMMISSIONER CLARK: Good job, Bert.

20 COMMISSIONER ANCHO: Uh-huh.

21 COMMISSIONER SPARKS: I'd like to make a motion that we
22 approve the change order in the amount of \$283,050 for the sewer
23 wet well on Round Mountain Drive, Battle Mountain.

24 COMMISSIONER CLARK: Second.

25 COMMISSIONER ANCHO: Second.

26 CHAIRMAN WAITS: May I make a suggestion you put the
27 "amount not to exceed."

28 COMMISSIONER SPARKS: Noted.

29 CHAIRMAN WAITS: Thank you. And seconded by Art? Okay?
30 With that amendment, Art?

31 COMMISSIONER CLARK: Yes.

32 CHAIRMAN WAITS: Thank you. Okay. The motion's been made
33 by Bryan, seconded by Art.

34 Any other discussion?

35 (No comment.)

36 CHAIRMAN WAITS: Any public comment?

37 (No comment.)

38 CHAIRMAN WAITS: All those in favor?

39 COMMISSIONER SPARKS: Aye.

40 COMMISSIONER ANCHO: Aye.

1 COMMISSIONER ALLEN: Aye.
2 COMMISSIONER CLARK: Aye.
3 CHAIRMAN WAITS: Aye.
4 BERT RAMOS: Thank you very much.
5 CHAIRMAN WAITS: Thank you.
6 COMMISSIONER CLARK: Good job, Bert.
7 CHAIRMAN WAITS: And that passes.

8
9

10 **COMMISSIONERS**

11

12 11) **Discussion and possible action to approve/disapprove the**
13 **renewal of the contract between the Board of Trustees of Elko**
14 **County Library and the Lander County Board of Commissioners,**
15 **and all other matters properly related thereto.**

16

17 CHAIRMAN WAITS: Under Commissioners, discussion and
18 possible action to approve/disapprove the renewal of a contract
19 between the Board of Trustees of Elko County Library and the
20 Lander County Board of Commissioners, and all other matters
21 properly related thereto.

22 And the contract is in part of your information.

23 I don't see any changes other than the dates. Was there
24 anything else made?

25 DISTRICT ATTORNEY HERRERA: Commissioners, the -- we see
26 this every year. And it's always a slight deviation from the
27 amount. This year it's \$3,000 more. Three years ago it was
28 \$6,000 less or something.

29 So it -- it fluctuates each year slightly by who's working
30 for them and -- and stuff like that.

31 But it's the same contract. We're getting the same service.
32 And it -- it's \$3,000 more than it was last year.

33 CHAIRMAN WAITS: So noted. Thank you.

34 COMMISSIONER ALLAN: I'll make a motion to approve the
35 renewal of the contract between the Board of Trustees of the
36 Elko County Library and the Lander County Board of Commissioners
37 and authorize the chairwoman to sign.

38 COMMISSIONER ANCHO: I'll second that.

39 CHAIRMAN WAITS: Thank you. Motion was made by Judie and
40 seconded by Kathy.

1 Any other discussion?
2 (No comment.)
3 CHAIRMAN WAITS: Any public comment?
4 (No comment.)
5 CHAIRMAN WAITS: All those in favor of the library
6 contract?
7 COMMISSIONER CLARK: Aye.
8 COMMISSIONER SPARKS: Aye.
9 COMMISSIONER ANCHO: Aye.
10 COMMISSIONER ALLEN: Aye.
11 CHAIRMAN WAITS: Aye.
12 Thank you.
13 Any opposed?
14 Okay. Passes unanimously.
15
16

17 **FINANCE**
18

19 12) **Discussion and possible action to approve/disapprove the**
20 **Kingston Town Water Utility grant funds of \$145,000,**
21 **previously approved for a test well, to be reallocated for**
22 **two immediate projects for antiquated spur line lateral**
23 **replacement, and all other matters properly related thereto.**
24

25 CHAIRMAN WAITS: Finance, Number 12.

26 Discussion and possible action to approve or disapprove the
27 Kingston Water -- Kingston Town Water Utility grant funds of
28 \$145,000, previously approved for a test well, to be reallocated
29 for two immediate projects for antiquated spur line lateral
30 replacement, and all other matters properly related thereto.

31 Miteshell, anybody down there from Kingston?

32 MITESHELL LANHAM: No, she's waiting for your phone call.

33 CHAIRMAN WAITS: She didn't give me any phone number to
34 call her.

35 MITESHELL LANHAM: Oh. That's what she emailed me that
36 she's waiting for you guys.

37 CHAIRMAN WAITS: Yeah. I emailed back and forth a couple
38 time and asked her and she said --

39 FRANK WHITMAN: Then I get sucked.

40 MITESHELL LANHAM: Okay.

1 CHAIRMAN WAITS: I know. So we to have Cindy here.
2 And -- you want to look up -- just look up the main number.
3 And, Keith, can you bring your phone over. And we'll --
4 we'll just call Shannon.
5 KEITH WESTENGARD: I'm calling her.
6 CHAIRMAN WAITS: Shannon from the water department in
7 Kingston. Do you have the number?
8 Oh, --
9 SHANNON THISS: Hey, (indiscernible).
10 CHAIRMAN WAITS: -- he's already.
11 SHANNON THISS: This is Shannon.
12 KEITH WESTENGARD: Hey Shannon. You are here with the
13 commissioners on your agenda item. I have you on speakerphone.
14 SHANNON THISS: Okay.
15 CHAIRMAN WAITS: Hi, --
16 KEITH WESTENGARD: Go ahead --
17 CHAIRMAN WAITS: -- Shannon. Yeah.
18 KEITH WESTENGARD: -- and identify yourself, please.
19 SHANNON THISS: This is Shannon Thiss, water operator and
20 deputy clerk, Town of Kingston -- Town of Kingston Water
21 Utility.
22 CHAIRMAN WAITS: Thank you, Shannon. We have read it into
23 the record. And Cindy is here too. So we'll let Cindy speak
24 first in the Finance.
25 Go ahead.
26 CINDY BENSON: Okay. So last year -- or actually this
27 fiscal year, we did approve for 145,000 for the approv- --
28 approval of a test well.
29 SHANNON THISS: I'm sorry. I -- our connection isn't very
30 good. I -- was there a question for me? I'm sorry.
31 CHAIRMAN WAITS: No. She's just reading --
32 CINDY BENSON: No.
33 CHAIRMAN WAITS: -- it in with the background that we did
34 approve the original grant. That's all.
35 SHANNON THISS: Okay.
36 CINDY BENSON: We moved -- and we moved it from grants to
37 one of our projects. So it's not actually a grant.
38 CHAIRMAN WAITS: It's a project now.
39 CINDY BENSON: It's a project.
40 CHAIRMAN WAITS: So we need to reallocate from one project

1 to the other.

2 CINDY BENSON: Yes.

3 CHAIRMAN WAITS: Okay. And go ahead, Shannon, tell us the
4 problems you've run into.

5 SHANNON THISS: Well, we had -- we have two spurs. They're
6 laterals. They're about 500. I -- I think I sent the project
7 cost up there to Cindy.

8 They're two separate ones. One's 500. One's 540 feet. We'd
9 like to put hydrants on the end of them. And there are service
10 connections that need to be done.

11 And the reason why we need to do them is one blew out. We
12 had a big leak around -- right after Christmas.

13 And then one of them is probably going to fail here shortly.

14 They are very thin 4-inch irrigation line that was put in
15 probably 40 years ago. And it's just really bad pipe.

16 And by putting the hydrants also on the end of these in
17 these projects will actually help with fire prevention and use.

18 And so instead of the -- since these laterals came up and
19 they need to be fixed and replaced, we have put the test well
20 project on hold. We might have to wait another couple of years on
21 that because we also have another problem with some -- some loops
22 and things.

23 But -- so I'm asking that instead of using that money for
24 the test well, we can move it into these two installation
25 replacements: Plumas Lane and Silver Knolls Court.

26 CHAIRMAN WAITS: Okay. I did notice that you said you were
27 paying for some of, I think, the engineering cost.

28 So of this 145,000, what is the amount that you would like
29 us to consider to pay for these two projects?

30 SHANNON THISS: Let me get my paperwork out.

31 The total construction cost with engineering also for both
32 projects is \$119,359 for project total for everything.

33 CHAIRMAN WAITS: Okay. So about \$120,000 is what you're
34 looking for. Okay.

35 SHANNON THISS: Yes. Yes.

36 CHAIRMAN WAITS: And legally, Counselor, we're able to do
37 that even though we haven't -- it's not in project funds? Can
38 we reallocate from one project to another okay?

39 DISTRICT ATTORNEY HERRERA: Now that it's a project, I
40 believe you can.

1 Yeah. I don't see why not.
2 CHAIRMAN WAITS: Okay.
3 COMMISSIONER CLARK: I got a question for you, buddy.
4 CHAIRMAN WAITS: Oh, just a minute, Shannon.
5 SHANNON THISS: Okay.
6 COMMISSIONER CLARK: Are you familiar with this, Bert?
7 CHAIRMAN WAITS: Not really. He's not --
8 BERT RAMOS: No.
9 CHAIRMAN WAITS: He isn't --
10 BERT RAMOS: No, that isn't --
11 CHAIRMAN WAITS: He doesn't handle --
12 BERT RAMOS: Bert --
13 CHAIRMAN WAITS: -- the Kingston --
14 BERT RAMOS: -- Ramos, --
15 CHAIRMAN WAITS: -- water.
16 BERT RAMOS: -- for the record.
17 That -- that is Shannon's --
18 COMMISSIONER CLARK: Okay.
19 BERT RAMOS: -- water program up there.
20 She does a great --
21 COMMISSIONER CLARK: Does it look like --
22 BERT RAMOS: -- job with it.
23 COMMISSIONER CLARK: -- this is going to fix their problem?
24 BERT RAMOS: I -- if she says so, I believe so.
25 COMMISSIONER CLARK: Okay.
26 CHAIRMAN WAITS: Well, is it --
27 COMMISSIONER CLARK: That's all --
28 CHAIRMAN WAITS: -- it's --
29 COMMISSIONER CLARK: -- I want to know.
30 CHAIRMAN WAITS: It's engineers that tell them that. And
31 your engineers have said that this will fix the problem. Is
32 that --
33 COMMISSIONER CLARK: Okay.
34 CHAIRMAN WAITS: -- correct?
35 COMMISSIONER CLARK: That's all I want to know.
36 SHANNON THISS: Yes.
37 CHAIRMAN WAITS: Okay.
38 COMMISSIONER CLARK: We got the money. They need it.
39 Let's get it to them.
40 CHAIRMAN WAITS: Okay.

1 COMMISSIONER CLARK: I'll make a motion to approve \$120,000
2 to the Kingston Town Water Utility people so that they can get
3 their water fixed with good pipe that will last forever.
4 DISTRICT ATTORNEY HERRERA: Commiss- -- Commissioner, it --
5 you need to reallocate the money that you've already given them.
6 COMMISSIONER CLARK: Oh, that's --
7 DISTRICT ATTORNEY HERRERA: You've got --
8 COMMISSIONER CLARK: -- what we're doing?
9 We're re- --
10 Okay. My motion will be that we reallocate \$120,000 out of
11 the 145- that had been allocated for the -- to improve the spur
12 line in Kingston.
13 COMMISSIONER ANCHO: I'll second that.
14 CHAIRMAN WAITS: Thank you.
15 Motion by Art to move the \$120,000 and reallocate that from
16 the original 145- and seconded by Kathy.
17 Any other discussion?
18 (No comment.)
19 Any public comment?
20 (No comment.)
21 All in favor?
22 COMMISSIONER SPARKS: Aye.
23 COMMISSIONER ANCHO: Aye.
24 COMMISSIONER ALLEN: Aye.
25 COMMISSIONER CLARK: Aye.
26 CHAIRMAN WAITS: Aye.
27 Okay.
28 There you go, Shannon.
29 SHANNON THISS: Thank you so much. I appreciate it very
30 much.
31 CHAIRMAN WAITS: Hey, --
32 COMMISSIONER CLARK: Any time.
33 CHAIRMAN WAITS: -- you have a good vacation.
34 SHANNON THISS: Thank you so much.
35 Bye-bye.
36
37
38
39
40

1 **13) Discussion and possible action to approve/disapprove a waiver**
2 **for the removal of Lander County from the guaranteed status**
3 **under the Supplemental City-County Relief Tax (SCCRT)**
4 **distribution formula, pursuant to the provisions of Nevada**
5 **Revised Statutes 377.057(3), and all other matters properly**
6 **related thereto.**
7

8 CHAIRMAN WAITS: Okay. We are Number 13.

9 Discussion and possible action to approve or disapprove a
10 waiver for the removal of Lander County from the guaranteed status
11 under the Supplemental City-County Relief Tax, which is SCCRT,
12 distribution formula, pursuant to the provisions of the Nevada
13 Revised Statutes 377.057 number three, and all other matters
14 properly related thereto.

15 And we do this every year. And Cindy will give us the
16 background on it.

17 CINDY BENSON: Yeah.

18 Okay. So right now there are several counties that are --
19 that are in a -- I don't know the (indiscernible).

20 COMMISSIONER SPARKS: Guaranteed status.

21 CINDY BENSON: Guaranteed status. Yes.

22 And so what this is, is this is --

23 COMMISSIONER CLARK: Excuse me. What was that word again?
24 What status?

25 CINDY BENSON: Guar- -- guaranteed.

26 COMMISSIONER CLARK: Guarantee.

27 CINDY BENSON: We're guaranteed a certain percentage of the
28 taxes. So what we're asking is that they leave us on that
29 guaranteed status and not remove us.

30 COMMISSIONER CLARK: Okay.

31 CHAIRMAN WAITS: We usually send representatives to the
32 hearing too. And then I think that's -- that's one of the key
33 points.

34 So my question is: Who would be representing us this year?

35 KEITH WESTENGARD: I -- I -- did you have somebody?

36 We -- la- -- in the last several years when -- when I did
37 this, it was done by Rex Massey.

38 CHAIRMAN WAITS: Right. And didn't --

39 KEITH WESTENGARD: He does a great job. I went and sat --

40 CHAIRMAN WAITS: Didn't Rex and you go one year too?

1 KEITH WESTENGARD: Yeah. Yes.
2 DISTRICT ATTORNEY HERRERA: Yes.
3 KEITH WESTENGARD: I've sat in the hearings and -- and it
4 literally -- literally takes ten minutes for him to go up. And
5 he's -- makes a nice report. The -- the taxation people look at
6 it. And they've approved it.
7 Last year, during that meeting -- I don't know if it's going
8 to be as easy this year. But we would certainly like to try.
9 CHAIRMAN WAITS: Yes. We've been notified of the meeting.
10 And it's --
11 KEITH WESTENGARD: Yes.
12 CHAIRMAN WAITS: -- March 4th at --
13 KEITH WESTENGARD: Uh-huh.
14 CHAIRMAN WAITS: -- 9:00 o'clock.
15 KEITH WESTENGARD: That's correct. Yes.
16 CHAIRMAN WAITS: Okay. So --
17 COMMISSIONER ALLAN: Make a motion to approve a waiver for
18 the removal of Lander County from the guaranteed status under
19 the Supplemental City-County Relief Tax, SCCRT, distribution
20 funds pursuant to the provisions of Nevada Revised Statute
21 377.057(3).
22 COMMISSIONER SPARKS: So we're staying guar- -- we're
23 asking to be guaranteed; correct?
24 CINDY BENSON: Yes.
25 COMMISSIONER SPARKS: Isn't this --
26 CHAIRMAN WAITS: Yes.
27 COMMISSIONER SPARKS: -- asking -- didn't that just state
28 that we're asking for the removal of Lander County from the
29 guaranteed --
30 CINDY BENSON: That's what --
31 COMMISSIONER SPARKS: -- status?
32 CINDY BENSON: -- I was just looking at. It looks like on
33 the agenda item it says "for" and it should be --
34 COMMISSIONER ALLAN: Against.
35 CINDY BENSON: -- "from."
36 COMMISSIONER ALLAN: "From." And I'll amend that to say
37 "from."
38 CINDY BENSON: Yeah.
39 COMMISSIONER SPARKS: So just so I'm correct. So we're
40 asking --

1 CHAIRMAN WAITS: It's a waiver from the removal.
2 DISTRICT ATTORNEY HERRERA: Right. We -- we're -- we're
3 trying to waive it.
4 If they try to remove us from that, we want that waived.
5 CHAIRMAN WAITS: Yeah.
6 CINDY BENSON: Yes.
7 COMMISSIONER SPARKS: Got you.
8 DISTRICT ATTORNEY HERRERA: So that we --
9 COMMISSIONER CLARK: Okay.
10 COMMISSIONER SPARKS: Okay. That --
11 DISTRICT ATTORNEY HERRERA: So we --
12 COMMISSIONER SPARKS: -- makes sense.
13 DISTRICT ATTORNEY HERRERA: -- remain --
14 COMMISSIONER SPARKS: Thank you.
15 DISTRICT ATTORNEY HERRERA: -- on it.
16 COMMISSIONER SPARKS: Okay.
17 CINDY BENSON: Yeah.
18 COMMISSIONER ANCHO: Uh-huh.
19 COMMISSIONER SPARKS: Thanks for the --
20 KEITH WESTENGARD: And this --
21 COMMISSIONER SPARKS: -- clarification.
22 KEITH WESTENGARD: -- happens every year --
23 COMMISSIONER SPARKS: Okay.
24 KEITH WESTENGARD: -- because of our tax.
25 CHAIRMAN WAITS: Did you second that?
26 COMMISSIONER SPARKS: I'll second it now.
27 CHAIRMAN WAITS: Thank you.
28 It's been moved by Com- -- no pressure. Yeah. It's been
29 moved by Kathy and seconded by Bryan.
30 Any other discussion?
31 COUNTY CLERK SULLIVAN: Judie.
32 COMMISSIONER ALLAN: No, --
33 COMMISSIONER ANCHO: Judie.
34 COMMISSIONER ALLAN: -- I made motion.
35 COMMISSIONER ANCHO: Judie made the motion.
36 CHAIRMAN WAITS: Oh. Thank you.
37 I thought Kathy did.
38 COMMISSIONER ANCHO: No, Judie did.
39 CHAIRMAN WAITS: Oh. Thanks so much.
40 Judie. Seconded by Bryan.

1 Any public comment?
2 (No comment.)
3 CHAIRMAN WAITS: All those in favor?
4 COMMISSIONER SPARKS: Aye.
5 COMMISSIONER CLARK: Aye.
6 COMMISSIONER ALLEN: Aye.
7 CHAIRMAN WAITS: Aye.
8 Thank you.
9 COMMISSIONER CLARK: Could we go back to Number 7 for just
10 a minute?
11 I'm -- I have a question.
12 CHAIRMAN WAITS: The request is to go back to Number 7
13 regarding the Lander Economic Development Authority's --
14 COMMISSIONER CLARK: You can answer this one.
15 CHAIRMAN WAITS: -- representation to us today?
16 COMMISSIONER CLARK: What would be the distance from there
17 to there? These are --
18 CHAIRMAN WAITS: No.
19 COMMISSIONER CLARK: -- 5-acre parcels. So how far would
20 be from there to there?
21 CHAIRMAN WAITS: Art wants to know how far it is --
22 COMMISSIONER CLARK: It would be from -- from here to here.
23 KYLA BRIGHT: I can -- I can't answer that at this moment,
24 but I can definitely --
25 COMMISSIONER CLARK: Okay.
26 KYLA BRIGHT: -- get that information --
27 COMMISSIONER CLARK: Okay.
28 KYLA BRIGHT: -- for you.
29 COMMISSIONER CLARK: We'll pick that up next time.
30 CHAIRMAN WAITS: Okay. It was a request we go back to
31 Number 7. But it's a question that Kyla would get back to Art
32 on regarding some --
33 COMMISSIONER CLARK: The distance --
34 CHAIRMAN WAITS: -- distances.
35 COMMISSIONER CLARK: -- from the airport road to that road
36 on the west.
37 CHAIRMAN WAITS: Yep. On the distance. Thank you.
38 COMMISSIONER CLARK: Thank you.
39
40

1 **CORRESPONDENCE**

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

4
5 CHAIRMAN WAITS: And we are finishing up with
6 correspondence.

7 Number 14. Correspondence, reports, potential upcoming
8 agenda items.

9
10 (The following correspondence was received:

11 1. Monthly reports to Lander County Commissioners.
12 December 2018.

13 2. Barrick Gold Corporation, Cortez, letter dated January
14 30, 2019, to Commissioners, regarding intention to apply for a
15 minor modification application to Nevada Division of
16 Environmental Protection -- Bureau of Mining and Reclamation for
17 the Pipeline Project, Water Pollution Control Permit NEV0093109
18 and possible expansion and relining of a storm/event pond and
19 addition of pregnant and barren solution vaults.

20 3. United States Department of the Interior, Bureau of
21 Land Management, Tonopah Field Office, letter dated January 30,
22 2019, to Interested Public, regarding release of an
23 Environmental Assessment for public review of proposed Valley
24 Electric Association, Inc., distribution line access road to
25 connect a private residence to existing distribution facilities
26 near Dyer in Fish Lake Valley, Esmeralda County, Nevada.

27 4. State of Nevada, Department of Conservation & Natural
28 Resources, Nevada Division of Environmental Protection,
29 regarding Notice of Proposed Action by the State of Nevada,
30 renewal of water permit NEV0094110 for Newmont USA Limited.

31 5. State of Nevada, Department of Conservation & Natural
32 Resources, Nevada Division of Environmental Protection,
33 regarding Notice of Proposed Action by the State of Nevada,
34 renewal of Water Pollution Control Permit NEV2013102 for Klondex
35 Gold & Silver Mining Company.)

36
37 CHAIRMAN WAITS: Anybody have any questions under the
38 reports in here or the correspondence?

39 If not, any potential agenda items?

40 We have the one for our youth center building to be on.

1 KEITH WESTENGARD: That is correct.
2 CHAIRMAN WAITS: Do we have something else coming up?
3 COMMISSIONER CLARK: I can't think of --
4 KEITH WESTENGARD: Oh, we're --
5 COMMISSIONER CLARK: -- any.
6 KEITH WESTENGARD: -- we're going reagendize Item 4. And
7 we will add the names as requested, including that in the next
8 --
9 CHAIRMAN WAITS: Number 4 will be back on for next time.
10 Okay.
11 If nothing else, I'll go into public comment.
12
13

14 **PUBLIC COMMENT**

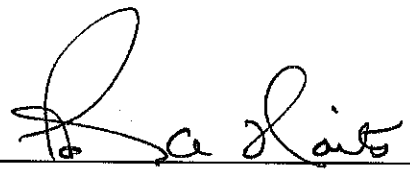
15
16 CHAIRMAN WAITS: This is for nonagendized items only.
17 Persons are invited to submit comments in writing and/or
18 attend and make comments on any nonagenda item at the board
19 meeting, if any, and discussion of those comments at the
20 direction of the board. All public comment may be limited to
21 three minutes per person, again at the discretion of the board.
22 Reasonable restrictions may be placed on public comments based
23 upon time, place, and manner, but public comment based upon
24 viewpoint may not be restricted.
25 Any public comment here?
26 (No comment.)
27 CHAIRMAN WAITS: Any public comment in Austin?
28 (No comment.)
29 CHAIRMAN WAITS: Okay. Hearing none...
30
31

32 **ADJOURNMENT**

33
34 COMMISSIONER ALLAN: Motion to adjourn.
35 COMMISSIONER ANCHO: I'll second.
36 CHAIRMAN WAITS: Motion by Judie. Second by Kathy.
37 All those in favor?
38 COMMISSIONER SPARKS: Aye.
39 COMMISSIONER ALLAN: Aye.
40 CHAIRMAN WAITS: Any public --

1 COMMISSIONER CLARK: Nay.
2 CHAIRMAN WAITS: -- comment --
3 COMMISSIONER CLARK: I want to --
4 CHAIRMAN WAITS: -- again?
5 COMMISSIONER SPARKS: Bye, --
6 COMMISSIONER CLARK: -- stay.
7 COMMISSIONER SPARKS: -- Austin.
8 COMMISSIONER CLARK: Aye.
9 CHAIRMAN WAITS: We are through.
10 Thank you.

11
12 (Meeting adjourned at 11:01 a.m.)
13
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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

21
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38
39 *Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of*
40 *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 14TH DAY OF FEBRUARY, 2019, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO/VIDEO RECORDING ALLOWED.
20

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

25
26 _____
27 TIFFANY ELKINGTON, CCR #930
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