

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 March 14, 2019, at 9:00 a.m.  
5 Transcript produced by Tiffany Elkington, C.C.R., #930.  
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**  
8 **ART CLARK III, COMMISSIONER**  
9 **JUDIE ALLAN, COMMISSIONER**  
10 **BRYAN SPARKS, COMMISSIONER**  
11 **KATHLEEN ANCHO, COMMISSIONER**  
12 **KEITH WESTENGARD, COUNTY MANAGER**  
13 **SADIE SULLIVAN, COUNTY CLERK**  
14 **THEODORE HERRERA, DISTRICT ATTORNEY**  
15  
16

17 (Let the record reflect the presence of a quorum of five  
18 commissioners. Let the record reflect the presence of Austin  
19 via teleconference.)  
20

21 CHAIRMAN WAITS: -- Commissioners' meeting, Town Board of  
22 Battle Mountain and Austin, Board of County Highway  
23 Commissioners, March 14, 2019. Calling that to order.

24 We'll start with our Pledge of Allegiance. And, Kathy, if  
25 you would be so kind to lead us in that.  
26

27 (Pledge of Allegiance)  
28

29 CHAIRMAN WAITS: Thank you.  
30 And now if you all will join us in a moment of silence,  
31 please.  
32

33 (Moment of silence)  
34

35 CHAIRMAN WAITS: Thank you.  
36 Lander County Commissioners may break for lunch from 12:00  
37 o'clock to 1:15 p.m. Any agenda item may be taken out of order,  
38 may be combined for consideration by the public body, and items  
39 may be pulled or removed from the agenda at any time.  
40

1     **COMMISSIONER REPORTS**

2  
3           CHAIRMAN WAITS: We'll start with our commissioners'  
4 report. And Commissioner Art, if you would help us on that --

5           COMMISSIONER CLARK: Sure.

6           CHAIRMAN WAITS: -- with starting.

7           COMMISSIONER CLARK: Sure. I'd like that.

8           I went to the legislature on Monday because I had two  
9 things that I was interested in.

10          One was the computer systems that the public safety uses.  
11 And the reason I was concerned is because my son told me about  
12 ten years ago that there were going to be a lot of problems.

13          And what happened was public safety received \$9 million to  
14 try to fix the computer system and it didn't work. So the  
15 legislators were pretty hard on the people that wanted now  
16 \$52 million to correct the system because you can't go in and just  
17 replace one part of a system anymore because by the time you get that  
18 up and running, the rest of it's going to be antiquated

19          So now they're facing a \$52 million bill to bring public  
20 safety computers up.

21          The second thing I went for was the rural fire. And I  
22 wanted to hear for myself what the fire marshal had to say.

23          Fire marshal is wanting more people for fire safety, number  
24 one, because of marijuana and spending time in dispensaries,  
25 grows, and now hemp manufacturing buildings.

26          In White Pine County there's a -- going to be a  
27 250,000-square-foot hemp processing facility.

28          The problem is the hemp oil is combustibile, and they use  
29 ethanol in the process.

30          So fire marshal needs more people to survey this and to  
31 review it.

32          Is Titus a senator or an assemblyman? assemblywoman?

33          CHAIRMAN WAITS: I'm sorry. Who?

34          COMMISSIONER CLARK: Titus.

35          UNIDENTIFIED PARTICIPANT: Assemblywoman.

36          CHAIRMAN WAITS: Deanna Titus is -- no, she's a --  
37 Congress.

38          CHAIRMAN WAITS: Congress. Congressional.

39          DISTRICT ATTORNEY HERRERA: Yeah.

40          COMMISSIONER CLARK: Okay.

1 Well, she mentioned -- she asked if state fire has any  
2 jurisdiction over grows, dispensaries, or anything else on  
3 colony property, and they were told no.

4 And this is something that we've discussed here quite a few  
5 times.

6 That's -- that's all I have right now.

7 But I lost my phone, and I have to find it because it  
8 controls my hearing aids. So I'll be --

9 CHAIRMAN WAITS: Okay.

10 COMMISSIONER CLARK: -- back. Okay?

11 CHAIRMAN WAITS: Okay. Thank you.

12 You have to go in and call? You have to go back and call  
13 it?

14 COMMISSIONER CLARK: No. I just have to find my phone.

15 CHAIRMAN WAITS: No. It -- go back to your office and dial  
16 the number. Dial your number.

17 COMMISSIONER CLARK: Yeah.

18 CHAIRMAN WAITS: Okay.

19 COMMISSIONER CLARK: But it won't ring --

20 CHAIRMAN WAITS: Thank you.

21 COMMISSIONER CLARK: -- because it's attached to my --

22 CHAIRMAN WAITS: Bryan?

23 COMMISSIONER SPARKS: I have nothing to report, Patsy.

24 CHAIRMAN WAITS: Kathy?

25  
26 (Commissioner Clark exited chambers.)  
27

28 COMMISSIONER ANCHO: Went to the Central Nevada Regional  
29 Water Authority Board. And there was a lot covered. I'll try  
30 to be brief.

31 It spoke about the implementation of the authority for  
32 FY 2019 groundwater monitoring -- monitoring -- excuse me -- and the  
33 fluctuation of the water levels for Railroad Valley, Clayton Valley,  
34 Spring Valley, Jakes Valley. And they t- -- were talking about this  
35 -- this static water.

36 Being new to the board, wasn't qu- -- quite sure what  
37 static water meant and found out that it's when it's not -- when  
38 the levels don't come back to its original, I guess, level and  
39 the dropping -- measuring there.

40 And they also -- one of the big things was the 3M plans for

1 the concept of mitigation, management, and monitoring of the  
2 water through the state water board.

3 So there was lots of discussion about the BDRs that are  
4 going to come through that are going to be affecting that.

5 So -- and then, went to the hospital board meeting last  
6 night. And they had some good things happening. The --  
7 April 1st -- and then they promised it wasn't going to be an  
8 April Fool's joke -- that the construction of Phase 2 of the  
9 chapel and the respiratory should be completed, which is very,  
10 very nice.

11 And then it w- -- the board approved the new waiting room  
12 area and the new doors, the handicap doors. So hoping to get  
13 that started after this phase is finished, after April 1st.

14 So that's what I have.

15 CHAIRMAN WAITS: Thank you.

16 Judie?

17 COMMISSIONER ALLAN: So I also attended the Central Nevada  
18 Regional Water Authority Board with Kathy.

19 And we did meet the new interim state engineer. And I  
20 don't have any notes so I'm going to guess it's Tim Wilson, but  
21 don't hold -- oh. Thanks, Bevan.

22 Anyway, seemed -- seemed a pretty decent guy. You know,  
23 he's kind of learning and -- and trying to be cooperative with  
24 the different agencies.

25 He had one of his assistants, as Kathy was talking, the --  
26 the mon- -- the 3M plans: the monitoring, mitigation and --  
27 what did I forget?

28 Monitoring --

29 COMMISSIONER ANCHO: Management.

30 COMMISSIONER ALLAN: Management. It's -- it's a very  
31 controversial plan, basically.

32 And one of the -- the issues talked about was, you know,  
33 that the Humboldt Basin and -- and the lawsuit with Pershing  
34 County and whatnot is there was quite a bit of discussion about  
35 that.

36 Is -- is the state engineer's wanting to -- to put in, you  
37 know, mitigation plan to -- to the people upriver of the  
38 Humboldt Basin. And Pershing County really doesn't want the  
39 money. They want the water. But you can't give them the water.

40 It's -- it's -- without taking everybody else's water away.

1           And that was one the questions I asked the -- the state  
2 engineer was you guys created this problem. You over allocated  
3 this basin. Is where's the -- the mitigation on the state  
4 engineer's office?

5           And he says, well, unfortunately we can't do anything about  
6 it. Which I don't think was a very reasonable answer because, you  
7 know, they're putting the burden on -- on everyone else.

8           So it was an interesting meeting. And we still have some  
9 more of the bill drafts that are -- or bills before the  
10 legislature. And hopefully we are close to protesting some of  
11 them through the Central Nevada and also Humboldt River Basin  
12 Water Authority. Both -- both boards are -- are protesting.  
13 And we're going to kind of remain a little neutral on a couple  
14 other ones to see how they play out.

15           But there are definitely bills that will affect the rurals.  
16 And it's kind of a -- kind of a scary thing.

17           CHAIRMAN WAITS: And?

18           COMMISSIONER ALLAN: And, yes, I did attend NACO in  
19 Washington, D.C., with Patsy.

20           I think I was a little bit over my head there. Not really  
21 up on a lot of the issues, which I felt didn't necessarily apply  
22 as much to Lander County.

23           The -- a lot of the symposiums to me I felt dealt more  
24 with -- with a larger community. And, like I said, not so much  
25 the issues that affect Lander County. That's just my opinion,  
26 Patsy.

27           I did have a meet-and-greet with Congresswoman Jacky Rosen  
28 and Catherine Masto -- or Catherine Cortez Masto.

29           Very nice ladies, actually. I don't know why they wouldn't  
30 be.

31           But it was interesting. I talked to their staff. So got  
32 some good -- good feedback from them. And that was encouraging.  
33 I think they're really willing to help anyone in the state of  
34 Nevada, that if we have issues from -- with -- from a county  
35 standpoint, if there's anything they can do is give them a call.  
36 And they were really open to that.

37           So -- so I guess in that respect that was a really good --  
38 good meeting.

39           And I'm going let Patsy do the rest of NACO in D.C.

40           CHAIRMAN WAITS: Thank you. I'll -- I'll cut it short, of

1 course, because we can't begin to -- to take all that time to  
2 tell you everything you need to know. But it is on the NACO  
3 website and all the diverse speakers that we had are on video  
4 and so you can access any of those.

5 But first of all, on February 28th, we did have an RTC  
6 meeting. And Judie and I, of course, attended. She's our  
7 chair.

8  
9 (Commissioner Clark returned to chambers.)

10  
11 COMMISSIONER ALLAN: I forgot about that.

12 CHAIRMAN WAITS: So we're --

13 COMMISSIONER ALLAN: It's too long --

14 CHAIRMAN WAITS: -- looking --

15 COMMISSIONER ALLAN: -- ago.

16 CHAIRMAN WAITS: -- at some grants. And we'll be bringing  
17 that before -- before the board before too long. From the 2nd  
18 of March to the 7th of March was our NACO legislative conference  
19 in Washington, D.C. Yes.

20 Actually, I thought it was excellent. Judie is right that  
21 a lot of it pertains to the bigger counties. But there's a lot  
22 that -- that we need to be there for.

23 And the biggest thing is to actually meet with our  
24 legislative groups that are there.

25 And we had appointments with every single one of them. We  
26 didn't get to see all of them, but we had appointments. So that  
27 was the first start.

28 The first one we saw was the deputy secretary of the Navy  
29 at the Pentagon. And, of course, that one is regarding the --  
30 the Fallon Navy withdrawal of the -- and the modernization of  
31 the airspace and such.

32 We were very concerned that the DEIS that came out did not  
33 have mitigation and the things that NACO and all the counties  
34 have been asking for. And he assured us, with his full staff,  
35 that it didn't need to be in that document but that it would be,  
36 that they were listening, and if there was anything we found  
37 that was not as we go down the road -- because it's going to  
38 take a couple years yet -- that we should bring it to their  
39 attention and they would be on top of it.

40 It's always nice to at least hear them say it. Now we'll see

1 what else happens. But today right now going on is a meeting in  
2 Fallon. And some of those people in charge of real estate and  
3 such are going to be at that meeting.

4 One our concerns is making the ranchers whole. If they  
5 take a ranch and it includes their -- their AUMs that when they  
6 take away the AUMs, the value of the ranch is down.

7 So they say assured us -- the real estate gentleman assured  
8 us that they would take that in consideration when they actually  
9 did the whole appraisal and -- and try and make our ranchers  
10 whole on the different places that that pertained to.

11 As far as a couple of our speakers, we had -- we had several.  
12 We had the assistant to the President, Kellyanne Conway, and she  
13 assured us that the White House outreach to the counties has been  
14 very successful. Over the last two years they have hosted over  
15 1700 county officials just on policy briefings.

16 And he has been a little bit more county concerned, I think.  
17 And that's a good sign.

18 Ben Carson spoke generally about affordable housing, which  
19 is a big crisis all over the country. So that shortage is --  
20 was a real concern. And, as I said, you can access the videos  
21 on it. There were several others, of course, that we had, but I  
22 won't go into all of them.

23 We did have appointments with Senator Jacky Rosen and  
24 Senator Cortez Masto.

25 And then they did host a breakfast later that -- that Judie  
26 attended that we didn't get a chance to. We had other meetings.

27 But meeting with them and their staff is always excellent.  
28 And -- and, of course, Senator Cortez Masto has -- has been here  
29 many, many times. She really is familiar with the rural areas  
30 and comes out personally on her tours.

31 That's not so with Jacky Rosen. And -- and it seems like  
32 we're always educating her because she sees all -- all the  
33 things that Clark County has the impression of, of course, and  
34 not the rest.

35 So it's -- that's an excellent one.

36 Of course, we met with -- with the Congressional staff,  
37 Mark Amodei and his staff. And he always makes time for us.  
38 And he has a letter out with his opinion too regarding the --  
39 the Fallon modernization plan.

40 The others, actually, Congresswoman Deanna Titus, we had an

1 appointment with, but she couldn't get out of a -- a meeting.  
2 And so we just met with her staff.

3 And the other one, Susie Lee, ended up in a hearing. But  
4 we did go over the -- they hosted us over to the hearing door.  
5 And her legislative staff person came out to speak with us  
6 personally even though she couldn't. So that was kind of a  
7 contact.

8 Horsford we never did get to see.

9 So most of them, as far as Nevada delegation, was  
10 excellent. And -- and we're really, you know, happy about that  
11 part.

12 On March 11th, we have an NNRDA meeting. We have an  
13 approval, actually, of the country wide comprehensive economic  
14 development strategy. It's proposed by the University of  
15 Nevada, the Reno Business College. And we needed to approve  
16 that for the different counties that belong to the NNRDA,  
17 Northern Nevada Regional Development Authority. So that had to  
18 be passed.

19 And we're real concerned about the government office -- --  
20 The Governor's Office on Economic Development, the GOED, because  
21 Paul Anderson just stepped down. And how the governor's going  
22 to replace that, we're not sure. We're hearing some -- some  
23 rumors perhaps it might go over to the commission on tourism --  
24 travel and -- and that area. That's very possible.

25 There also was an Elko mine expo this week, which was  
26 excellent.

27 On 3/11 we also had an Austin Airport Board meeting. Now  
28 that Frank Whitman has resigned and he's leaving, he's resigning  
29 from the airport board too, of course. All this is effected in  
30 July, but that means we're looking for another member and still  
31 we're looking for an alternate. So that's a real concern for us  
32 whether we'll be able to -- to make that board happen again.  
33 It's been very, very difficult.

34 One of our concerns at the airport is the electronic fuel  
35 system under the credit cards because Fallon Navy wants to  
36 fly in. And they use government credit cards for fuel. Well,  
37 our credit cards automatically add all the taxes. And they  
38 don't pay taxes. So when we checked into this, this is true all  
39 over the whole state. But yet they're really concerned about  
40 flying in and using our fuel -- our fuel. And they are very,



1 very insistent on doing that. We'd love to have them do it.

2 So we wonder if there's another way that we can actually  
3 bill separately perhaps instead of automatically or something  
4 and take those taxes off. There's got to be another way to do  
5 this.

6 KEITH WESTENGARD: So -- so the -- the fuel is owned by the  
7 FBO. So -- so Walt owns the -- or he's the fuel. So if there  
8 was a -- a -- another way to bill, it would have to go through  
9 him.

10 CHAIRMAN WAITS: Okay. Perhaps we can talk to him about  
11 that and see if there's anything at all possible.

12 While we're at that, do they have any -- does the FBO have  
13 any instructors out here for flight lessons or anything in  
14 Battle Mountain?

15 KEITH WESTENGARD: Walt's a flight instructor, but  
16 there's -- that's the only one that I know of, --

17 CHAIRMAN WAITS: Okay.

18 KEITH WESTENGARD: -- the FBO.

19 CHAIRMAN WAITS: Whether we can ask him whether he might  
20 think about doing any instructions in Battle Mountain and  
21 Austin.

22 KEITH WESTENGARD: Who's -- Walt?

23 CHAIRMAN WAITS: Yes.

24 KEITH WESTENGARD: Oh, he will. Yeah. That's -- that's  
25 come up in discussion several times.

26 CHAIRMAN WAITS: Okay. If you can give us any particulars  
27 on that.

28 KEITH WESTENGARD: Okay.

29 CHAIRMAN WAITS: One of our concerns is two exits at the  
30 airport. We only have one right now. And the FAA is saying we  
31 need an emergency exit?

32 I'm -- I'm not sure how we do that because right now we --  
33 we have the gate that has all the -- the key-in and everything.  
34 So if we have an emergency exit, we'll probably have to have the  
35 same thing. So that's another added expense somewhere because  
36 you just can't have an exit that doesn't have that security.  
37 So another expense that we're looking at on that.

38 Thank you. And that concludes my meetings. And staff  
39 reports.

40 Keith?

1     **STAFF REPORTS**

2  
3           KEITH WESTENGARD:   Okay.   So I did meet with the FAA  
4 last -- last week.   And we discussed a lot of happenings within  
5 our airports.

6           One of the things that we did talk about was the taxiway  
7 design in Austin.   So that's been put on hold.   There was --  
8 there was some issues with the environmental study that was done  
9 by the FAA.   We think we might have it straightened out.   So  
10 this year it's going to be a design-only project.   And then  
11 it'll be a build next year.   It looks like it will go through  
12 once we make some changes to accommodate the en- --  
13 environmental study.

14           There was some issues with the road from the airport  
15 boundary out to Highway 722.   Kyla did a lot of work on that  
16 with J-U-B -- they -- and BLM we got that straightened out.   So  
17 that now that will be included in -- in pavement from all the  
18 way out to 722, which is a good thing.

19           We're still having a lot of issues with air- -- with the  
20 Runway 12-30, the crosswind -- -wind runway at the Battle  
21 Mountain Airport.

22           FAA wants to close that runway down.   They don't -- they  
23 don't -- there's no data there to support a crosswind -- -wind  
24 runway.

25           So what we're going to do is we're going to put a wind  
26 machine out there.   They're going to give us another year to try  
27 to justify that -- that runway.   And it has to do with wind  
28 and -- and how much wind and how hard it blows at -- at certain  
29 times of the day.   So we're going to put a wind machine out  
30 there and see if we can get that data.

31           Based on discussions with lo- -- some local pilots and so  
32 forth that -- that wind is -- is a problem with the air tanker  
33 pilots in the summer and -- and so forth.

34           So that's -- that's on the FAA.

35           Let me see.   We -- we did join in on the Walker River  
36 lawsuit.   I did talk with Jeff Fontaine.   And we are going to be  
37 part of the Walker River lawsuit.

38           Our city-county tax.   Cindy attended that and our waiver  
39 was denied.

40           So I -- I looked into how we could appeal that.   And actually

1 before -- I didn't really got any- -- anywhere with it.  
2 But Department of Taxation is going to appeal it for us.  
3 Kelly Langley had a discussion with Cindy. And they're going to  
4 go and -- and look at how they can appeal that for us so we can  
5 maintain our -- our -- our tax waiver here in the county.  
6 COMMISSIONER ALLAN: Keith. Excuse me.  
7 KEITH WESTENGARD: Yeah.  
8 COMMISSIONER ALLAN: That's the first time we've ever been  
9 denied?  
10 KEITH WESTENGARD: Yeah. And once we lose it, we can never  
11 get it back. So it's really important that we -- we really push  
12 to get that waiver put in place.  
13 COMMISSIONER ALLAN: And is there any reason they gave why  
14 they denied it?  
15 Because we have too much money?  
16 KEITH WESTENGARD: Exactly. That was actually -- it was  
17 brought up by one of the board members is: Why does Lander  
18 County need a tax waiver when they have so much money?  
19 That's -- that's kind of bit us on a few different -- on some  
20 grants and so forth as well.  
21 But in discussion with Cindy and -- and Kelly, it -- that  
22 shouldn't have made a difference.  
23 So that's why the Department of Taxation is actually going  
24 to present some additional facts and try to get that overturned.  
25 Oh. We're going to be doing some -- next month through  
26 POOL/PACT, we're going to be evaluating our internet security here  
27 in the courthouse through a company with POOL/PACT.  
28 Lura's on board with it. And we're going to see if we can  
29 make our sure our internet security is -- is up to -- up to date  
30 and in good working order.  
31 I am going to ask that after the meeting we -- we have a  
32 litigation discussion. We've been doing a lot of work on our  
33 levee related to that \$1 million-plus bill from the Army Corps of  
34 Engineers. So I'd like to update the commissioners in a  
35 litigation hearing on where we're at with that right now. So --  
36 And I think that's it.  
37 CHAIRMAN WAITS: Thank you.  
38  
39  
40

1 **PUBLIC COMMENT**

2  
3 CHAIRMAN WAITS: We'll be moving on to public comment.  
4 And first of all, may I welcome everyone for -- here. And  
5 thank you for coming.

6 And please mute your cell phones. We still -- we still  
7 have all our minutes that are recorded by -- by our paralegal.  
8 And I have "cell phone ringing," "cell phone ringing" all the  
9 way through it. So we'd appreciate if you put it on vibrate  
10 or -- or turn it off, whatever's convenient for you.

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

20 Any public comment?

21 (No comment.)

22 CHAIRMAN WAITS: Okay. Hearing none, we move to the  
23 consent agenda.

24  
25  
26 **CONSENT AGENDA**

27  
28 CHAIRMAN WAITS: All matters listed under the consent  
29 agenda are considered routine, may be acted upon by the Board of  
30 County Commissioners with one action, without extensive  
31 discussion. Any member of the board or any citizen may request  
32 that an item be taken from the consent agenda, discussed, and  
33 acted upon separately during the meeting. Consent agenda  
34 materials are available at the Lander County Clerk's Office for  
35 viewing, and copies are available for a nominal charge.

36 Number 1, approval of agenda notice, March 14th, 2019;  
37 Number 2, approval of January 24th, 2019, meeting minutes;  
38 Number 3, approval of February 14th, 2019, meeting minutes;  
39 Number 4, approval of February 28th, 2019, meeting minutes;  
40 Number 5, approval of the payment of bills; Number 6, approval

1 of payroll change requests.  
2 I do know that we've received the minutes for Number 2 and  
3 3, but not Number 4. So we're going to pull Number 4.  
4 And we're going pull Number 5 under the payment of bills.  
5 And I think we have some personal --  
6 COMMISSIONER SPARKS: Yeah. I need --  
7 CHAIRMAN WAITS: -- checks, do we, Bryan?  
8 COMMISSIONER SPARKS: -- to pull out Check 202274. And I  
9 need to abstain from that check because it's payment to my  
10 employer.  
11 CHAIRMAN WAITS: 202274?  
12 COMMISSIONER SPARKS: Yeah. 202274.  
13 CHAIRMAN WAITS: For your employer. Okay.  
14 Any others that --  
15 COMMISSIONER ALLAN: I have --  
16 CHAIRMAN WAITS: -- would like --  
17 COMMISSIONER ALLAN: -- Check #209827 payable to myself for  
18 travel expense. I will be abstaining from that.  
19 CHAIRMAN WAITS: Okay. Anybody else?  
20 Okay. Could we have a motion on the rest of them, then,  
21 besides the two that we've pulled out?  
22 COMMISSIONER SPARKS: I do have a question on one check I'd  
23 like clarification --  
24 CHAIRMAN WAITS: No.  
25 COMMISSIONER SPARKS: -- on.  
26 CHAIRMAN WAITS: We're -- we're doing the consent agenda  
27 first.  
28 COMMISSIONER SPARKS: Okay. So not payment of the bills?  
29 CHAIRMAN WAITS: The approval. Yeah. Do you want to --  
30 COMMISSIONER SPARKS: Okay.  
31 CHAIRMAN WAITS: -- make a motion on the balance?  
32 COMMISSIONER SPARKS: All right. I'll make a motion.  
33 CHAIRMAN WAITS: Okay. Thank you.  
34 COMMISSIONER ALLAN: I'll --  
35 CHAIRMAN WAITS: Second?  
36 COMMISSIONER ALLAN: -- second.  
37 CHAIRMAN WAITS: Thank you. It's been moved and seconded  
38 that we approve all of the agenda items except 4 and 5.  
39 Any other discussion?  
40 (No comment.)

1 CHAIRMAN WAITS: All in favor?  
2 COMMISSIONER SPARKS: Aye.  
3 COMMISSIONER ANCHO: Aye.  
4 COMMISSIONER ALLAN: Aye.  
5 COMMISSIONER CLARK: Aye.  
6 CHAIRMAN WAITS: Aye.  
7 Okay. Thank you.  
8 Yes, you want to talk about one of the bills?  
9 COMMISSIONER SPARKS: Well, just -- yeah. I just wanted a  
10 clarification on Check #202218 is for environmental health  
11 computer programs quarterly software? What's that for?  
12 Can anybody tell me?  
13 CHAIRMAN WAITS: Cindy?  
14 CINDY BENSON: If you'll give me a second, I'll go pull the  
15 check.  
16 CHAIRMAN WAITS: Cannot hear you. So --  
17 COMMISSIONER ALLAN: What was --  
18 CHAIRMAN WAITS: -- sorry.  
19 COMMISSIONER ALLAN: -- that check number again?  
20 COMMISSIONER SPARKS: 202218.  
21 CINDY BENSON: Cindy Benson, for the record.  
22 If you'll give me just a second, I'll go pull the check,  
23 and bring it in. I forgot to bring them today.  
24 COMMISSIONER SPARKS: Yeah. It just -- it says here it's  
25 quarterly software. So it's something that we must be paying  
26 every quarter. And I just -- environmental health is for almost  
27 nine grand. So I was just curious what it's for.  
28 CINDY BENSON: I'm not sure.  
29 CHAIRMAN WAITS: Okay. We'll let you go pull that. We'll  
30 just hold up on that for a bit.  
31 CINDY BENSON: Okay.  
32 CHAIRMAN WAITS: Okay. Then we need a motion that --  
33 I think we don't want to do the whole motion on -- on all  
34 of the checks because we're looking at this one.  
35 So we need a motion to approve the check that Bryan is  
36 abstaining from, 202274.  
37 COMMISSIONER ALLAN: I'll make that motion.  
38 COMMISSIONER ANCHO: I'll second it.  
39 CHAIRMAN WAITS: Thank you. Moved by Judie; seconded by  
40 Kathy.

1 Any other discussion?  
2 (No comment.)  
3 CHAIRMAN WAITS: All in favor?  
4 COMMISSIONER ALLAN: Aye.  
5 COMMISSIONER SPARKS: Aye.  
6 COMMISSIONER CLARK: Aye.  
7 CHAIRMAN WAITS: No. That's the one you don't want to  
8 vote --  
9 COMMISSIONER SPARKS: Yeah.  
10 CHAIRMAN WAITS: -- on.  
11 COMMISSIONER SPARKS: Abstain from. Yeah.  
12 CHAIRMAN WAITS: Yeah. Okay.  
13 Once again all in favor?  
14 COMMISSIONER ALLAN: Aye.  
15 COMMISSIONER ANCHO: Aye.  
16 COMMISSIONER CLARK: Aye.  
17 CHAIRMAN WAITS: Aye.  
18 Okay. And Bryan is abstaining. Thank you. That --  
19 COMMISSIONER SPARKS: And it's --  
20 CHAIRMAN WAITS: -- passes.  
21 COMMISSIONER SPARKS: Correction too here, Patsy. I said  
22 it was two -- 202218? It's 202217. This -- this new --  
23 CHAIRMAN WAITS: 202217?  
24 COMMISSIONER SPARKS: Yeah. So it says -- I read this  
25 report wrong. This report's a little difficult to follow.  
26 But it looks like it's --  
27 CHAIRMAN WAITS: The number's over --  
28 COMMISSIONER SPARKS: So --  
29 CHAIRMAN WAITS: -- here.  
30 COMMISSIONER SPARKS: -- yeah. This is -- this is the  
31 check number here. Right?  
32 Yeah. This is the check number. This is the amount. It was  
33 for 11,000. So --  
34 CHAIRMAN WAITS: Okay.  
35 COMMISSIONER SPARKS: -- basically this one -- this  
36 environmental health, that was below. That's a state  
37 pass-through --  
38 CHAIRMAN WAITS: Okay. Let --  
39 COMMISSIONER SPARKS: If I'm reading it right. And the  
40 other one is just for computer programs quarterly software. Am

1 I looking at that right?  
2 CHAIRMAN WAITS: All right. This is the check number.  
3 COMMISSIONER SPARKS: Yeah. So you did the same thing.  
4 But I think it's this one.  
5 CHAIRMAN WAITS: Okay. And the one you're withholding from  
6 is...  
7 COMMISSIONER SPARKS: No, I'm not withholding from  
8 anything. I -- I just -- I was just questioning the amount.  
9 But I think I may have read it incorrectly. You see what I'm  
10 saying? Art, right here?  
11 Is it this one that goes for computer programs?  
12 COMMISSIONER CLARK: You know, --  
13 COMMISSIONER SPARKS: And then --  
14 COMMISSIONER CLARK: -- I -- I don't know. I get confused  
15 by --  
16 COMMISSIONER SPARKS: I know.  
17 COMMISSIONER CLARK: -- this format too. The other  
18 format --  
19 COMMISSIONER SPARKS: It's horrible.  
20 COMMISSIONER CLARK: -- was much easier than --  
21 COMMISSIONER SPARKS: Yeah.  
22 CHAIRMAN WAITS: Okay. No, I think --  
23 COMMISSIONER ALLAN: What --  
24 COMMISSIONER CLARK: -- the 180 degrees.  
25 COMMISSIONER ALLAN: -- what --  
26 CHAIRMAN WAITS: I think it's this --  
27 COMMISSIONER ALLAN: -- page is it, --  
28 CHAIRMAN WAITS: -- check --  
29 COMMISSIONER ALLAN: -- Bryan?  
30 CHAIRMAN WAITS: -- number, but we'll --  
31 COMMISSIONER SPARKS: It's on --  
32 CHAIRMAN WAITS: -- know when we --  
33 COMMISSIONER CLARK: That's --  
34 CHAIRMAN WAITS: -- come back. Okay. So --  
35 COMMISSIONER CLARK: -- that would --  
36 CHAIRMAN WAITS: -- your --  
37 COMMISSIONER CLARK: -- be --  
38 CHAIRMAN WAITS: -- check --  
39 COMMISSIONER CLARK: -- it, right --  
40 CHAIRMAN WAITS: -- number was --



1 COMMISSIONER CLARK: -- there.  
2 CHAIRMAN WAITS: -- okay, though.  
3 COMMISSIONER SPARKS: Three. Page 3.  
4 CHAIRMAN WAITS: Okay. The one we just passed was --  
5 COMMISSIONER SPARKS: Yeah.  
6 CHAIRMAN WAITS: -- okay?  
7 COMMISSIONER SPARKS: Yeah. It's fine.  
8 CHAIRMAN WAITS: Okay. Good.  
9 All right. Then with that, we need to have approval for  
10 Judie's check, #209827.  
11 COMMISSIONER ANCHO: So moved.  
12 COMMISSIONER SPARKS: I'll second.  
13 CHAIRMAN WAITS: Okay. Thank you.  
14 Moved by Kathy; seconded by Bryan.  
15 Any other discussion?  
16 (No comment.)  
17 CHAIRMAN WAITS: All in favor?  
18 COMMISSIONER SPARKS: Aye.  
19 COMMISSIONER ANCHO: Aye.  
20 COMMISSIONER ALLAN: Aye.  
21 COMMISSIONER CLARK: Aye.  
22 CHAIRMAN WAITS: Aye.  
23 Judie, you're recusing yourself?  
24 COMMISSIONER ALLAN: Oh. Habit. Sorry. I take --  
25 CHAIRMAN WAITS: Thank you.  
26 COMMISSIONER ALLAN: -- that back.  
27 CHAIRMAN WAITS: For the record, Judie is recusing herself  
28 from that check.  
29 COMMISSIONER ALLAN: Abstain.  
30 CHAIRMAN WAITS: I don't mean to make this so complicated.  
31 I'm sorry.  
32 COMMISSIONER ALLAN: I just --  
33 CHAIRMAN WAITS: Okay.  
34 COMMISSIONER ALLAN: -- need to pay --  
35 CHAIRMAN WAITS: So now --  
36 COMMISSIONER ALLAN: -- attention.  
37 CHAIRMAN WAITS: -- we have all the rest of them. And  
38 we'll wait to see --  
39 KEITH WESTENGARD: Okay. I'll (indiscernible).  
40 CHAIRMAN WAITS: -- what Cindy has to say before we do the

1 action on that one.

2 COMMISSIONER SPARKS: You see what I'm looking at, Keith?

3 KEITH WESTENGARD: Yeah. I --

4 COMMISSIONER SPARKS: I just -- I think --

5 KEITH WESTENGARD: It's --

6 COMMISSIONER SPARKS: -- I just read the report wrong,  
7 honestly.

8 KEITH WESTENGARD: Okay. It -- it's a -- that check is --  
9 is related.

10 COMMISSIONER SPARKS: That's the -- it's a pass-through  
11 from the state; right?

12 KEITH WESTENGARD: Yeah.

13 COMMISSIONER SPARKS: Yeah. So my -- so that's what I did.  
14 I looked at this check which was four just --

15 KEITH WESTENGARD: Oh, I got --

16 COMMISSIONER SPARKS: You see what I'm saying?

17 KEITH WESTENGARD: Uh-huh.

18 COMMISSIONER SPARKS: I thought it was for environment  
19 health. That's -- that was my question. But I just cleared it  
20 up for myself. So --

21 KEITH WESTENGARD: Okay. So we're --

22 COMMISSIONER SPARKS: Thank you.

23 KEITH WESTENGARD: -- good then?

24 COMMISSIONER SPARKS: Yeah. We're good.

25

26 (Commissioner Clark left chambers.)

27

28 KEITH WESTENGARD: Thank you.

29 CHAIRMAN WAITS: Okay. Need a motion for the balance of  
30 the payment of bills.

31 COMMISSIONER ALLAN: I'll make that motion.

32 COMMISSIONER ANCHO: I'll second it.

33 CHAIRMAN WAITS: Thank you. Made by Judie. Seconded by  
34 Kathy. Any other discussion?

35 (No comment.)

36 CHAIRMAN WAITS: All those in favor?

37 COMMISSIONER SPARKS: Aye.

38 COMMISSIONER ANCHO: Aye.

39 COMMISSIONER ALLAN: Aye.

40 CHAIRMAN WAITS: Aye.

1 Okay. Art has stepped out, but that passes. Thank you.  
2 Okay. We'll start with our agenda now.

3  
4

5 **COMMISSIONERS**

6

7 1) **Discussion and possible action to approve/disapprove a**  
8 **proposal from YESCO for grant of easement on each of their**  
9 **six billboards located in a Lander County right-of-way at the**  
10 **Battle Mountain Airport, and to pay Lander County \$20,000 for**  
11 **each easement, and other matters properly related thereto.**

12

13 CHAIRMAN WAITS: Number 1. I think we probably would go  
14 ahead and get the YESCO on the line.

15 BRADEN SAUNDERS: I'm actually present.

16 KEITH WESTENGARD: Oh.

17 CHAIRMAN WAITS: Oh, you are. We don't need --

18 BRADEN SAUNDERS: Yeah. I'm --

19 CHAIRMAN WAITS: -- to get you --

20 BRADEN SAUNDERS: -- sorry --

21 CHAIRMAN WAITS: -- on the --

22 BRADEN SAUNDERS: -- I didn't --

23 CHAIRMAN WAITS: -- line. Oh, great.

24 BRADEN SAUNDERS: -- make myself known.

25 CHAIRMAN WAITS: Please step forward.

26 BRADEN SAUNDERS: (Indiscernible.)

27 CHAIRMAN WAITS: Discussion and possible action to approve  
28 or disapprove a proposal from YESCO for grant of easement on  
29 each of their six billboards located in Lander County  
30 right-of-way at the Battle Mountain Airport and to pay Lander  
31 County \$20,000 for each easement, and other matters properly  
32 related thereto.

33 Good morning.

34 BRADEN SAUNDERS: Good morning. Thanks for having me.

35 My name's Braden Saunders. I am in the real estate  
36 department for YESCO. I'm the fella who came up with the offer  
37 for you guys.

38 So --

39 CHAIRMAN WAITS: Thank you, Braden.

40 BRADEN SAUNDERS: Yeah.

1 CHAIRMAN WAITS: No. I -- I didn't realize you were here  
2 this morning. So we were ready to --  
3 BRADEN SAUNDERS: I --  
4 CHAIRMAN WAITS: -- to --  
5 BRADEN SAUNDERS: -- snuck in --  
6 CHAIRMAN WAITS: -- call you --  
7 BRADEN SAUNDERS: -- right --  
8 CHAIRMAN WAITS: -- and that's --  
9 BRADEN SAUNDERS: -- before it --  
10 CHAIRMAN WAITS: -- great.  
11 BRADEN SAUNDERS: -- started.  
12 CHAIRMAN WAITS: Okay.  
13 BRADEN SAUNDERS: So --  
14 CHAIRMAN WAITS: I -- I think we understand that.  
15 Can you tell me offhand how long the lease that we  
16 currently have runs?  
17 BRADEN SAUNDERS: I believe it runs for another two to four  
18 years. I've been -- forgive me for my memory. I've been  
19 looking through --  
20 CHAIRMAN WAITS: Not sure?  
21 BRADEN SAUNDERS: -- all of --  
22 CHAIRMAN WAITS: Okay.  
23 DISTRICT ATTORNEY HERRERA: 2020, --  
24 CHAIRMAN WAITS: We --  
25 DISTRICT ATTORNEY HERRERA: -- I believe?  
26 KEITH WESTENGARD: 2020.  
27 BRADEN SAUNDERS: So till next year.  
28 CHAIRMAN WAITS: 2027?  
29 DISTRICT ATTORNEY HERRERA: No, 2020.  
30 BRADEN SAUNDERS: 2020.  
31 KEITH WESTENGARD: And then the other -- then we have an  
32 additional one at 2025.  
33 DISTRICT ATTORNEY HERRERA: They automatically --  
34 BRADEN SAUNDERS: There is --  
35 DISTRICT ATTORNEY HERRERA: Unless we give them notice,  
36 they automatically go for another period of time.  
37 CHAIRMAN WAITS: Yes. I understand that. That's why we  
38 didn't catch it on the lease last time.  
39 DISTRICT ATTORNEY HERRERA: Right.  
40 CHAIRMAN WAITS: And that's why you got by paying so less

1 than -- than what we feel you should be paying for a billboard.  
2 BRADEN SAUNDERS: Oh.  
3 CHAIRMAN WAITS: How about that?  
4 BRADEN SAUNDERS: Awesome.  
5 CHAIRMAN WAITS: Okay. I --  
6 BRADEN SAUNDERS: I think.  
7 CHAIRMAN WAITS: -- I understand why you would want to buy  
8 each right-of-way for \$20,000. So I guess -- because of what  
9 the cost of billboards are now for -- for advertising.  
10 And I'm wondering since we are the leaseholder, do we have  
11 the right to ask them for a report of how much they make on every  
12 billboard?  
13 DISTRICT ATTORNEY HERRERA: Well, you can certainly do that  
14 in negotiation to a contract. In -- in this situation, there --  
15 they want to permanently buy the easement, which means --  
16 CHAIRMAN WAITS: I know --  
17 DISTRICT ATTORNEY HERRERA: -- that --  
18 CHAIRMAN WAITS: -- that. But I would like to know how  
19 much they make on every billboard before I even think about  
20 selling it.  
21 DISTRICT ATTORNEY HERRERA: It would -- you know, it's  
22 going to be really hard for them to come -- come out with an  
23 amount. I've got to --  
24 CHAIRMAN WAITS: Okay.  
25 DISTRICT ATTORNEY HERRERA: -- be honest with you.  
26 BRADEN SAUNDERS: And per our lease agreement, that's not a  
27 requirement. However, I can tell you, our annual amounts that  
28 we make if you'll give me a second.  
29 The annual potential on each site is about 15,000. We  
30 don't make that much. But assuming we ask full price, which we  
31 don't, that's how much we could make.  
32 CHAIRMAN WAITS: Because billboards do go anywhere from  
33 400, 600, 1500, 2,000 a billboard.  
34 BRADEN SAUNDERS: It just --  
35 CHAIRMAN WAITS: Right.  
36 BRADEN SAUNDERS: -- depends on each contract that we  
37 work --  
38 CHAIRMAN WAITS: Okay.  
39 BRADEN SAUNDERS: -- out. And there's a few different --  
40 CHAIRMAN WAITS: Okay.

1 BRADEN SAUNDERS: -- factors that go into it.  
2 DISTRICT ATTORNEY HERRERA: And -- and --  
3 CHAIRMAN WAITS: I guess that's one of my main concerns is  
4 why -- why we would -- I'd understand why you want to buy it,  
5 but I don't know why we would want to sell --  
6 BRADEN SAUNDERS: Sure.  
7 CHAIRMAN WAITS: -- it because that's quite an --  
8 BRADEN SAUNDERS: So --  
9 CHAIRMAN WAITS: -- income.  
10 BRADEN SAUNDERS: -- if -- if I may, I can kind of give you  
11 the i- -- an idea of how I come up with -- with the numbers for  
12 the easements.  
13 CHAIRMAN WAITS: Please.  
14 BRADEN SAUNDERS: So we do use a formula that is based off  
15 of our annual potential revenue. We multiply that by a  
16 multiplier to get to the number we get to. And 20,000 was that  
17 magic number this time around.  
18 CHAIRMAN WAITS: Does the board have any questions for  
19 Braden?  
20 COMMISSIONER ALLAN: I really just don't --  
21 CHAIRMAN WAITS: I'm sorry.  
22 COMMISSIONER ALLAN: I -- I just don't feel that the county  
23 should be selling property like that or the easements or -- or  
24 --  
25 CHAIRMAN WAITS: I --  
26 COMMISSIONER ALLAN: -- our interests.  
27 CHAIRMAN WAITS: -- I do think since -- since we are  
28 getting a very lower price than -- than I think we probably  
29 could be entitled to. I guess my question is, Braden, when -- I  
30 -- I imagine that you lease a lot of billboards. I mean,  
31 YESCO's one of the biggest ones in the country. Don't in some  
32 of your leases actually you pay back a percentage to the  
33 leaseholder instead of just some once a month?  
34 BRADEN SAUNDERS: As far as, like, what we make off of the  
35 it?  
36 CHAIRMAN WAITS: Right?  
37 BRADEN SAUNDERS: So like a revenue share?  
38 CHAIRMAN WAITS: Right.  
39 COMMISSIONER SPARKS: Like a profit share. Yeah.  
40 BRADEN SAUNDERS: Yeah. In some of our bigger markets,

1 like in Salt Lake, that's typical.  
2 Out in rural areas, we -- I'm not aware of a lease that we  
3 have that has that.  
4 So short answer, yeah, we do that. But it's typically --  
5 CHAIRMAN WAITS: Okay.  
6 BRADEN SAUNDERS: -- reserved for --  
7 CHAIRMAN WAITS: Well, since we're not renegotiating the  
8 lease, I -- it was just a question --  
9 BRADEN SAUNDERS: Sure.  
10 CHAIRMAN WAITS: -- wondering what was --  
11 BRADEN SAUNDERS: Sure.  
12 CHAIRMAN WAITS: -- going to be --  
13 BRADEN SAUNDERS: I'm --  
14 CHAIRMAN WAITS: -- coming.  
15 BRADEN SAUNDERS: And I'm happy to answer any question.  
16 CHAIRMAN WAITS: Yeah. Because I -- I'm -- I know I'm not  
17 favor of selling the property. But we're -- we're in favor of  
18 working with you again when the lease comes due.  
19 BRADEN SAUNDERS: Sure.  
20 Is there, --  
21 CHAIRMAN WAITS: So --  
22 BRADEN SAUNDERS: -- may I ask, a -- a -- is -- is  
23 the reason because you feel our offer is too low?  
24 Is it because --  
25 CHAIRMAN WAITS: I thin -- no, I think Commissioner Allan  
26 had it. I -- I don't think we really should just be selling the  
27 property. I think it's as a future income we can continue to  
28 get instead of just taking the money right now.  
29 BRADEN SAUNDERS: Sure.  
30 CHAIRMAN WAITS: It's like retirement.  
31 BRADEN SAUNDERS: Yeah. No, no, no. I -- I understand  
32 that.  
33 CHAIRMAN WAITS: I mean, you give it to us, we'll spend it.  
34 But if it keeps coming in, then that's good for our future.  
35 BRADEN SAUNDERS: Right.  
36 CHAIRMAN WAITS: So --  
37 BRADEN SAUNDERS: And I would just like to point out that  
38 based off of the current lease amount, that's -- that's 20 years  
39 in the future. So --  
40 And, I mean, even it was double, it's still ten years out.

1 It's kind of hard to --  
2 CHAIRMAN WAITS: I understand.  
3 BRADEN SAUNDERS: Yeah.  
4 CHAIRMAN WAITS: I do. And I understand why you asked for  
5 it. And I think that's very good business sense. So is anybody  
6 ready for a motion?  
7 COMMISSIONER ALLAN: I'll --  
8 COMMISSIONER CLARK: I -- I --  
9 COMMISSIONER ALLAN: -- make a --  
10 COMMISSIONER CLARK: -- have --  
11 COMMISSIONER ALLAN: -- motion --  
12 COMMISSIONER CLARK: -- I have one question.  
13 BRADEN SAUNDERS: Sure.  
14 COMMISSIONER CLARK: If -- if the county chose to sell this  
15 property where these signs are, could the new owner say, I don't  
16 want YESCO's sign there on -- on my property?  
17 DISTRICT ATTORNEY HERRERA: Well, absolutely. I -- we can  
18 say that too. We're --  
19 COMMISSIONER CLARK: Okay.  
20 DISTRICT ATTORNEY HERRERA: Matter of fact with -- with  
21 the -- with the end coming up of some of these contracts, we  
22 would have to give them notice that -- that we're not going to  
23 engage in the -- in the automatic renewal. That -- that's --  
24 and -- and I hope you guys discuss that, whether you want to do  
25 that or not, because we have to do that at the appropriate time.  
26 COMMISSIONER SPARKS: So just little bit of clarification  
27 on that, Ted. So if we were to sell to YESCO, we gave -- we  
28 gave them that land, the easements, could they not then turn  
29 around and sell it to somebody else if they wanted to?  
30 DISTRICT ATTORNEY HERRERA: Yeah. They could.  
31 COMMISSIONER SPARKS: Yeah.  
32 DISTRICT ATTORNEY HERRERA: They could -- and -- and they  
33 could prevent us from -- from doing any- -- anything on those  
34 pieces of pro- -- those --  
35 COMMISSIONER SPARKS: Right.  
36 DISTRICT ATTORNEY HERRERA: -- six pieces of property.  
37 COMMISSIONER CLARK: That's -- that's where I was headed,  
38 Bryan.  
39 COMMISSIONER SPARKS: Yeah. Exa- -- I knew that you were.  
40 BRADEN SAUNDERS: So let me -- let me speak to that real



1 quick because the area that we're asking for is basically the  
2 area that's the sign; right? It's --

3 In my letter, I specified a 100-by-100 area is typically  
4 what we go after. It can be adjusted as needed.

5 But the easement itself is -- and as well as the lease --  
6 is binding upon anybody who purchases the property. Let's say  
7 we had another company come in, they wanted to buy it, whatever  
8 agreement we have in place with you guys is binding on any  
9 successors.

10 In addition to that, we only care about the billboard and  
11 securing that property for a long term or indefinitely,  
12 whichever we can do.

13 You are still able to use that property however you want.  
14 We don't own it. We just have an easement on it. So if you  
15 were to sell it to somebody, they would very much be capable of  
16 building a business on it and doing whatever they'd like to.

17 COMMISSIONER SPARKS: But you would control the easement?

18 BRADEN SAUNDERS: We have the easement. Yeah.

19 COMMISSIONER SPARKS: So --

20 BRADEN SAUNDERS: Similar to, like, a utility easement.

21 COMMISSIONER SPARKS: To bring --

22 DISTRICT ATTORNEY HERRERA: Absolutely.

23 COMMISSIONER SPARKS: -- up another point. So we are  
24 looking at an industrial park.

25 DISTRICT ATTORNEY HERRERA: Right.

26 COMMISSIONER SPARKS: There's a lot of things that we might  
27 not see today that could arri- -- you know.

28 DISTRICT ATTORNEY HERRERA: And -- and we've got to --

29 BRADEN SAUNDERS: -- that we're --

30 DISTRICT ATTORNEY HERRERA: -- take --

31 BRADEN SAUNDERS: -- we sold easements, then we caused  
32 ourselves a problem.

33 DISTRICT ATTORNEY HERRERA: We -- we've got to do -- we  
34 take -- we've got to take pipelines out there. We've got to  
35 take --

36 COMMISSIONER SPARKS: Yeah.

37 COMMISSIONER CLARK: Right.

38 DISTRICT ATTORNEY HERRERA: -- all kinds --

39 COMMISSIONER SPARKS: Exactly. So --

40 COMMISSIONER CLARK: Right.

1 COMMISSIONER ALLAN: So I guess one of the other things  
2 that hasn't been mentioned, can the county just decide today I  
3 want to sell this land to Braden? Or --  
4 Isn't there a process?  
5 I mean, we can't just decide, yeah, we're going to sell it to  
6 you. We have to offer it to somebody else or highest bidder or --  
7 DISTRICT ATTORNEY HERRERA: It -- it's an easement. So --  
8 so it's a little different from selling the land, just like it  
9 was pointed out.  
10 COMMISSIONER ALLAN: True.  
11 DISTRICT ATTORNEY HERRERA: So --  
12 COMMISSIONER ALLAN: But it's still --  
13 DISTRICT ATTORNEY HERRERA: -- we don't have to go through  
14 a bidding process for an easement. But -- but --  
15 COMMISSIONER ALLAN: But I think in all fairness that  
16 should be considered.  
17 DISTRICT ATTORNEY HERRERA: I'm not disagreeing with you.  
18 I agree with you 100 percent. I'm -- I'm just telling you  
19 technically --  
20 COMMISSIONER CLARK: Right.  
21 DISTRICT ATTORNEY HERRERA: -- it -- it's an easement. And  
22 it -- it's a reach around, is it. You know, when they -- when  
23 you buy an easement, you're reaching around. You're -- you  
24 still control that property and prevent the county, in this  
25 instance, from -- from -- from doing anything associated with  
26 that easement, with that particular piece of land.  
27 So it -- I guess it's a policy matter for -- for the five  
28 commissioners to decide if -- if they even want to sell  
29 easements in that area, if -- if we're going to expand it.  
30 That's the question, I think.  
31 COMMISSIONER SPARKS: You ready for a motion?  
32 CHAIRMAN WAITS: You bet.  
33 COMMISSIONER SPARKS: I make a motion we disapprove the  
34 proposal from YESCO for the grant of easement on each of their  
35 six billboards located in Lander County right-of-way at the  
36 Battle Mountain Airport.  
37 COMMISSIONER ALLAN: I'll --  
38 COMMISSIONER CLARK: Second.  
39 COMMISSIONER ALLAN: -- second.  
40 COMMISSIONER CLARK: Okay.

1 CHAIRMAN WAITS: Okay. Bryan made the motion. And  
2 seconded by Art. And thirded by Kathy [verbatim].  
3 But okay. Any other discussion?  
4 (No comment.)  
5 CHAIRMAN WAITS: Any other public comment?  
6 (No comment.)  
7 BRADEN SAUNDERS: I just have a question. So who would I  
8 then -- do we -- at the time of the renewal, to we negotiate  
9 with you guys? Is that --  
10 CHAIRMAN WAITS: All in favor?  
11 COMMISSIONER CLARK: Aye.  
12 COMMISSIONER ANCHO: Aye.  
13 COMMISSIONER SPARKS: Aye.  
14 COMMISSIONER ALLAN: Aye.  
15 CHAIRMAN WAITS: Aye.  
16 COMMISSIONER CLARK: We don't want to interfere with your  
17 business at all, but we just are protecting our property.  
18 BRADEN SAUNDERS: Sure. Sure. And I -- I understand  
19 that --  
20 CHAIRMAN WAITS: Thank you.  
21 BRADEN SAUNDERS: -- and happy to work with you in a year  
22 on four of them.  
23 DISTRICT ATTORNEY HERRERA: I -- I would -- I would say  
24 that -- to answer your question, Keith and/or me are both of us  
25 any contact. And then -- then we would get ahold of the --  
26 BRADEN SAUNDERS: Sure.  
27 DISTRICT ATTORNEY HERRERA: -- the commission for --  
28 BRADEN SAUNDERS: Okay. Cool.  
29 COMMISSIONER CLARK: And as Commissioner Sparks mentioned,  
30 we're building an industrial park out there.  
31 BRADEN SAUNDERS: That was --  
32 COMMISSIONER CLARK: So you will have business on your  
33 signs.  
34 BRADEN SAUNDERS: Yeah. That was pointed out to me as well  
35 when I initially jumped into it. So appreciate your time.  
36 CHAIRMAN WAITS: Thank you, --  
37 COMMISSIONER SPARKS: Thank you.  
38 CHAIRMAN WAITS: -- Braden.  
39 COMMISSIONER CLARK: Thank you --  
40 CHAIRMAN WAITS: Thank you for coming before us.

1 BRADEN SAUNDERS: Yep.  
2 CHAIRMAN WAITS: We're going to take one out of order.  
3 We're going to scoot to Number 5 under Planning.  
4  
5

6 **PLANNING**  
7

8 5) **Discussion and possible action to approve/disapprove a zone**  
9 **change application from Iturriaga Ventures, Carolyn**  
10 **Maestretti, Joseph Philip Ramos, Joseph Ramos Jr., Allan**  
11 **Brewer and Joseph, Melene, Joe and Paige Ramos changing**  
12 **001-248-05, 001-248-03, 001-248-04, 001-247-04, and**  
13 **098-100-34 from Austin Historical Residential (AHR) to**  
14 **Manufactured Housing/Residential/Commercial (MRC), all**  
15 **located in Austin, and all other matters properly related**  
16 **thereto.**  
17

18 CHAIRMAN WAITS: Discussion and possible action to approve  
19 or disapprove a zone change application from Iturriaga --  
20 Iturria- --

21 JENNIFER ITURRIAGA: Iturriaga.

22 CHAIRMAN WAITS: -- Iturriaga -- Jennifer, I'm so sorry --  
23 Ventures, Carolyn Maestretti, Joseph Philip Ramos, Joseph Ramos  
24 Jr., Allan Brewer and Joseph, Melene, Joe and Paige Ramos  
25 changing 001-248-05, 001-248-03, 001-248-04, 001-247-04, and  
26 098-100-34 from Austin Historical Residential, AHR, to  
27 Manufactured Housing, slash, Residential, slash, Commercial,  
28 slash, MRC, all located in Austin, and all other matters  
29 properly related thereto.

30 KYLA BRIGHT: Hi.

31 COMMISSIONER SPARKS: Hi.

32 CHAIRMAN WAITS: Hi, again.

33 KYLA BRIGHT: Kyla Bright, planning coordinator.

34 JENNIFER ITURRIAGA: Jennifer Iturriaga.

35 COMMISSIONER ALLAN: Kyla, could you explain something to  
36 me just --

37 So manufactured housing/residential/commercial --

38 MITESHELL LANHAM: This is Austin here. We can barely hear  
39 you.

40 COMMISSIONER SPARKS: Okay. I'm going to reposition the

1 phone. Tell me if this helps.

2 CHAIRMAN WAITS: Okay. But it was Judie they couldn't  
3 hear. So you need to speak up just a little for us, Judie.

4 COMMISSIONER ALLAN: So when you mentioned the commercial,  
5 is -- is that --

6 MITESHELL LANHAM: Is that better?

7 COMMISSIONER ALLAN: -- across the board commercial? I  
8 mean, you could open up a retail store there? Or is this  
9 commercial in the respect of housing? RV park?

10 KYLA BRIGHT: Yeah. So it would be like tourist  
11 commercial. So you can have storage sheds, anything that you're  
12 storing within the buildings. Nothing can be outside. Or RV  
13 parks, mobile home parks. It's the tourist commercial type.

14 COMMISSIONER ALLAN: Okay.

15 KYLA BRIGHT: So it's not -- not a storefront. Come to my  
16 home -- or come to my, you know --

17 COMMISSIONER ALLAN: Right. Okay.

18 KYLA BRIGHT: It's --

19 COMMISSIONER ALLAN: An- -- any -- no industry. No -- you  
20 know, you can't have a --

21 KYLA BRIGHT: A welding shop.

22 COMMISSIONER ALLAN: -- a welding shop. Any -- okay. That  
23 was just what I need. Thank you.

24 KYLA BRIGHT: Uh-huh.

25 I'm just going to kind of explain the difference between  
26 what you saw last time and this time.

27 So Ms. Maestretti has been removed as well as Robert --

28 CHAIRMAN WAITS: -- Austin --

29 KYLA BRIGHT: -- Hughes, --

30 CHAIRMAN WAITS: -- Resources.

31 KYLA BRIGHT: -- Austin Resources.

32 So that -- let's say, this is north. So it would be this  
33 strip here and one parcel here and this corner here.

34 I left these two in because they are touching on one side  
35 to the -- what would be MRC in the middle, which also would  
36 match the MRC that's existing down at the bottom.

37 I also added into your packets proof of the letter that was  
38 sent out, who it was sent to, and what addresses were listed  
39 when this notice was sent out.

40 Also in there I have the purpose for Austin Historical

1 Residential that I'd like to read out to you if that's okay.

2 This district accommodates the special needs of property  
3 owners in the older portions of the disincorporated town of  
4 Austin where land has been provided in -- divided -- excuse  
5 me -- into parcels which do not readily conform to the  
6 residential building lot minimums of R-1. The AHR district is  
7 intended to accommodate a manufactured housing overlay,  
8 recognizing that much of the existing residential housing in the  
9 district con- -- consists of manufactured housing and/or older  
10 know- -- units known as mobile homes.

11 So I put that in there to explain that it's not -- the word  
12 "historical" is not the main word in the purpose for Austin  
13 Historical Residential.

14 They put it there so that they would not be putting anybody  
15 existing out of compliance, which we are working on with our  
16 Austin realignment project.

17 It's bringing the lots back into compliance, back into the  
18 sizes. And along with that, I think that moving from AHR into  
19 MRC, which has existing down below to it to the south, as you  
20 can see on the map, kind of transitions into this newer, more  
21 productive Austin that -- that could exist.

22 CHAIRMAN WAITS: So of the 26 letters that you sent out,  
23 you didn't get any response from any of those people?

24 KYLA BRIGHT: Not until we sat in here on the last  
25 commission meeting and we had the response on the phone. There  
26 was nothing mailed in, nothing phoned in, and nobody went to the  
27 Austin site to be on the planning commission to speak with us  
28 there.

29 CHAIRMAN WAITS: Thank you.

30 Do we have any public comment from Austin?

31 RAY WILLIAMS: Yes. Can we go ahead and speak now?

32 CHAIRMAN WAITS: Yes. Go ahead.

33 RAY WILLIAMS: I'm Ray Williams, Austin resident.

34 And I -- I voiced my opinion last time. I just feel that  
35 it's -- if Itur- -- Ituriaga enterprises wanted to -- to zone  
36 their lot, I think that's one issue. But this appli- -- there's  
37 only one application and that's for her lot. And then it -- it  
38 takes up a whole big section of upper town, which I feel if they  
39 want to have some kind of commercial operation, they have it  
40 downtown anyway.

1 But it -- with the public notice on this thing, I -- by  
2 your own ordinance, it says that -- just a second here. I'm  
3 going to get my notes -- that spot zoning -- spot zoning is  
4 presumed to be illegal. That's -- that's under your own zoning  
5 ordinance.

6 But --

7 COMMISSIONER CLARK: What did --

8 RAY WILLIAMS: If you go back --

9 COMMISSIONER CLARK: -- Ray say?

10 RAY WILLIAMS: -- to the NRS 276.260 and it says that the  
11 public notice is supposed to notify -- identify the area of the  
12 master plan. They're supposed to have a statement which  
13 indicates whether the proposed zoning designation of the  
14 property in question complies with the requirements of the  
15 master plan for the city or the county in which the property is  
16 located.

17 I don't know that was done. I know there is in this latest  
18 packet that you have, it does show that -- that there's a -- a  
19 one-page copy of a -- of the master plan.

20 I -- I just brought this up to the Chamber of Commerce.  
21 And they did -- they had no knowledge. The Chamber itself had  
22 no knowledge of what was going on with it.

23 And Mr. Vaughn, who's the pastor of the Baptist church  
24 there, wasn't even aware that it was happening.

25 I -- I just feel that it needs to -- if you're going to  
26 zone something down here and change half of -- a big block of  
27 the town, you should have a hearing down here so the people can  
28 come in and understand what you're -- what you're talking about.

29 The -- the statement on there said I would like to have  
30 full use of my property and maximize its full potential.

31 I think that would be great if she was building a nice spec  
32 home up there. But I -- I don't think it's in the proper place  
33 for a trailer park or storage sheds or butcher shop or maybe  
34 marijuana sales operation. I don't know.

35 Anyway, I just want to go on record as opposing.

36 I -- I didn't have time to sit down and really write  
37 something that you had it on the last agenda.

38 I know you've made some adjustments, but anyway --

39 COMMISSIONER SPARKS: Thank you.

40 RAY WILLIAMS: -- that's about all I have to say.

1 COMMISSIONER SPARKS: I -- I have a question.  
2 COMMISSIONER CLARK: Ray, what did you say about the spot  
3 zoning?  
4 RAY WILLIAMS: That you're spot zoning it. That's in your  
5 own zoning ordinance under Article 1 General Provisions 2. Spot  
6 zone meets -- spot zoning is presumed to be illegal.  
7 COMMISSIONER SPARKS: So I have two questions.  
8 Mr. Williams stated that we're spot zoning and that we're not  
9 follow- -- following our Lander County -- or master plan.  
10 I'd like a response to those.  
11 KYLA BRIGHT: Absolutely.  
12 So spot zoning -- if you look at your map, if Jennifer was  
13 just to do this parcel right here -- this is Jen's parcel --  
14 okay? -- up here.  
15 All of the surrounding parcels would be AHR, surrounding  
16 her completely.  
17 So Jennifer contacted all of these parcel owners. And they  
18 agreed that they also wanted to change to MRC. And that would in  
19 turn put this whole block that he is speaking of into MRC,  
20 bringing it out of the spot zoning. Because there's MRC down  
21 below it as well.  
22 COMMISSIONER SPARKS: And that follows our --  
23 KYLA BRIGHT: And that follows. Yes.  
24 COMMISSIONER SPARKS: -- our master plan?  
25 KYLA BRIGHT: Otherwise I would have told her absolutely no  
26 if it was just hers, and it would not be in front of you guys.  
27 COMMISSIONER CLARK: We're not going to build an industrial  
28 park there.  
29 CHAIRMAN WAITS: What about the two that we had to pull out  
30 because of our legal reasons?  
31 KYLA BRIGHT: Right. So I explained that at the beginning.  
32 So if we're looking, again, the dark blue at the top is hers.  
33 This one we left on and this one we left on. This we took off.  
34 And this over here we took off. Leaving these two, you still  
35 have that transition across here, across here, and on the bottom  
36 of MRC.  
37 CHAIRMAN WAITS: So even though --  
38 KYLA BRIGHT: So --  
39 CHAIRMAN WAITS: -- we pulled those out, it's still not  
40 spot zoning?



1 KYLA BRIGHT: It's still not spot.  
2 CHAIRMAN WAITS: Okay.  
3 KYLA BRIGHT: Now if we --  
4 COMMISSIONER CLARK: Okay.  
5 KYLA BRIGHT: -- if we were to take it and this was the  
6 only one up here and none of this, that would be spot zoning  
7 because it's up by itself away from all the other zonings with a  
8 Mod Podge of zonings around it.  
9 CHAIRMAN WAITS: Okay. Thank you.  
10 KYLA BRIGHT: You need that transition.  
11 COMMISSIONER CLARK: Yeah.  
12 CHAIRMAN WAITS: And Ray had a question on the -- the  
13 master plan.  
14 KYLA BRIGHT: So I'm going to -- I also put that in your  
15 packet. Sorry. My papers are all -- now.  
16 Let me get to that page if you'll give me just a moment.  
17 That was a question that came up on the last one.  
18 So, again, I'm going to read from the Austin master plan on  
19 residential.  
20 The residential land use designation is for residential  
21 uses, including mobile home parks in both the development  
22 community and surrounding lands in the Reese River Valley  
23 identified for community expansion.  
24 The intent of the residential land use designation is to  
25 allow the property owner flexibility in developing their  
26 property and maintaining existing uses on site.  
27 Uses may include a broad range of nonresidential  
28 business-oriented uses that are complementary to the character  
29 of Austin.  
30 The residential area west of town and north of U.S. 50 may  
31 develop sooner than south of U.S 50 due to planning  
32 infrastructure in that area. It is recognized that some areas  
33 may benefit from the allowance of recreation- -- recreational  
34 vehicle parks on a lot as the primary use. That's Austin's  
35 master plan.  
36 Historical commercial, which is what was getting confused in  
37 the last meeting, the words "historical" and the words  
38 "commercial." Specific uses in the downtown historical core --  
39 historic core is to protect the historical character of downtown.  
40 Okay?

1 RAY WILLIAMS: (Indiscernible.)  
2 KYLA BRIGHT: This is Austin's master plan --  
3 CHAIRMAN WAITS: Okay. Just a qualification on --  
4 KYLA BRIGHT: -- to just --  
5 CHAIRMAN WAITS: -- that.  
6 KYLA BRIGHT: -- throw that out there.  
7 CHAIRMAN WAITS: It says on the master plan it's recognized  
8 that some areas may benefit from the allowance of recreation  
9 vehicles parked on a lot as the primary use. But our ordinance  
10 still restricts that.  
11 KYLA BRIGHT: This is correct.  
12 CHAIRMAN WAITS: So as long as -- yeah. Okay.  
13 KYLA BRIGHT: So that's that --  
14 CHAIRMAN WAITS: Austin, did you have any more comments?  
15 RAY WILLIAMS: Go ahead, Frank.  
16 FRANK WHITMAN: I don't have anything.  
17 RAY WILLIAMS: Frank Whitman was here. He was reviewing  
18 it, but he didn't have anything.  
19 I just -- I just feel that it's -- it's kind of unfair to  
20 the community to -- to proceed and make this whole big block  
21 commercial.  
22 I -- I still feel if she wanted to have her particular  
23 property made commercial, that's spot zoning. But maybe she  
24 could do something with it that --  
25 Just -- but just my own opinion.  
26 And I think it's a general opinion of what the applicant --  
27 Chamber of Commerce said. We spent almost two years doing that  
28 master plan for Austin. And I think it was completed in -- the  
29 last one -- 2008.  
30 But we went through windshield surveys and we went through  
31 notifications. We had a very large number of people in the  
32 community involved in it.  
33 I think it set up five or six teams to do different parts  
34 of town.  
35 And at that time, the spot zoning that was out of  
36 conformance, I guess, or whatever you wanted to call it was --  
37 was approved. And those are little blocks throughout the  
38 community where people were already doing a commercial  
39 operation.  
40 COMMISSIONER SPARKS: Well, first off, just clarification,

1 it's not just zoned commercial. It's MRC, which is --  
2 RAY WILLIAMS: Well --  
3 COMMISSIONER SPARKS: -- multiple uses.  
4 RAY WILLIAMS: -- I -- I understand that.  
5 But C is commercial. Is that not correct?  
6 COMMISSIONER SPARKS: It is. But we have -- we do have  
7 designations that is strictly to commercial. I just wanted to  
8 point that out that it is multiple use, manufactured housing,  
9 residential and commercial.  
10 RAY WILLIAMS: Yeah.  
11 JENNIFER ITURRIAGA: And if you looked at it with such a  
12 fine-toothed comb, why didn't the Gridley Store get zoned as  
13 Austin Historical?  
14 And then I'm just right up from there. And I have nothing  
15 on my property that is -- has anything to do with historical.  
16 CHAIRMAN WAITS: No. I think we clarified that. It wasn't  
17 a historical district per se.  
18 But on the legality of it, Ray, un- -- unfortunately it did  
19 go, you know, properly before the planning commission and to the  
20 residents that needed to be notified.  
21 There isn't anything legally that we say that a hearing has  
22 to be held.  
23 I understand your point and I understand Austin's concern  
24 if the commissioners want to take that into consideration.  
25 But legally everything appears to be have done properly.  
26 So --  
27 DISTRICT ATTORNEY HERRERA: Absolutely.  
28 CHAIRMAN WAITS: -- we also need to take that in  
29 consideration.  
30 Okay.  
31 So what are the board's feelings today?  
32 JENNIFER ITURRIAGA: And why are there no other complaints  
33 besides -- I mean, nobody called in or sent in anything or  
34 nobody showed up to the meeting.  
35 I -- and if you guys trust your planning committee and  
36 this, I don't know what the problem is.  
37 If -- what your problem is Bubby, I guess.  
38 CHAIRMAN WAITS: Well, I -- I will go ahead and put it on  
39 the record. When the planning committee -- when the agenda came  
40 out for the planning committee, I think it -- it really was --

1 was a -- a little ambiguous. It did not -- it did not basically  
2 say the information that it could have said so that Austin would  
3 have picked up on it.

4 But the people were notified properly with the right  
5 information. So, you know, if you wanted to hold your hand on  
6 that and say, okay, let's send it back to the planning  
7 commission, that's -- that's --

8 COMMISSIONER ANCHO: (Indiscernible.)

9 CHAIRMAN WAITS: -- another option.

10 COMMISSIONER ANCHO: If all of these people were sent  
11 letters and you had no complaints and it was -- the planning  
12 board was --

13 CHAIRMAN WAITS: Well, those -- but those people that they  
14 sent letters are around. Those are all the ones that they have  
15 to legally send because they're on that end of town.

16 Other people on the other end of town are the ones that are  
17 saying let the Chamber or the people that weren't notified  
18 personally, that weren't aware of what was happening. And  
19 that's what Ray is speaking to.

20 The town didn't know that. Well, it's a small town so they  
21 should have known it and didn't. And now they're concerned.

22 Is that after the fact? Is it too late? That's up to you  
23 folks.

24 COMMISSIONER SPARKS: I don't see a reason why we can't  
25 approve it. I think it's all -- seems it's all within order.

26 COMMISSIONER CLARK: I can't hear you.

27 COMMISSIONER SPARKS: I say I don't see they're -- why  
28 there's a reason why we can't approve it. Just because  
29 everything seems to be in order.

30 COMMISSIONER CLARK: Yeah. Yeah.

31 I'll -- I'll make a motion to approve the zone change for  
32 the applicants listed on Item Number 5.

33 COMMISSIONER SPARKS: I'll second the motion.

34 CHAIRMAN WAITS: Okay. It's been moved by Art that we  
35 approve this. And seconded by Bryan.

36 Any other discussion?

37 (No comment.)

38 CHAIRMAN WAITS: Any other public comment?

39 BERT RAMOS: Bert Ramos, for the record.

40 Just to ease everybody's mind, there will not be any

1 operations of marijuana or anything going on anywhere around  
2 there.

3 That is not the hidden agenda. And you guys can write it  
4 in your diaries, take it home because none of that's ever going  
5 to happen up there.

6 KYLA BRIGHT: It's not zoned correctly.

7 BERT RAMOS: Yes.

8 CHAIRMAN WAITS: You'd have to come before us --

9 BERT RAMOS: Well, that --

10 CHAIRMAN WAITS: -- again anyway.

11 BERT RAMOS: I just wanted that to be clear.

12 COMMISSIONER CLARK: You're going to build an industrial  
13 park down there, are you?

14 JENNIFER ITURRIAGA: No.

15 COMMISSIONER CLARK: That would be spot zoning.

16 KYLA BRIGHT: It's not zoned for --

17 CHAIRMAN WAITS: Okay. All those in favor?

18 COMMISSIONER ANCHO: Aye.

19 COMMISSIONER SPARKS: Aye.

20 COMMISSIONER CLARK: Aye.

21 CHAIRMAN WAITS: Aye.

22 Any opposed?

23 COMMISSIONER ALLAN: Nay.

24 CHAIRMAN WAITS: Okay. One so recorded. And it passes.

25 JENNIFER ITURRIAGA: Thank you very much. Appreciate it.

26 CHAIRMAN WAITS: Thank you.

27  
28  
29 **COMMISSIONERS**

- 30  
31 2) **Discussion and possible action to approve/disapprove a letter**  
32 **of support to the Bureau of Land Management for Desert Land**  
33 **Entry Applications N-96929; N-96930; N-96931; N-96932, and**  
34 **N-96933 all in the name of 8-Mile Farms, LLC, located in the**  
35 **Smith Creek Valley, and all other matters properly related**  
36 **thereto.**

37  
38 CHAIRMAN WAITS: We go on to Number 2.

39 Discussion and possible action to approve or disapprove a  
40 letter of support to the Bureau of Land Management for Desert

1 Land Entry Applications N-96929; N-96930; N-96931; N-96932, and  
2 N-96933 all in the name of 8-Mile Farms, LLC, located in the  
3 Smith Creek Valley, and all other matters properly related  
4 thereto.

5 Gentleman.

6 BEVAN LISTER: Thank you, Madam Chairman, and members of  
7 the commission. My name is Bevan Lister.

8 ALAN KNIGHT: I'm Alan Knight.

9 BEVAN LISTER: We're just here. We -- we presume or hope  
10 that you got the information that we sent in, the maps and  
11 everything.

12 In a nutshell we're planning to develop 1600 acres in the  
13 Smith Creek Valley. It's about 18 miles west of Austin, about 8  
14 miles south of Highway 50.

15 We're bordered on the south by an existing farm. I believe  
16 Gandolfos own it. There's a power line right there and -- and a  
17 county road right there.

18 And we're going to -- we're going to build a farm.

19 So we do it in Pioche. And we're excited for the  
20 opportunity to move up your way.

21 So if you -- basically, if you have any questions -- just one  
22 clarification.

23 So I don't know if any of you are familiar with the desert  
24 land entry process, one of the few acts left on the books where  
25 BLM land can be disposed of and put into private ownership, it  
26 has to meet certain qualifications.

27 Now on your agenda it says all in the name of 8-mile Farms.

28 So the -- the applications have to be in the name of an  
29 individual for a maximum of 320 acres.

30 So my wife and I have applied, Alan's wife, and -- and  
31 he, and then his dad.

32 But we've grouped them together and asked the BLM to act on  
33 them in one decision because it will -- that -- that minimizes the  
34 cost for the environmental work and -- and those kind of things.

35 So with that in said, if you've got any questions for us,  
36 we'd love to field them.

37 CHAIRMAN WAITS: I just have one. Thank you.

38 And, yes, we have had some of our other ranchers go with  
39 the DLE in Lander County. And it's always exciting to get them  
40 back on the rolls so to speak. We get more in taxes than we do

1 on PILT. So --

2 But the water is always a question, Bevan.

3 BEVAN LISTER: So what research I've done, the -- this is  
4 one of the few basins in the state that has available water.  
5 And there's not a whole bunch of people waiting in line for it.

6 CHAIRMAN WAITS: It's still an open basin.

7 BEVAN LISTER: Yeah. It's still an open basin. There's  
8 approximately, at least to the records that I could find, about  
9 7500 acre-feet available in the basin.

10 We would be using about 5,000 of that 7500 acre-feet.

11 The water table -- the -- the wells that are in production  
12 there now look to be very good wells.

13 And -- and -- and so I -- I think the physical water, not  
14 only the water rights, are accessible, but also the physical  
15 water is acceptable.

16 It's tremendously advantageous to have the power line right  
17 there close by as well.

18 So in my -- one of my other hats that I wear, I'm a water  
19 well contractor. And -- and so I have some experience in that  
20 field.

21 CHAIRMAN WAITS: Any other questions?

22 COMMISSIONER ANCHO: From the time that you begin until  
23 you -- don't you have like a -- a -- like, four years from the  
24 time that you begin until you've finished to have basically  
25 your -- until you're growing hay; is that correct?

26 BEVAN LISTER: So -- so in the process, once -- so we  
27 submitted the applications to the BLM last May. And it's still  
28 very new in the process. Once the BLM grants us permission to  
29 enter on, then we will have four years to prove up.

30 And -- and it -- it's actually kind of nice because it  
31 coincides with your four years to prove beneficial use on the  
32 water.

33 So our development plan would be that we would develop --  
34 it -- it would be the first four pivots. So 640 acres the first  
35 year, 640 acres the second year, and then the last 320 would be  
36 done the third year.

37 So we've got a three-year development plan to -- to have it  
38 all in production. So with whole.

39 The first year that they give us permission to enter on, we  
40 would have the first four pivots, the first 500 acres in

1 production in that year.

2 CHAIRMAN WAITS: And we would have some new families in  
3 Lander County.

4 BEVAN LISTER: Yep.

5 CHAIRMAN WAITS: In southern Lan- -- in southern Lander  
6 County.

7 BEVAN LISTER: The --

8 We're looking at there would be at least two there, two  
9 families there full time, possibly three, and then summer help.  
10 So --

11 CHAIRMAN WAITS: So a -- board, while you are considering  
12 this, they -- they did go ahead and -- and put a -- a model  
13 letter in here for us. So if you're looking to approve this and  
14 support it, take a look at that letter and see if that's  
15 something you want to just put it in the way it is or whether  
16 we'd like to add anything to it or amend it. And that can be  
17 part of your motion.

18 COMMISSIONER ALLAN: So, Bevan, I have a question. And I  
19 know that area isn't really scrutinized as far as water rights.  
20 And it's like you said, there's plenty of water and it's not a  
21 real big issue. How long's it generally take to get -- I mean,  
22 if you -- if you apply for the irrigation rights, how long would  
23 it take to get those? Do you know?

24 BEVAN LISTER: So the way -- the way the state engineer  
25 deals with water rights in relation to a desert land entry  
26 application, when you file the application for water, you note  
27 that it's for a desert land entry.

28 The state engineer kind of holds that in queue, doesn't do  
29 anything with it until the permission to enter on is granted.

30 And -- and so once -- once that permission to enter on is  
31 granted, then the state engineer, you -- you just ask them and  
32 they'll activate the --

33 COMMISSIONER ALLAN: Okay.

34 BEVAN LISTER: -- the water rights.

35 COMMISSIONER SPARKS: With -- like you guys sit on water  
36 boards?

37 COMMISSIONER ALLAN: Uh-huh.

38 COMMISSIONER SPARKS: I mean, are there any BDRs that are  
39 potentially coming forth that could affect the use of that  
40 water, that if -- if they -- they weren't to get it that it



1 would go elsewhere?

2 COMMISSIONER ALLAN: No.

3 COMMISSIONER SPARKS: No?

4 COMMISSIONER ANCHO: Uh-uh.

5 COMMISSIONER ALLAN: No. I mean, and that -- and that's

6 one thing that the -- I don't believe the state engineer will

7 approve interbasin transfers.

8 COMMISSIONER SPARKS: Oh.

9 COMMISSIONER ALLAN: And, I mean, it's -- especially now.

10 And -- and there are some -- there is a BDR -- well,

11 it's -- it's a bill before the assembly -- on basically

12 speculation, water speculation.

13 But I don't know as though this area, that particular area,

14 would -- would be part of -- you know, would ever be used for

15 speculation.

16 COMMISSIONER SPARKS: Yeah.

17 COMMISSIONER ANCHO: And I think it's such a hot topic the

18 water now --

19 COMMISSIONER SPARKS: Well --

20 COMMISSIONER ANCHO: -- when they originally put in their

21 application instead of putting it on a queue, they would have

22 just handed it right back to them, --

23 COMMISSIONER SPARKS: Right.

24 COMMISSIONER ANCHO: -- you know. So --

25 COMMISSIONER SPARKS: Uh-huh.

26 BEVAN LISTER: And -- and --

27 FRANK WHITMAN: Frank Whitman, here --

28 BEVAN LISTER: -- we're not --

29 FRANK WHITMAN: -- for the record. Chair of the public

30 lands board.

31 The only BDR that might affect that is the proposed one to

32 leave a 10 percent water reserve in any basin that has not been

33 fully a- -- allocated.

34 And he'll have his in, I'm sure, before that happens. I

35 don't think he's going to bump into that upper number at all.

36 And just to -- to finish up, the public lands board had --

37 did review that, did review the water and the land. And we

38 are -- we are -- we stand in favor of -- of seeing these

39 applications go through. Thank you.

40 COMMISSIONER SPARKS: Thank you, Frank.

1 COMMISSIONER ANCHO: Thank you.  
2 COMMISSIONER ALLAN: Thank you, Frank, I -- actually that  
3 was a new one I forgot about. We just -- just brought it to our  
4 attention Friday. So thank you for that.  
5 COMMISSIONER SPARKS: Ready for a motion?  
6 CHAIRMAN WAITS: Okay. Ready for motion?  
7 COMMISSIONER ALLAN: I'll make a motion that we approve a  
8 letter of support to the BLM for desert land entry application  
9 N-96929, N-96930, N-96931, N-96932, and N-96933 all in the name  
10 of 8-Mile Farms, LLC.  
11 COMMISSIONER ANCHO: I'll second it.  
12 CHAIRMAN WAITS: And authorize...  
13 COMMISSIONER ALLAN: And authorize the chair to sign.  
14 CHAIRMAN WAITS: Thank you.  
15 Is there any other comment? Public comment?  
16 (No comment.)  
17 CHAIRMAN WAITS: Okay. The motion's made by Judie,  
18 seconded by Kathy.  
19 All in favor?  
20 COMMISSIONER SPARKS: Aye.  
21 COMMISSIONER ALLAN: Aye.  
22 COMMISSIONER CLARK: Aye.  
23 CHAIRMAN WAITS: Aye.  
24 Thank --  
25 COMMISSIONER ALLAN: So --  
26 CHAIRMAN WAITS: -- you.  
27 May I also take the opportunity to introduce you to one of  
28 our fellow commissioners. Bevan Lister is from Lincoln County.  
29 COMMISSIONER ANCHO: Mm.  
30 COMMISSIONER SPARKS: Oh.  
31 COMMISSIONER ALLAN: I was going to say, Bevan, when you  
32 said you were going to be here, I didn't realize it was going to  
33 be this soon.  
34 BEVAN LISTER: Thank you, all, very much.  
35 COMMISSIONER ALLAN: Thank you.  
36 CHAIRMAN WAITS: Thank you. We're excited about it too.  
37 And we're going to take a quick ten-minute break.  
38 Austin?  
39  
40 (Break taken between 10:08 a.m. and 10:16 a.m.)

1 CHAIRMAN WAITS: Thank you. We're going to call our  
2 meeting back to order, please.

3 And we're going to still be out of sync a little bit.  
4 We're going to go directly to Number 4.

- 5  
6 **4) Discussion and possible action regarding Lander County's**  
7 **Community Health Nursing Program and whether to continue the**  
8 **program as a county-funded program or as a state-funded**  
9 **program, and all other discussion and possible action**  
10 **regarding Lander County's community health nursing program**  
11 **and whether to continue the program as a county funded**  
12 **program or as a state-funded program and all other matters**  
13 **properly related thereto.**  
14

15 CHAIRMAN WAITS: Discussion and possible action regarding  
16 Lander -- Lander County's Community Health Nursing Program and  
17 whether to continue the program as a county-funded program or as  
18 a state-funded program, and all other matters properly related  
19 thereto.

20 KEITH WESTENGARD: So our current community health nurse is  
21 leaving April 1st for a -- a new position.

22 One of my responsibilities is to look at -- at costs  
23 associated with that as well as what's best -- what -- how to  
24 best serve the community.

25 So I went back and I started reviewing a few things, and  
26 the costs here are -- are substantial.

27 Right now with the county-funded community health nurse,  
28 the salary and benefit packages are right at \$132,000. It's in  
29 your books.

30 To go back with the state, which we had in the past, that's  
31 going to run about \$11,000 a year. So we've got quite a bit of  
32 difference there.

33 I have invited the state, Tina Gerber-Winn to come and  
34 answer any questions that you might have and -- and Abby's here  
35 to answer any other questions you might have.

36 You also have, I think, four letters of support for the  
37 community health nurse program or the county-funded community  
38 health nurse program.

39 And so with that, I will answer questions or ask -- ask the  
40 two to come up and answer your questions.

1 COMMISSIONER SPARKS: So my question -- so what would --  
2 what'd you say if we went with the state, how much we would  
3 save?  
4 KEITH WESTENGARD: With the state -- so we have a contract  
5 with the state currently.  
6 COMMISSIONER SPARKS: Uh-huh.  
7 KEITH WESTENGARD: And it was \$41,000 a year. And that  
8 included the commun- -- the coun- -- the community health nurse.  
9 So it's been reduced this year. It's Number 9, which --  
10 which we'll get to in a little bit.  
11 But that -- it's down to about 30,000.  
12 So if we put the health nurse back under the state,  
13 they'll -- it'll go up another \$11,000 a year. Is that correct?  
14 TINA GERBER-WINN: Well --  
15 COMMISSIONER SPARKS: So it'd be 41,000?  
16 KEITH WESTENGARD: Yes.  
17 COMMISSIONER SPARKS: So -- okay. For- -- so this --  
18 COMMISSIONER CLARK: I -- I've got --  
19 COMMISSIONER SPARKS: And --  
20 COMMISSIONER CLARK: -- a question. I thought the state  
21 didn't have money and we had --  
22 KEITH WESTENGARD: Well --  
23 COMMISSIONER CLARK: -- to pick up -- that's what we were  
24 told.  
25 KEITH WESTENGARD: I'll -- I'll let -- let you -- I'll let  
26 Tina answer that.  
27 TINA GERBER-WINN: Good morning.  
28 COMMISSIONER SPARKS: Good morning.  
29 KEITH WESTENGARD: I'll ex- --  
30 TINA GERBER-WINN: For the rec- -- oh, go ahead.  
31 KEITH WESTENGARD: Did I answer your question,  
32 Commissioner?  
33 COMMISSIONER SPARKS: Well, yeah. That -- that was one of  
34 the -- actually, I'll just let her speak. She may answer some  
35 of the other --  
36 TINA GERBER-WINN: Okay.  
37 COMMISSIONER SPARKS: -- questions I have. So --  
38 TINA GERBER-WINN: For the record, my name's Tina  
39 Gerber-Winn. I'm the agency manager for community health and  
40 mental health services through the state.

1           So just to clarify for the assessment, our original  
2 assessment to Lander County in previous years was 40,000,  
3 roughly \$41,000.

4           Our current assessment to you is for \$11,000. And that's  
5 basically for protective services, mandated services.

6           So to clarify our budget, under the NRS, which was passed  
7 in 2011, the counties were responsible for conducting -- or  
8 paying for a portion of management of chronic contagious  
9 diseases in the county.

10          So that portion that we do on behalf of your county is  
11 under the state health officer. So we're supposed to be looking  
12 for ways to test for sexual transmitted diseases and prevention  
13 or eradication of those issues that we find, HIV testing and  
14 counseling to protect the citizens from those disease spreads  
15 and vaccination clinics for outbreaks and then to participate in  
16 your local emergency preparedness board.

17          So that portion of it, we have to bill you for either the  
18 \$11,000 to not have any other additional services in the county  
19 or a nurse in the county itself. But we would provide those  
20 services if our state epidemiologist noted there was an outbreak  
21 of disease in Lander County.

22          So that would be what we would pay for. We have finances  
23 for that. What it comes from is some of it's from CDC for  
24 public health preparedness; general fund from the state;  
25 maternal and child health funds; funds from SAPTA, which is  
26 chronic -- it's disease prevention for substance use; Title X,  
27 which is family planning monies; and then Title 20, which is a  
28 Social Security block grant money. So we have a mix of moneys  
29 in our budget.

30          I think what happened before was that we had extra optional  
31 money which was for family planning. And we might have bought  
32 immunizations for that as well.

33          So the problem is confusion about the scope of work.

34          For a mandatory service you pay \$11,000 and we provide  
35 management for those outbreaks that might occur.

36          It's a crapshoot. You might not have any outbreaks in your  
37 county. But we would be able to address them as they came up.

38          The part where we kind of had a partnership before and the  
39 county gave us extra money was really to those voluntary or --  
40 voluntary's not the right word. They are supplemental or

1 additional services that the county could choose to have.

2 I think you really wanted vaccinations for everyone. That  
3 could be something your board of health would state.

4 Our budget supports vaccinations but not for people who  
5 have health insurance. It's for people who are uninsured,  
6 underinsured -- so meaning they might have insurance but it  
7 doesn't cover certain things -- or there's a limit on it, like  
8 our dental insurance, for example, it pays \$1500 a year. So if  
9 you need \$3,000 worth of work, you have to pay \$1500 out of your  
10 pocket.

11 So our budget considers people who are underinsured for  
12 some things or on a fixed-dollar amount that your insurance  
13 would pay.

14 So the county at times, I think, wanted people who had  
15 insurance to receive vaccinations and we couldn't provide them  
16 because we didn't have private stock for their insurance  
17 company.

18 A lot of information, I understand.

19 So I think that's when the county paid money, put it in a  
20 special-use fund and we bought vaccinations for that for anybody  
21 in the county regardless of insurance. And we just gave them  
22 vaccinations.

23 So what you're paying for in \$11,000 is just the basic  
24 coverage of -- of STD, chronic disease. If you wanted anything  
25 else, such as a nurse on site, it would be the 40 --  
26 approximately \$40,000 a year. The nurse would be available,  
27 would probably cover one day a week in Elko for public health  
28 preparedness, but would be here.

29 Anything over and above that -- and I think your county  
30 really has worked to provide some access to care for people who  
31 have insurance, but it's a transportation issue or an access  
32 issue to go somewhere else for vaccinations for people who have  
33 insurance as well as family planning for people who have  
34 insurance.

35 I don't know if you're billing out for those things, but  
36 those are things we could provide through the state. But the  
37 county would have to pay for some of the supplies.

38 CHAIRMAN WAITS: And you --

39 TINA GERBER-WINN: So --

40 CHAIRMAN WAITS: -- wouldn't bill?

1 TINA GERBER-WINN: We would bill for administration.  
2 So, for example, you would supply the vaccinations but we  
3 would bill insurance for administering the vaccinations if it --  
4 if it existed for a person's --  
5 CHAIRMAN WAITS: Okay. So if we had -- because we're used  
6 to having flu PODs, you know, where --  
7 TINA GERBER-WINN: Oh.  
8 CHAIRMAN WAITS: -- they just come through.  
9 TINA GERBER-WINN: Right.  
10 CHAIRMAN WAITS: So -- and I understand that. Lots of  
11 people have insurance that it pays for that.  
12 So --  
13 TINA GERBER-WINN: Right.  
14 CHAIRMAN WAITS: -- if -- if they came in, could you handle  
15 the one with insurance and bill and the one that didn't have and  
16 give it free?  
17 TINA GERBER-WINN: So a couple of things in that.  
18 CHAIRMAN WAITS: Are you set up to do that?  
19 TINA GERBER-WINN: Well, we can't. We don't have private  
20 stock for people who have insurance. So if the county paid for  
21 the medication as they had in the past, they gave a special-use  
22 fund. And I think --  
23 CHAIRMAN WAITS: Okay.  
24 TINA GERBER-WINN: -- Jason Bleak did pay -- he's here now.  
25 The hospital did help you pay for the medication.  
26 We would then administer the medication.  
27 And that -- we could do that for any specific behavioral  
28 heal- -- not behavioral health -- board of health initiative;  
29 correct?  
30 CHAIRMAN WAITS: Okay.  
31 TINA GERBER-WINN: If you wanted to do screenings for  
32 certain things or provide --  
33 CHAIRMAN WAITS: No, --  
34 TINA GERBER-WINN: -- health care.  
35 CHAIRMAN WAITS: I understand. So if we have a -- a group  
36 over here and we're going to have a thousand people that have  
37 immunizations and half of them have insurance, we pay for half  
38 of it --  
39 TINA GERBER-WINN: Oh.  
40 CHAIRMAN WAITS: -- for those half that have the vaccine?

1 TINA GERBER-WINN: Day to day in the clinic? No. That's  
2 not true. Correct. I'm sorry.

3 Day to day if someone came in for help from the clinic, we  
4 would have to charge them depending on private stock use or  
5 whether they had an insurance or not. We would look at that.

6 CHAIRMAN WAITS: Okay.

7 TINA GERBER-WINN: What you're talking about is a point of  
8 distribution. It's a practice test for a disaster. In those  
9 instances, there's a special category of medication we have.  
10 I know it's complex; right?

11 There's a special category of medication we get from the CDC,  
12 the Centers for Disease Control, and they allow us to use  
13 medication for anybody in those exercises because you're  
14 practicing for a disaster.

15 CHAIRMAN WAITS: I see. Okay. There's more to the story.  
16 I understand.

17 TINA GERBER-WINN: Yeah. It's --

18 CHAIRMAN WAITS: Okay.

19 TINA GERBER-WINN: -- pretty --

20 CHAIRMAN WAITS: I got --

21 TINA GERBER-WINN: -- complex.

22 CHAIRMAN WAITS: -- it. Well, that's interesting to know.  
23 But let's go back to -- because Art's question was, the main  
24 reason that -- that the board voted to go community nurse was we  
25 thought we didn't have any other choices. We were told that the  
26 state was no longer going to -- going to have that available for  
27 us. I think it was a -- it was a -- very definitely a  
28 miscommunication.

29 TINA GERBER-WINN: Uh-huh.

30 CHAIRMAN WAITS: So that was the main reason that we went.  
31 And how long have we had our own community nurse?

32 KEITH WESTENGARD: Okay. Can I answer --

33 CHAIRMAN WAITS: Yeah.

34 KEITH WESTENGARD: -- that? And I believe what we're  
35 talking about is the Title X funding.

36 TINA GERBER-WINN: Uh-huh.

37 KEITH WESTENGARD: And I -- I think she can address the  
38 Title X --

39 CHAIRMAN WAITS: Okay.

40 KEITH WESTENGARD: -- funding. And it's been a year and a



1 half.

2 CHAIRMAN WAITS: So it was -- only had our own community  
3 nurse a year and a half. We've been doing the state --

4 KEITH WESTENGARD: You're --

5 CHAIRMAN WAITS: -- before. And how many -- how many hours  
6 or how many days do we have a state community nurse here?

7 TINA GERBER-WINN: A state?

8 KEITH WESTENGARD: I'm not -- you mean, how --

9 CHAIRMAN WAITS: I mean, are they --

10 KEITH WESTENGARD: -- how --

11 CHAIRMAN WAITS: -- here all the time or they just come  
12 twice a week? Or --

13 KEITH WESTENGARD: No. So the com- --

14 DISTRICT ATTORNEY HERRERA: The county.

15 KEITH WESTENGARD: Right now in the county with the  
16 county-funded one, it's four days a week. They work four  
17 10-hour days.

18 CHAIRMAN WAITS: But that -- but the -- but that's ours.

19 KEITH WESTENGARD: Yes.

20 CHAIRMAN WAITS: No. I'm talking --

21 KEITH WESTENGARD: Oh.

22 CHAIRMAN WAITS: -- the state.

23 KEITH WESTENGARD: Oh. We --

24 CHAIRMAN WAITS: If we go back to the state.

25 KEITH WESTENGARD: So the discussion was --

26 DISTRICT ATTORNEY HERRERA: Four days.

27 KEITH WESTENGARD: -- we would put them on -- or we would  
28 re- -- we would have them on a five, eight hours a day.  
29 Five-day weeks, eight-hour-a-day schedule.

30 So they would be in the county four days a week. And that  
31 one day that, that extra day could be used for going to Elko  
32 or -- or going out of the area.

33 So they would be here four days a week, just as they are now.  
34 But eight hours a day instead --

35 CHAIRMAN WAITS: Or --

36 KEITH WESTENGARD: -- of ten.

37 CHAIRMAN WAITS: -- Austin or wherever --

38 KEITH WESTENGARD: Or --

39 CHAIRMAN WAITS: -- we send them on those four days.

40 COMMISSIONER CLARK: How much coverage do we pro- --

1 provide to the southern part of the county through the current  
2 -- the current way it's set up?  
3 How many --  
4 KEITH WESTENGARD: I --  
5 COMMISSIONER CLARK: -- days a month?  
6 KEITH WESTENGARD: If -- if they need them, I mean, Abby  
7 could answer that. If they -- if they -- if they're needed,  
8 they -- she goes anywhere in the county that's --  
9 COMMISSIONER CLARK: Okay.  
10 KEITH WESTENGARD: -- needed.  
11 COMMISSIONER CLARK: And that wouldn't be different with  
12 the state? They would still be able to go down south and --  
13 TINA GERBER-WINN: By -- is -- by down south, I'm assuming  
14 you mean Austin, --  
15 COMMISSIONER CLARK: Austin, Kingston, --  
16 TINA GERBER-WINN: Right.  
17 COMMISSIONER CLARK: -- Gilman --  
18 TINA GERBER-WINN: Yeah.  
19 COMMISSIONER CLARK: -- Spring- -- Springs.  
20 TINA GERBER-WINN: I -- I do know that we would probably  
21 need a place to operate. So in some places we go to the school  
22 and we would be able to see people at the school. So we would  
23 just need a location.  
24 COMMISSIONER CLARK: Oh, we -- we have plenty -- we have  
25 places --  
26 TINA GERBER-WINN: So --  
27 COMMISSIONER CLARK: -- that you can --  
28 What I'm concerned about is, do we go to individuals'  
29 houses or is that the EMS that goes there and monitors diabetes  
30 and like --  
31 DISTRICT ATTORNEY HERRERA: That's the --  
32 COMMISSIONER CLARK: -- blood pressure --  
33 DISTRICT ATTORNEY HERRERA: -- EMS.  
34 COMMISSIONER CLARK: -- and all that?  
35 KEITH WESTENGARD: That -- that would be EMS. I --  
36 COMMISSIONER CLARK: EMS.  
37 KEITH WESTENGARD: -- don't know that --  
38 CHAIRMAN WAITS: That's the new paramedicine --  
39 KEITH WESTENGARD: -- Abby --  
40 CHAIRMAN WAITS: -- program --

1 ABBY BURKHART: That's EMS.  
2 CHAIRMAN WAITS: -- that's --  
3 KEITH WESTENGARD: Did you go to houses --  
4 COMMISSIONER CLARK: Okay  
5 CHAIRMAN WAITS: Yeah.  
6 KEITH WESTENGARD: -- too?  
7 ABBY BURKHART: No. That's EMS.  
8 KEITH WESTENGARD: So, no, currently -- and I don't think  
9 that would -- that would befall the same with the state.  
10 TINA GERBER-WINN: No.  
11 KEITH WESTENGARD: They don't go to a private residence.  
12 That would be --  
13 COMMISSIONER CLARK: Okay.  
14 KEITH WESTENGARD: -- EMS, and that's the tele- --  
15 telemedicine, Jason?  
16 UNIDENTIFIED PARTICIPANT: Paramedicine.  
17 KEITH WESTENGARD: What's it called?  
18 CHAIRMAN WAITS: It's the paramedicine --  
19 JASON BLEAK: Paramedicine.  
20 KEITH WESTENGARD: Paramedicine.  
21 CHAIRMAN WAITS: -- program.  
22 KEITH WESTENGARD: There you go.  
23 COMMISSIONER CLARK: Okay.  
24 KEITH WESTENGARD: Paramedicine.  
25 CHAIRMAN WAITS: But it's not in full force yet here.  
26 COMMISSIONER CLARK: Right. So -- so back to my question  
27 that Patty -- Patsy re- -- resurrected. Did the state have  
28 money all along to fund this?  
29 TINA GERBER-WINN: We have money for the basic services.  
30 But I think what Lander County wanted was over and above that --  
31 COMMISSIONER CLARK: Uh-huh.  
32 TINA GERBER-WINN: -- as far as "vaccinations for all"  
33 sticks in any mind. And I think that's a great goal, by the  
34 way. I'm not -- I think that's wonderful. It helps everybody.  
35 We did do surveys. Like if your pharmacy doesn't give  
36 immunizations to children because they're not comfortable, for  
37 whatever reason, then they have to go to a medical provider.  
38 And I know you have a rural health center here and maybe kids go  
39 there.  
40 But it seems like the convenience is what people wanted,

1 immediate access if you were in an emergency, want to get an  
2 immunization for your child to go back to school.

3 We don't have supplies for those types of convenience. I  
4 don't mean to be rude or condescending about anything of  
5 people's convenience, but that's not part of what's in our  
6 budget.

7 But we could work with you. If you wanted to supply those  
8 things, it wouldn't be an issue. You would basically be  
9 determining who's eligible for that service in your county.

10 COMMISSIONER SPARKS: So I'd like to speak my thoughts on  
11 it. So -- because I've thought about it for the last several  
12 days.

13 Number one is the cost. That's a thing. But then more  
14 importantly is the service.

15 And then I'd like to see all the letters of support from  
16 people I never even thought of like the sheriff's department,  
17 the school, the hospital, people that are directly affected by  
18 it. And I think in a lot of instances, you get what you pay  
19 for.

20 I like the idea that we control it within our own county. It  
21 makes it much simpler. We control it rather than being in  
22 business with the state, which, "Oh, no, we can't do this" or  
23 "This is going to affect this or this," all in name of saving  
24 dollars.

25 And that's kind of how I see it. So I just wanted to put  
26 that out there.

27 COMMISSIONER ANCHO: And I have a question too.

28 I wanted -- what kind of guarantee are you going to have  
29 that we'll have a health nurse here?

30 I mean, there's -- because I know that there's been breaks.  
31 And that's where the problems have --

32 TINA GERBER-WINN: Uh-huh.

33 COMMISSIONER ANCHO: -- arisen is there's breaks in times  
34 that we have service and we had to go months without having a  
35 nurse here.

36 And that's huge. Makes hu- -- and I'm -- the -- for  
37 immunizations for underprivileged, for the teenagers at the high  
38 school, I mean those -- that is a huge for me that at any time we  
39 would have breaks where they would not be able to have access to a  
40 nurse.

1 TINA GERBER-WINN: I understand your concern. I can't  
2 speak to the past. I can only tell you for the last few years.

3 We do have a state position. We also have other nurses.  
4 And I think it might even have been, as far as support, other  
5 counties have nurses in them that travel to cover things.

6 And so it would be a scheduling issue while we had a vacancy  
7 and we had to recruit.

8 So that's -- that definitely is a difference in, again, the  
9 county as well. I don't know how long people stay and if you  
10 can find someone quickly after the fact. It's definitely a  
11 consideration.

12 But we do have nurses in Elko. We have one in Winnemucca.  
13 So we pick the nurses that are closest to the location to cover  
14 those events.

15 One of the things the state does -- and it -- and you would  
16 have to decide if it was acceptable to the county -- is we post  
17 hours when we're available if there's a variation in a schedule.

18 It's not emergency care. So that means we don't guarantee  
19 someone's there every day of every week. And that is definitely  
20 something to consider.

21 We post hours. And we communicate with the community based  
22 on the reception that's there, meaning whoever's manning the  
23 front desk, so to speak, to schedule and -- and queue up clients  
24 or people for assistance. So it's not emergency based at all.

25 COMMISSIONER ALLAN: So I -- I really agree with a lot of  
26 what Bryan said. And now what you just explained sounded more  
27 like you're saying we're not going to have somebody Monday  
28 through Friday 8:00 to 5:00.

29 TINA GERBER-WINN: What -- what we talked about was hiring.  
30 And we do have a recruitment out under the state personnel  
31 system to have someone stationed here. And that person would be  
32 here for at least four days a week and then coverage to Elko  
33 County for their local emergency preparedness. So we would have  
34 them covering several things. But the --

35 COMMISSIONER ALLAN: So we would -- it would be the 8:00 to  
36 5:00.

37 So I guess one of my other concerns -- and -- and I  
38 really -- I've been a really strong voice against creating, you  
39 know, spending money on salaries, you know. I'm not opposed  
40 to -- to paying people a very good wage because our employees

1 earn it. But I also look to the future of, you know, we're --  
2 we're in a good shape now, but in ten years who knows how that's  
3 going to be. You know, we -- we're going through this, you  
4 know, your bonuses, your merits, things that don't apply to this  
5 but basically --

6 TINA GERBER-WINN: Uh-huh.

7 COMMISSIONER ALLAN: -- what I'm getting at is -- is I  
8 think a cost factor is a really buy deal.

9 And for the -- the money that we're paying now for a  
10 community health nurse, you know, we have that person -- you  
11 know in five years, that -- that salary's going to increase  
12 tremendously. And we can afford it now.

13 Is one of the advantages I feel with the state program is  
14 if we're comparing apples to apples, if you are offering us the  
15 same -- same --

16 COMMISSIONER CLARK: Service.

17 COMMISSIONER ALLAN: -- service -- thank you, Art --  
18 then -- then I can definitely see an advantage. So that's my  
19 question is, you talked about immunizations. So you're not  
20 always going to supply, you know, grade school kids that need  
21 their immunizations and stuff? You don't have that?

22 TINA GERBER-WINN: If they have insurance, we would bill  
23 their insurance. If they were on --

24 COMMISSIONER ALLAN: I'm not saying --

25 TINA GERBER-WINN: -- Medicaid --

26 COMMISSIONER ALLAN: -- I'm -- I'm just asking is -- is  
27 that something that you would have stocked on hand? That  
28 somebody could go in and say, Hey, my kid needs a measles shot?  
29 Do you have that?

30 TINA GERBER-WINN: We have stock for people who have  
31 Medicaid. We can provide the stock for people who are on  
32 Medicaid or uninsured or have health coverage that doesn't cover  
33 that.

34 But for those children who have private insurance, we  
35 wouldn't necessarily have the stock for that.

36 And in the past, my understanding for the last year or so  
37 or two, the county paid for that through the community health --  
38 sorry -- for the public health nurse? I'm sorry.

39 KEITH WESTENGARD: Yeah, we -- yeah, we --

40 TINA GERBER-WINN: The county --

1 KEITH WESTENGARD: Yes.

2 TINA GERBER-WINN: -- public health nurse. I don't -- I  
3 want to get the title right because we get confused.

4 COMMISSIONER ALLAN: So, you know, and I guess the thing  
5 about that is, is the argument saying that, oh, we need the  
6 community health -- health nurse because I need my kid  
7 immunized. But if they have insurance, why can't they go to the  
8 clinic and get it?

9 You know, this -- this community health nurse program is for  
10 a lot of the people that don't have the insurance, don't have --  
11 is that --

12 TINA GERBER-WINN: That's correct. It's -- it's a safety  
13 net for people who don't have access to it otherwise.

14 I think the rural areas do have difficulty with providers.  
15 You don't have a lot. So that makes it harder. I mean the  
16 rurals -- I -- and I understand everyone's circumstance. The  
17 rurals get screwed because everything's focused on higher  
18 population, more providers of health care. There's not a lot  
19 here. But there is one. There's definitely rural health center  
20 and there's a pharmacy. So there's a couple access points. But  
21 some people don't have insurance so they would come to the  
22 community health nurse office. Because they can show they need  
23 the categories for their free federal medication.

24 COMMISSIONER SPARKS: And, again, I'd like to just point  
25 out that -- I mean, if we do this, if we go the state route,  
26 we're actually going into business with big brother. And we --  
27 I think we sacrifice a bit of control, which I'm not in favor  
28 of. And you said it yourself, very complex. I don't like  
29 complexities.

30 TINA GERBER-WINN: Yeah.

31 COMMISSIONER SPARKS: You know, I -- honestly, I don't.

32 TINA GERBER-WINN: I understand.

33 COMMISSIONER SPARKS: I mean, our world's complex enough  
34 that I don't want it within our own little community. And --

35 COMMISSIONER ANCHO: And --

36 COMMISSIONER SPARKS: -- if we can make it very simple --

37 COMMISSIONER ANCHO: And I think that, yes, there are a lot  
38 of people from the mining that do have insurance. But there are  
39 a lot more who don't that are underprivileged.

40 And so I think that that's -- you know, to be looked at as

1 well. Yes, they can go, you know, to the clinic and get their  
2 shots and probably that's where they do go. But there is a huge  
3 amount of people who don't and that this program serves.

4 CHAIRMAN WAITS: I think we're talking apples and oranges,  
5 though, because if we compare the salary they're going to pay  
6 for -- for our own county employee or the salary that we're  
7 actually going to be contracted with here, that's fine. But we  
8 still pay for the immunization. If we decide we want to pay the  
9 vaccine, we pay it or here or we pay it to our county nurse. I  
10 mean, either way, I mean -- so I don't want us hung up on. Oh,  
11 dear. We aren't going to give them -- if we want to pay for  
12 coverage, that's over and above what we're really deciding  
13 today.

14 COMMISSIONER ALLAN: But we do it anyway. I mean, that's  
15 just it is --

16 CHAIRMAN WAITS: That's right.

17 COMMISSIONER ALLAN: -- is we do it anyway --

18 CHAIRMAN WAITS: Yeah.

19 COMMISSIONER ALLAN: -- whether we're paying --

20 CHAIRMAN WAITS: We're going to pay no matter who.

21 COMMISSIONER ALLAN: Yeah.

22 CHAIRMAN WAITS: Okay.

23 COMMISSIONER ALLAN: And --

24 CHAIRMAN WAITS: So that's -- that's really out of the --  
25 out of the discussion. The discussion is how much they're going  
26 to do for us and if it's enough or if we need to go our own.

27 COMMISSIONER ANCHO: And the guaran- -- there's not a  
28 guarantee that we will always -- that there can be breaks in  
29 coverage where we don't have a nurse.

30 COMMISSIONER SPARKS: Uh-huh.

31 CHAIRMAN WAITS: Well, either --

32 COUNTY CLERK SULLIVAN: (Indiscernible.)

33 CHAIRMAN WAITS: -- way. Either --

34 COUNTY CLERK SULLIVAN: If I may --

35 CHAIRMAN WAITS: -- way.

36 COUNTY CLERK SULLIVAN: -- state on that, actually.

37 COMMISSIONER ALLAN: Excuse -- Sadie.

38 COUNTY CLERK SULLIVAN: Right. That's always -- Sadie  
39 Sullivan, as a citizen.

40 When Brenda Keller was employed as the state, one of the



1 titles, our demand here was less because of our population. So  
2 Elko was running short and so was Winnemucca at the time. So  
3 what had happened was she was stationed here but she was being  
4 pulled to Elko because they had a higher demand because of --

5 COMMISSIONER SPARKS: That's what --

6 COUNTY CLERK SULLIVAN: -- the population.

7 COMMISSIONER ANCHO: (Indiscernible.)

8 COMMISSIONER SPARKS: -- I'm saying.

9 COUNTY CLERK SULLIVAN: Because she was --

10 COMMISSIONER SPARKS: That's exactly --

11 COUNTY CLERK SULLIVAN: -- employed through --

12 COMMISSIONER SPARKS: -- what I'm saying.

13 COUNTY CLERK SULLIVAN: -- the state.

14 So then our coverage, we didn't have any coverage. Because  
15 she got pulled to those locations because they, you know,  
16 whether the nurse stepped down or whatever have you. So we were  
17 left without.

18 Just to kind of give you guys a heads-up on that.

19 So we didn't have coverage here because the population is  
20 larger in the other two communities. So they pulled her to  
21 those directions.

22 COMMISSIONER SPARKS: Yeah. We're relinquishing --

23 COUNTY CLERK SULLIVAN: So --

24 COMMISSIONER SPARKS: -- control. That's my --

25 COMMISSIONER ALLAN: And that's --

26 COMMISSIONER SPARKS: -- point.

27 COUNTY CLERK SULLIVAN: Correct.

28 COMMISSIONER ALLAN: -- that's one of --

29 COUNTY CLERK SULLIVAN: So --

30 COMMISSIONER ALLAN: -- my -- my --

31 COUNTY CLERK SULLIVAN: Thank you.

32 COMMISSIONER ALLAN: -- concerns when I asked, you know.  
33 Are you going to guarantee that we will have somebody here at  
34 least four days a week?

35 TINA GERBER-WINN: Well, I would -- don't want to mislead  
36 you. I think as far as I know, we would have the person here  
37 and they would be stationed here.

38 I can't predict the vacancies if someone quit in another  
39 place.

40 COMMISSIONER ALLAN: Well, I understand. Yeah.

1 TINA GERBER-WINN: But we would commit to it as -- I mean,  
2 that would be our --  
3 COMMISSIONER ALLAN: But if --  
4 TINA GERBER-WINN: -- goal.  
5 COMMISSIONER ALLAN: -- there's somebody available, --  
6 TINA GERBER-WINN: Uh-huh.  
7 COMMISSIONER ALLAN: -- if you hire somebody, short of --  
8 you know -- illness, quitting, --  
9 TINA GERBER-WINN: Right.  
10 COMMISSIONER ALLAN: -- everything else. Is that person  
11 would work in Battle Mountain at least four days a week?  
12 TINA GERBER-WINN: If you're asking us to do that, that's  
13 what we would aim to do. That definitely would be what we would  
14 plan.  
15 DISTRICT ATTORNEY HERRERA: By contract.  
16 COMMISSIONER ALLAN: Well, I guess --  
17 TINA GERBER-WINN: And we do is have a contract. You know,  
18 we can state it in the contract.  
19 COMMISSIONER ALLAN: Absolutely.  
20 TINA GERBER-WINN: I don't want to mislead that the person  
21 might not go somewhere if there was a public health emergency.  
22 COUNTY CLERK SULLIVAN: Right. And ask what had happened  
23 in the past? Sadie Sullivan, for the --  
24 COMMISSIONER ALLAN: Well, --  
25 COUNTY CLERK SULLIVAN: -- record.  
26 COMMISSIONER SPARKS: Right.  
27 COMMISSIONER ALLAN: -- and then --  
28 COMMISSIONER SPARKS: Exactly.  
29 COMMISSIONER ALLAN: -- that's --  
30 COUNTY CLERK SULLIVAN: In the contract --  
31 COMMISSIONER SPARKS: That's the --  
32 COMMISSIONER ALLAN: -- clarific- --  
33 COMMISSIONER SPARKS: -- point.  
34 COUNTY CLERK SULLIVAN: -- it can state --  
35 COMMISSIONER SPARKS: Emergency.  
36 COUNTY CLERK SULLIVAN: -- what the (indiscernible) is.  
37 COMMISSIONER SPARKS: Right.  
38 TINA GERBER-WINN: Right.  
39 COMMISSIONER ALLAN: Clarification of what the emergency  
40 is. I mean, certainly, yeah, there are some. But, I mean, I'm

1 sorry if Elko just runs out of health nurses and they need  
2 somebody. They think they're having an emergency whereas  
3 they're not.

4 TINA GERBER-WINN: One of the things I would apologize for  
5 history is if people didn't come and say to you, this is what  
6 happening around the state. Because they are very interested in  
7 what -- how other decisions in other parts of the state affect  
8 this county.

9 So I take responsibility for whatever wasn't stated to you  
10 in the past about staffing issues. I think we could come up  
11 with a regular report for you or what kind of activities.

12 And the person should be here to invest time in your  
13 commission meetings as well as your local preparedness events  
14 and work in partnership to get that done.

15 In any part of Lander County, because it is Lander County,  
16 and we're supposed to be helping everybody, including Austin and  
17 the little towns in between; correct?

18 So I wouldn't -- I would say there's pros and cons to each  
19 side. I'm not here to advocate that you do anything other than  
20 what you feel more most comfortable with. I do know we need to  
21 communicate if we're going to be part of your partnership and if  
22 you have special projects and health concerns for the county, we  
23 would need to know and tell you.

24 I don't disagree that the state's a pain in the ass when it  
25 comes to figuring out how to pay for things and how to make it  
26 correct by whoever's terms. I think today you spend time a lot  
27 of time making sure you do things technically correct, and that  
28 does take more time.

29 But we are able to provide emergency responses. And we are  
30 able to do those exercises that pass out flu vaccinations or other  
31 types of supplies as the county seeing a need or concern.

32 I mean, the board of health can concentrate on teen  
33 pregnancy or mosquito abatement is a hot one. I know sometimes  
34 people worry about in the summer. Or having colorectal  
35 screenings.

36 I saw an ad today that most people in the rural areas don't  
37 have colorectal screenings so they have higher rate of colon  
38 cancer. Makes sense because you don't have a lot of providers  
39 here.

40 So those are the kind of things that public health is

1 worried about and wants to work with the counties on.  
2 But you lead the discussion about what you find is the most  
3 important.  
4 So two things I think today. We need to do the minimum for  
5 the county based on the law. That's the \$11,000 contract that  
6 we presented, assuming we don't have a nurse on site, but we  
7 would be available for local emergency preparedness and to do  
8 the distribution like the flu PODs and those kinds of things.  
9 CHAIRMAN WAITS: Okay. That's next on our agenda. So  
10 we'll -- we'll just hold --  
11 TINA GERBER-WINN: Right.  
12 CHAIRMAN WAITS: -- up on that one for a little bit.  
13 TINA GERBER-WINN: But I just wanted to --  
14 CHAIRMAN WAITS: Yeah.  
15 TINA GERBER-WINN: -- say -- I did- -- I want to make sure  
16 it's not confused what we would do additionally if we --  
17 CHAIRMAN WAITS: Right.  
18 TINA GERBER-WINN: -- had a nurse on site is have to pay a  
19 little bit more money -- ask the county to pay more money. And  
20 the scope of work over and above what our minimum is, we would  
21 have to make sure we are clear with you on what that is.  
22 I want -- I wanted to say as far as the funding for the  
23 nurse, if we did have a nurse on site, we plan to have her in  
24 Battle -- it's probably a her, might be a he, but generally it's  
25 a her -- here in the four days a week at a minimum.  
26 I was told Friday -- and I know kids are out of school on  
27 Friday -- that's a hot day to have the nurse available for shots  
28 and those kinds of things.  
29 And then we would participate in Elko -- that same person  
30 would.  
31 Our funding comes from to CDC. It comes 28 percent from  
32 county; 40, 48 -- 44 percent from General Fund; 10 percent from  
33 another federal grant for maternal and child health.  
34 And so it's not just the county money. So we're not asking  
35 for you to pay 100 percent. But we would say if you want --  
36 have special tasks or events or promotions for the county, the  
37 county would probably have to pay for some portion of those  
38 supplies and medications over and above, because it would be for  
39 people with insurance -- that's who you would be covering -- and  
40 that don't fall within our mandate.

1 CHAIRMAN WAITS: Thank you. I -- I think that's fairly  
2 clear. Does anybody have any questions that haven't been asked?  
3 COMMISSIONER CLARK: Yeah. I have -- I have a question.  
4 If we stayed under the current plan and we had an  
5 emergency, we could still petition the state to come in to help;  
6 right?  
7 TINA GERBER-WINN: Oh, absolutely.  
8 COMMISSIONER SPARKS: Absolutely.  
9 TINA GERBER-WINN: We would -- don't -- we don't re- --  
10 shed our responsibility. We would still retain that  
11 responsibility.  
12 COMMISSIONER CLARK: Okay. And we'd have to pay for that  
13 service?  
14 TINA GERBER-WINN: My understanding in our contract is,  
15 yes, if it was over and above a certain threshold --  
16 COMMISSIONER CLARK: Okay.  
17 TINA GERBER-WINN: -- then the county has agreed to that  
18 responsibility in our previous contracts.  
19 COMMISSIONER CLARK: So if -- so if we didn't have a  
20 contract, and you came in would the price be the same?  
21 TINA GERBER-WINN: By law you have to have that low.  
22 DISTRICT ATTORNEY HERRERA: We -- we --  
23 CHAIRMAN WAITS: Yeah.  
24 TINA GERBER-WINN: We probably --  
25 CHAIRMAN WAITS: That's --  
26 TINA GERBER-WINN: -- should wait --  
27 DISTRICT ATTORNEY HERRERA: We have a --  
28 TINA GERBER-WINN: -- for the next --  
29 DISTRICT ATTORNEY HERRERA: -- contract.  
30 CHAIRMAN WAITS: We do. And that's Number 9. Yeah.  
31 DISTRICT ATTORNEY HERRERA: It -- it's just --  
32 COMMISSIONER CLARK: Oh.  
33 DISTRICT ATTORNEY HERRERA: -- minimum. Minimum  
34 responsibilities --  
35 CHAIRMAN WAITS: Yeah.  
36 DISTRICT ATTORNEY HERRERA: -- at the --  
37 TINA GERBER-WINN: Right.  
38 DISTRICT ATTORNEY HERRERA: -- state.  
39 COMMISSIONER CLARK: Okay.  
40 DISTRICT ATTORNEY HERRERA: We have to have that legally.

1 COMMISSIONER CLARK: Now, Keith, you said that with the  
2 state we would have somebody five days a week?  
3 KEITH WESTENGARD: No, it would be a -- eight hours a day,  
4 Monday through Friday, 8:00 to 5:00. So it would be five day.  
5 That would be the schedule.  
6 DISTRICT ATTORNEY HERRERA: Four days.  
7 KEITH WESTENGARD: No. No. Five days a week, 8:00 to  
8 5:00 is the schedule that we want to go after, leaving four days  
9 committed to Battle Mountain. And the fifth day they could --  
10 DISTRICT ATTORNEY HERRERA: (Indiscernible.)  
11 KEITH WESTENGARD: -- if they needed to. And there's no --  
12 DISTRICT ATTORNEY HERRERA: So there'd be four days a week  
13 in Battle Mountain.  
14 KEITH WESTENGARD: Right. But it -- yeah.  
15 TINA GERBER-WINN: Some of it could be done over telephone.  
16 But realistically if somebody calls you up it's not the same as  
17 being in a meeting and meeting people and knowing what their  
18 concerns are.  
19 COMMISSIONER ALLAN: Well, it could be five days a week  
20 unless she's needed elsewhere.  
21 TINA GERBER-WINN: Correct.  
22 COMMISSIONER ALLAN: So it -- some -- some --  
23 KEITH WESTENGARD: Right.  
24 COMMISSIONER ALLAN: -- months it could be three weeks, you  
25 know, all Monday through Friday and maybe one day. So --  
26 CHAIRMAN WAITS: Okay. Board, are you ready for a motion?  
27 COMMISSIONER ALLAN: I do have another question.  
28 CHAIRMAN WAITS: (Indiscernible.)  
29 COMMISSIONER ALLAN: So you mentioned certain screenings,  
30 you know, colon/rectal.  
31 TINA GERBER-WINN: Uh-huh.  
32 COMMISSIONER ALLAN: You know, one of the letters here  
33 talks about pelvic exams. Are those done in the office?  
34 TINA GERBER-WINN: Yes, they are. You have --  
35 COMMISSIONER ALLAN: So you actually do do some actual  
36 exams? It's not just immu- -- okay. I didn't know. I'm sorry.  
37 TINA GERBER-WINN: Right. No, that's true for reproductive  
38 health. There is a requirement for some treatments to have an  
39 examination prior.  
40 And we do have orders from a physician. We have an OB/GYN

1 who's contracted with us and gives orders.  
2 COMMISSIONER ALLAN: Okay.  
3 TINA GERBER-WINN: And we have a nurse who -- advance  
4 practice nurse. We have three of them who travel to the clinics  
5 to do those examinations.  
6 We do have to schedule those out because they're traveling  
7 from -- generally from somewhere --  
8 COMMISSIONER ALLAN: Okay.  
9 TINA GERBER-WINN: -- else.  
10 COMMISSIONER ALLAN: Okay. Thank you.  
11 SHERIFF RON UNGER: I've got a question if I may.  
12 CHAIRMAN WAITS: Yes.  
13 SHERIFF RON UNGER: You guys are going to vote on this, I  
14 assume. Is that what you was calling for, Patsy? And it's Ron  
15 Unger, for the record. (Indiscernible.)  
16 TINA GERBER-WINN: Okay.  
17 SHERIFF RON UNGER: I'm in support of keep -- keeping our  
18 county, to be real honest with you, with the sheriff's  
19 department.  
20 In the past, where we have people that need to be seen,  
21 we've had to take them there or take them to the clinic,  
22 whatever the case.  
23 When they became county, she's come to me. So --  
24 and she's always been there. Any time I've called her,  
25 she's always come over there. For whatever reason we've needed,  
26 she's always been there.  
27 Now if she's not there or if this goes into effect and what  
28 that does for the sheriff's office is we're going to have to  
29 take our people to the emergency room -- okay -- and get them  
30 taken care of there.  
31 So the cost of the county on my budget is astronomical  
32 compared to what it was before. See where I'm going with this?  
33 COMMISSIONER SPARKS: Yeah.  
34 COMMISSIONER CLARK: Yeah, but she's leaving, --  
35 SHERIFF RON UNGER: So I --  
36 COMMISSIONER CLARK: -- Ron.  
37 SHERIFF RON UNGER: -- am in full support. I did write a  
38 letter of it. It's not -- it's -- it's a short and brief  
39 letter.  
40 But for the sheriff's office and possibly the schools, I

1 can't speak for them, but I did put the schools in there. This  
2 is important to us as far as cost.

3 COMMISSIONER ALLAN: So let --

4 COMMISSIONER CLARK: Well, the schools --

5 COMMISSIONER ALLAN: -- me ask --

6 COMMISSIONER CLARK: -- have their --

7 COMMISSIONER ALLAN: -- this.

8 COMMISSIONER CLARK: -- nurse. And Abby's leaving s --

9 SHERIFF RON UNGER: There it is. But I didn't did want you  
10 to -- want you five to understand, it is -- it -- she's been a  
11 life saver for us at the sheriff's office. I'll tell you that  
12 straight up. I don't know what other way to put it. And -- and  
13 I'm like Bryan. I like simple stupid. And when we called here,  
14 she's there. She comes in. She immunizes them. She could do  
15 whatever we've asked her to do that we've needed. And to get --  
16 if we need to, she'll tell us. Okay. This one needs to go the  
17 ER. You need to set up a doctor or something of that sort.  
18 It's been a good -- good for us.

19 COMMISSIONER ALLAN: So I guess my question to the state  
20 then, is, is there anything saying that our community health  
21 nurse through the state program couldn't do the same thing? Or  
22 would she be restricted to office?

23 I mean, if she's going travel to -- to Elko, Win- --  
24 Winnemucca, whatever, one day a week, then why can't she go visit  
25 the sheriff's office?

26 That's a great question. I think under the NRS the  
27 sheriff -- and I wrote that down because it's -- and maybe you  
28 already know this so I'm not --

29 The sheriff is responsible for the medical care in the  
30 jail. And as a commission, you're responsible. And it's NRS  
31 211.020 where the county commission needs to take care of --  
32 precautions for escape, illness, and infection in the jail.

33 And then the sheriff himself is responsible to treat  
34 injury, infectious disease, and treatment for that person that  
35 pri- -- if they were sick before they came in, the sheriff's not  
36 responsible. But if they're sick in jail, the sheriff's  
37 responsible.

38 So it sounds like what he's telling you is that the nurse  
39 has come in and treated.

40 COMMISSIONER ALLAN: Well, our -- our -- our community



1 nurse. And what I'm asking is, is if we went with the --  
2 TINA GERBER-WINN: Right.  
3 COMMISSIONER ALLAN: -- state, would the state's health  
4 nurse.  
5 TINA GERBER-WINN: Sorry for the --  
6 COMMISSIONER ALLAN: -- do that?  
7 TINA GERBER-WINN: -- lengthy preface.  
8 But then we would have to be under contract to do those  
9 things.  
10 So right now your health nurse is doing it because she  
11 works for the county. We could do it, but we would need to have  
12 an agreement, a formal agreement with the sheriff.  
13 COMMISSIONER SPARKS: Judie, I think what -- what -- what  
14 Ron is asking and what she's stating is that -- and -- and Sadie  
15 gave a pretty good example, is, yes, that state person would do  
16 it if they're available. But if they were off taking care of  
17 Elko or Winnemucca on --  
18 COMMISSIONER ALLAN: Well, that's --  
19 COMMISSIONER SPARKS: -- this emergency --  
20 COMMISSIONER ALLAN: -- what it's supposed to be, --  
21 COMMISSIONER SPARKS: -- then he --  
22 COMMISSIONER ALLAN: -- on day a week.  
23 COMMISSIONER SPARKS: -- would have to take his people and  
24 send them to emergency hospital.  
25 COMMISSIONER ALLAN: Well, and I understand that, Bryan.  
26 But, I mean, we're talking one day a week.  
27 COMMISSIONER CLARK: Yeah.  
28 COMMISSIONER ALLAN: Is -- is --  
29 COMMISSIONER CLARK: We're still going to --  
30 COMMISSIONER SPARKS: Potentially.  
31 COMMISSIONER ALLAN: Potentially. Exactly. And -- and --  
32 and that's obviously, yes, we would have a contract. And -- and  
33 --  
34 TINA GERBER-WINN: Right.  
35 COMMISSIONER ALLAN: -- the contract with the sheriff's  
36 office, which ultimately comes back to the commissioners.  
37 SHERIFF RON UNGER: See, and I -- Ron Unger, again, for the  
38 record.  
39 I believe in the past until the county did take on Abby, we  
40 did not have that contract.

1 DISTRICT ATTORNEY HERRERA: That's right.  
2 SHERIFF RON UNGER: So we couldn't get them into our  
3 facility is what I'm saying.  
4 COMMISSIONER SPARKS: Oh.  
5 CHAIRMAN WAITS: But we didn't know we could do it either.  
6 SHERIFF RON UNGER: Didn't know.  
7 CHAIRMAN WAITS: So -- so --  
8 SHERIFF RON UNGER: We were told --  
9 COMMISSIONER SPARKS: -- (indiscernible).  
10 SHERIFF RON UNGER: -- no.  
11 CHAIRMAN WAITS: We won't let that --  
12 SHERIFF RON UNGER: (Indiscernible.)  
13 CHAIRMAN WAITS: -- happen again.  
14 SHERIFF RON UNGER: And -- and rightfully so. If we --  
15 CHAIRMAN WAITS: Yeah.  
16 SHERIFF RON UNGER: -- didn't have a contract --  
17 CHAIRMAN WAITS: Yeah.  
18 COMMISSIONER ALLAN: -- and we -- we contacted them, no, we  
19 can't come in there.  
20 DISTRICT ATTORNEY HERRERA: We -- we had a --  
21 SHERIFF RON UNGER: (Indiscernible) to me.  
22 DISTRICT ATTORNEY HERRERA: -- minimal contract. We  
23 didn't -- we didn't have these --  
24 COMMISSIONER CLARK: Well --  
25 DISTRICT ATTORNEY HERRERA: -- extras on --  
26 COMMISSIONER CLARK: The --  
27 DISTRICT ATTORNEY HERRERA: -- the contract.  
28 COMMISSIONER CLARK: The thing about having a nurse  
29 available no matter what we do, they're not going to be  
30 available all the time. They'll be sick. They'll take a  
31 vacation day or -- or whatever.  
32 SHERIFF RON UNGER: Oh, we know where she lives.  
33 CHAIRMAN WAITS: Okay. Well, for the record, I -- I do  
34 want it put in that we do have two letters. One is from the  
35 Lander County Sheriff's Office as Sheriff Unger referred to and  
36 also from Hope Bauer, BSN, RN, from the Battle Mountain General  
37 Hospital, both in favor of the community --  
38 COMMISSIONER ALLAN: And has --  
39 COMMISSIONER SPARKS: Heather's more --  
40 CHAIRMAN WAITS: -- nurse.

1 COMMISSIONER ALLAN: There's --  
2 COMMISSIONER ANCHO: Has --  
3 COMMISSIONER SPARKS: -- into that.  
4 COMMISSIONER ANCHO: -- ever come --  
5 COMMISSIONER ALLAN: -- another --  
6 COMMISSIONER SPARKS: But it's not --  
7 COMMISSIONER ALLAN: -- one --  
8 COMMISSIONER SPARKS: -- just --  
9 COMMISSIONER ALLAN: -- from the high --  
10 COMMISSIONER SPARKS: -- two.  
11 COMMISSIONER ALLAN: -- school.  
12 COMMISSIONER ANCHO: -- come to the high --  
13 COMMISSIONER SPARKS: There's --  
14 COMMISSIONER ANCHO: -- school?  
15 COMMISSIONER SPARKS: -- four.  
16 CHAIRMAN WAITS: There's more?  
17 COMMISSIONER SPARKS: Uh-huh.  
18 COMMISSIONER ALLAN: Yes.  
19 CHAIRMAN WAITS: See that -- that's what happens when you  
20 hand it to us at the last minute. That's not --  
21 KEITH WESTENGARD: I just got those, --  
22 COMMISSIONER ANCHO: Does --  
23 KEITH WESTENGARD: -- Commissioner.  
24 COMMISSIONER CLARK: I just got them.  
25 CHAIRMAN WAITS: Well, we don't get --  
26 KEITH WESTENGARD: Yesterday.  
27 CHAIRMAN WAITS: Again, it should all be part of our  
28 packet. Right.  
29 KEITH WESTENGARD: Just got them --  
30 CHAIRMAN WAITS: Sondra --  
31 KEITH WESTENGARD: -- yesterday.  
32 CHAIRMAN WAITS: -- Torgerson from --  
33 KEITH WESTENGARD: I don't have control over the public.  
34 CHAIRMAN WAITS: -- and Paula Green. She's the -- the --  
35 COMMISSIONER ALLAN: And there is a --  
36 CHAIRMAN WAITS: -- nurse --  
37 COMMISSIONER ALLAN: -- letter from --  
38 CHAIRMAN WAITS: -- and the principal and also from Abby  
39 Burkhart, our leaving community nurse.  
40 Okay. Thank you. Wanted those on the record.

1 Any more?

2 SHERIFF RON UNGER: One more thing, Patsy. And I need to  
3 stick up for Keith. I apologize. I did get my letter -- I  
4 didn't write it until the 11th. I got it to him this morning.  
5 So I apologize. That's my fault, not Keith's.

6 CHAIRMAN WAITS: Well, the -- the thing with that is that  
7 when we're handed it at the last minute, we don't get a chance  
8 to read things. And it's important that we really do.

9 SHERIFF RON UNGER: No. And I understand that. And I was  
10 going to absolutely read my letter to everybody this --

11 CHAIRMAN WAITS: That's --

12 SHERIFF RON UNGER: -- morning --

13 CHAIRMAN WAITS: -- okay. We --

14 SHERIFF RON UNGER: -- during discussion.

15 CHAIRMAN WAITS: -- acknowledge it. Thank you, Ron.  
16 And -- and fortunately you were here in person to tell us.  
17 Thank you for the other corrections.

18 COMMISSIONER SPARKS: Are you ready for motion?

19 CHAIRMAN WAITS: I'm ready for a motion.

20 COMMISSIONER SPARKS: I'd like to make a motion that the  
21 Lander County community health nursing program that we continue  
22 it as a co- -- a county-funded program.

23 COMMISSIONER ANCHO: I'll second it.

24 CHAIRMAN WAITS: Okay. It's been moved by Bryan we  
25 continue with our program and seconded by Kathy.

26 Any other discussion?  
27 (No comment.)

28 CHAIRMAN WAITS: Any public comment?  
29 (No comment.)

30 CHAIRMAN WAITS: All Those in favor.

31 COMMISSIONER SPARKS: Aye.

32 COMMISSIONER ANCHO: Aye.

33 CHAIRMAN WAITS: Those opposed?

34 COMMISSIONER ALLAN: Nay.

35 COMMISSIONER CLARK: Aye.

36 CHAIRMAN WAITS: Nay.

37 COMMISSIONER ALLAN: Aye. Nay.

38 COMMISSIONER CLARK: Nay.

39 COMMISSIONER ALLAN: Which way you --

40 COMMISSIONER CLARK: Nay.

1 COMMISSIONER ALLAN: -- want.  
2 CHAIRMAN WAITS: Okay. Well --  
3 COMMISSIONER CLARK: Then I'll make a motion to have the  
4 community health nurse be under the state-funded program.  
5 COMMISSIONER ALLAN: I'll second that.  
6 CHAIRMAN WAITS: Okay. It's been moved by Art that we go  
7 back with the state for our community health nursing, and  
8 seconded by Judie.  
9 All those in favor?  
10 COMMISSIONER CLARK: Aye.  
11 COMMISSIONER ALLAN: Aye.  
12 CHAIRMAN WAITS: Aye.  
13 Any opposed?  
14 COMMISSIONER SPARKS: Nay.  
15 COMMISSIONER ANCHO: Nay.  
16 CHAIRMAN WAITS: Okay. And that does pass. We will be  
17 going back to the state.  
18 Now if we have a problem with this, with our contract, I  
19 imagine, you know, if we find out it's not working, we certainly  
20 can bring it back up and change --  
21 COMMISSIONER CLARK: Absolutely.  
22 CHAIRMAN WAITS: -- at any time.  
23 COMMISSIONER SPARKS: Is --  
24 KEITH WESTENGARD: It'll have --  
25 CHAIRMAN WAITS: Right?  
26 KEITH WESTENGARD: -- it'll --  
27 COMMISSIONER SPARKS: -- is that --  
28 KEITH WESTENGARD: -- have the --  
29 COMMISSIONER SPARKS: -- correct, Ted?  
30 KEITH WESTENGARD: -- 30-day out --  
31 CHAIRMAN WAITS: Yep.  
32 KEITH WESTENGARD: -- just as all of our --  
33 COMMISSIONER SPARKS: Are we --  
34 CHAIRMAN WAITS: Thirty day.  
35 COMMISSIONER SPARKS: -- doing our --  
36 KEITH WESTENGARD: -- contracts.  
37 COMMISSIONER SPARKS: -- 30-day out?  
38 COMMISSIONER CLARK: Okay.  
39 CHAIRMAN WAITS: Yep.  
40 KEITH WESTENGARD: Thirty or 60.

1 COMMISSIONER CLARK: We've had 30 day in and out --  
2 CHAIRMAN WAITS: Ms. Sadie.  
3 COMMISSIONER CLARK: -- on Item --  
4 KEITH WESTENGARD: Thirty --  
5 COMMISSIONER CLARK: -- 9?  
6 KEITH WESTENGARD: -- or 60. Yeah.  
7 COUNTY CLERK SULLIVAN: I need you to sign this.  
8 CHAIRMAN WAITS: Okay. With that we are going to go  
9 directly to, again, out of order. I'm so sorry, but we're  
10 trying to keep things together.

11  
12 9) **Discussion and possible action to approve/disapprove a**  
13 **contract between Lander County and the Nevada Department of**  
14 **Health and Human Services Division of Public and Behavioral**  
15 **Health, effective July 1, 2019, through June 30, 2020, and**  
16 **all other matters properly related thereto.**

17  
18 CHAIRMAN WAITS: Number 9.  
19 Discussion and possible action to approve or disapprove a  
20 contract between Lander County and the Nevada Department of  
21 Health and Human Services Division of Public and Behavioral  
22 Health effective July 1st, 2019, through June 30th, 2020, and  
23 all other matters properly related thereto.

24 And with that, I -- I need to amend this. It's discussion  
25 and possible action to approve/disapprove an amended contract.  
26 We already --

27 MITESHELL LANHAM: Hello.

28 CHAIRMAN WAITS: -- have a contract so --

29 COMMISSIONER SPARKS: Back on the line.

30 CHAIRMAN WAITS: -- so it's amended.

31 And the -- the dates are July 1st, 2019, and the amendment  
32 will take up to 2021. And legally we can amend this because  
33 of -- of the insignificance of what we're doing, apparently.

34 DISTRICT ATTORNEY HERRERA: That's correct.

35 CHAIRMAN WAITS: That was a legal --

36 DISTRICT ATTORNEY HERRERA: Since we already --

37 CHAIRMAN WAITS: -- advice --

38 DISTRICT ATTORNEY HERRERA: -- have --

39 CHAIRMAN WAITS: -- for us.

40 DISTRICT ATTORNEY HERRERA: -- an existing --

1 CHAIRMAN WAITS: So --  
2 DISTRICT ATTORNEY HERRERA: -- contract --  
3 CHAIRMAN WAITS: -- Number 9 it is. Thank you.  
4 COMMISSIONER CLARK: And -- and you know I would like to  
5 explore if we're just at the minimum with the state, maybe we  
6 need to go up a level or --  
7 DISTRICT ATTORNEY HERRERA: Well, I think you guys have.  
8 I -- I think --  
9 COMMISSIONER CLARK: Okay.  
10 COMMISSIONER ALLAN: No, we're under another --  
11 DISTRICT ATTORNEY HERRERA: I -- I think you've discussed  
12 that, and --  
13  
14 (Indiscernible simultaneous conversations.)  
15  
16 DISTRICT ATTORNEY HERRERA: -- and then --  
17 COMMISSIONER ALLAN: Oh.  
18 DISTRICT ATTORNEY HERRERA: -- I think Keith --  
19 COMMISSIONER ALLAN: They were all --  
20 DISTRICT ATTORNEY HERRERA: -- got --  
21 COMMISSIONER ALLAN: -- this.  
22 UNIDENTIFIED PARTICIPANT: This is ours --  
23 DISTRICT ATTORNEY HERRERA: -- the idea.  
24 UNIDENTIFIED PARTICIPANT: -- too.  
25 COMMISSIONER CLARK: Okay.  
26 KEITH WESTENGARD: So -- so I'd like to address that real  
27 quick, Commissioner.  
28 So we are at the minimum right now. And -- and we are  
29 going to have to actually -- because this contract I don't think  
30 includes the health nurse itself -- right? --  
31 DISTRICT ATTORNEY HERRERA: Right.  
32 KEITH WESTENGARD: -- the position?  
33 TINA GERBER-WINN: That's correct. This is --  
34 KEITH WESTENGARD: So --  
35 TINA GERBER-WINN: -- Tina, for the record.  
36 CHAIRMAN WAITS: This is the mandatory one for all of the  
37 emergency services for an outbreak, infectious disease  
38 et cetera; right?  
39 This is our \$11,000 a year that we need to keep in place by  
40 itself.

1 KEITH WESTENGARD: So we'll have another amended contract  
2 coming before you once we sit down and --  
3 CHAIRMAN WAITS: Okay.  
4 KEITH WESTENGARD: -- we come up with --  
5 CHAIRMAN WAITS: Okay.  
6 KEITH WESTENGARD: -- with the requirements that we want --  
7 that -- that --  
8 CHAIRMAN WAITS: Okay. Do you --  
9 KEITH WESTENGARD: Who you --  
10 CHAIRMAN WAITS: -- all understand --  
11 KEITH WESTENGARD: -- want.  
12 CHAIRMAN WAITS: -- that?  
13 COMMISSIONER ALLAN: Yep.  
14 CHAIRMAN WAITS: Okay.  
15 COMMISSIONER ALLAN: So basically just need to make a  
16 motion then to approve the amended contract between Lander  
17 County and the Nevada Department of Health and Human Services  
18 Division of Public and Behavioral Health, effective July 1st,  
19 2019, through June 30th, 2020?  
20 KEITH WESTENGARD: Twenty-one.  
21 CHAIRMAN WAITS: Twenty- --  
22 DISTRICT ATTORNEY HERRERA: Twenty-one.  
23 COMMISSIONER ALLAN: Twenty-one.  
24 KEITH WESTENGARD: (Indiscernible.)  
25 CHAIRMAN WAITS: Thank you.  
26 COMMISSIONER ALLAN: Okay.  
27 CHAIRMAN WAITS: I'm sorry. I didn't hear a second. Was  
28 there?  
29 Not yet?  
30 COMMISSIONER SPARKS: And that's just the contract that's  
31 not -- we're not putting in there the state funded --  
32 CHAIRMAN WAITS: No. This is --  
33 COMMISSIONER ALLAN: This is --  
34 CHAIRMAN WAITS: -- the --  
35 COMMISSIONER ALLAN: -- just --  
36 COMMISSIONER SPARKS: This is --  
37 CHAIRMAN WAITS: -- mandatory.  
38 COMMISSIONER ALLAN: -- what we --  
39 COMMISSIONER SPARKS: -- (indiscernible).  
40 COMMISSIONER ALLAN: -- always do.



1 COMMISSIONER ANCHO: So I'll --  
2 COMMISSIONER SPARKS: I'll second --  
3 COMMISSIONER ALLAN: -- second it.  
4 COMMISSIONER SPARKS: -- it.  
5 COMMISSIONER ALLAN: This is --  
6 CHAIRMAN WAITS: Okay.  
7 COMMISSIONER ALLAN: -- the standard contract we always --  
8 CHAIRMAN WAITS: Okay.  
9 COMMISSIONER ALLAN: -- have.  
10 CHAIRMAN WAITS: It's been by Judie and seconded by Kathy.  
11 Thank you. Any other discussion?  
12 (No comment.)  
13 CHAIRMAN WAITS: Public --  
14 SHERIFF RON UNGER: I've got --  
15 CHAIRMAN WAITS: -- comment.  
16 SHERIFF RON UNGER: -- a question on that.  
17 And this is for clarification for me again. I'm sorry.  
18 Ron Unger, --  
19 TINA GERBER-WINN: That's okay.  
20 SHERIFF RON UNGER: -- for the record.  
21 So you're -- we're going to go back to the state. So now  
22 we're going to write a new -- another contract or a -- a -- an  
23 amendment to the one we have? Can we get in there where the  
24 sheriff's office can have some --  
25 CHAIRMAN WAITS: That's all things that will be considered.  
26 Absolutely.  
27 SHERIFF RON UNGER: Okay.  
28 CHAIRMAN WAITS: So this is just the mandatory one that  
29 we're on now. But, yes, to answer you, we will be.  
30 SHERIFF RON UNGER: I'll let --  
31 KEITH WESTENGARD: And I'll --  
32 SHERIFF RON UNGER: -- Keith --  
33 KEITH WESTENGARD: -- get with you on that, Ron. And I  
34 think you had a -- some type of an agreement with the county  
35 health nurse; right?  
36 SHERIFF RON UNGER: I believe so, yes.  
37 KEITH WESTENGARD: So we --  
38 SHERIFF RON UNGER: And I'll --  
39 KEITH WESTENGARD: -- can get --  
40 SHERIFF RON UNGER: -- go get --

1 KEITH WESTENGARD: -- that --  
2 SHERIFF RON UNGER: -- that.  
3 KEITH WESTENGARD: -- and we can --  
4 SHERIFF RON UNGER: And if you --  
5 KEITH WESTENGARD: -- incorporate it  
6 CHAIRMAN WAITS: Any more discussion, I need to open that  
7 one back up again, guys. So I'm sorry.  
8 SHERIFF RON UNGER: No. I'm -- I'm just going along with  
9 the new one.  
10 CHAIRMAN WAITS: No, no.  
11 SHERIFF RON UNGER: If we're going to --  
12 CHAIRMAN WAITS: No.  
13 SHERIFF RON UNGER: -- deal --  
14 CHAIRMAN WAITS: This, no --  
15 SHERIFF RON UNGER: -- with the state, I would like to have  
16 --  
17 CHAIRMAN WAITS: I know, --  
18 SHERIFF RON UNGER: -- somebody --  
19 CHAIRMAN WAITS: -- but --  
20 SHERIFF RON UNGER: -- in there.  
21 CHAIRMAN WAITS: -- but I'll have to open that agenda back  
22 up again if you want to discuss it in further.  
23 DISTRICT ATTORNEY HERRERA: On that, that one's not in  
24 front --  
25 SHERIFF RON UNGER: Oh, is --  
26 DISTRICT ATTORNEY HERRERA: -- of --  
27 SHERIFF RON UNGER: -- this one we're --  
28 DISTRICT ATTORNEY HERRERA: No.  
29 SHERIFF RON UNGER: -- dealing with.  
30 DISTRICT ATTORNEY HERRERA: This is -- this is --  
31 CHAIRMAN WAITS: No, no.  
32 DISTRICT ATTORNEY HERRERA: -- the --  
33 CHAIRMAN WAITS: No.  
34 DISTRICT ATTORNEY HERRERA: This is the --  
35 COMMISSIONER CLARK: No, no, no.  
36 DISTRICT ATTORNEY HERRERA: -- mandatory minimum contract  
37 that we have to enter.  
38 SHERIFF RON UNGER: I apologize. I --  
39 CHAIRMAN WAITS: Yeah.  
40 SHERIFF RON UNGER: -- thought we was --

1 COMMISSIONER CLARK: Okay.  
2 SHERIFF RON UNGER: -- going on --  
3 CHAIRMAN WAITS: Nope. That's okay.  
4 TINA GERBER-WINN: Oh. Okay. Then I'm going to --  
5 KEITH WESTENGARD: All right.  
6 CHAIRMAN WAITS: Okay. Any other public comment?  
7 (No comment.)  
8 CHAIRMAN WAITS: All those --  
9 COMMISSIONER CLARK: Thank you.  
10 CHAIRMAN WAITS: -- in favor?  
11 COMMISSIONER ALLAN: Aye.  
12 COMMISSIONER ANCHO: Aye.  
13 COMMISSIONER SPARKS: Aye.  
14 CHAIRMAN WAITS: Aye.  
15 COMMISSIONER CLARK: Aye.  
16 CHAIRMAN WAITS: Okay. And that unanimously passes.  
17 Thank you. I know that's a bit confusing so hopefully  
18 we've got that all okay.  
19 And now we move back to Number 3.  
20 DEE HELMING: Patsy, this is Dee Helming.  
21 CHAIRMAN WAITS: Go ahead, Dee.  
22 DEE HELMING: Can we do Number 6 so I can go open? I've  
23 been sitting here all morning.  
24 COUNTY CLERK SULLIVAN: (Indiscernible.) We need to do 3.  
25 CHAIRMAN WAITS: Yes. I haven't read it in so we'll come  
26 back because that affects Austin too. I'm happy to do that for  
27 you.  
28 I'm going to recess the Board of Lander County  
29 Commissioners and convene the meeting of the Lander County  
30 Liquor Board composed of the Lander County Board of  
31 Commissioners and the Lander County Sheriff.

32  
33 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**  
34 **RECESSED.)**  
35  
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1                   ***(MEETING OF THE LANDER COUNTY LIQUOR BOARD CONVENED.)***

- 2
- 3       **6) Discussion and possible action to approve/disapprove a liquor**  
4       **license to Don Kip and Deann Helming for Silver Enterprises**  
5       **dba Silver State Bar & Grill located at 73 Main Street in**  
6       **Austin, Nevada and all other matters properly related**  
7       **thereto.**

8

9           CHAIRMAN WAITS: Number 6. And this is Number 1 under that  
10       item.

11           Discussion and possible action to approve or disapprove a  
12       liquor license to Don Kip and Deann Helming for Silver State  
13       Enterprises dba Silver State Bar & Grill located at 73 Main  
14       Street in Austin, Nevada, and all other matters properly related  
15       thereto.

16           Okay. It's in front of you. We've got your full  
17       application. And they want it on-and-off, both liquor,  
18       on-and-off site.

19           COMMISSIONER CLARK: Everything good, Ron?

20           SHERIFF RON UNGER: Yes, sir.

21           COMMISSIONER CLARK: Okay.

22           COMMISSIONER ALLAN: I'll make motion a motion to approve a  
23       liquor license to Don Kip and Deann Helming for Silver  
24       Enterprises dba Silver State Bar & Grill.

25           COMMISSIONER CLARK: Second.

26           CHAIRMAN WAITS: Okay. Judie made the motion. Art  
27       seconded that.

28           Any discussion?

29           (No comment.)

30           Public comment?

31           (No comment.)

32           CHAIRMAN WAITS: All in favor?

33           COMMISSIONER ALLAN: Aye.

34           COMMISSIONER CLARK: Aye.

35           COMMISSIONER ANCHO: Aye.

36           CHAIRMAN WAITS: Aye.

37           Okay. There you go, Dee.

38           DEE HELMING: Thank you, --

39           COMMISSIONER ALLAN: Was that fast --

40           DEE HELMING: -- (indiscernible) --

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COMMISSIONER ALLAN: -- enough --

DEE HELMING: Have a --

COMMISSIONER ALLAN: -- for you, --

DEE HELMING: -- nice day.

COMMISSIONER ALLAN: -- Dee?

COMMISSIONER CLARK: Get to work, Dee.

CHAIRMAN WAITS: I will adjourn the meeting of the Lander County Liquor Board and reconvene the meeting of the Lander County Board of Commissioners.

**(MEETING OF THE LANDER COUNTY LIQUOR BOARD ADJOURNED.)**

**(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS RECONVENED.)**

CHAIRMAN WAITS: And now we'll go back to number --

COMMISSIONER ALLAN: Three?

CHAIRMAN WAITS: -- 3.

Thank you.

**3) Discussion and possible action to set a date for a Lander County Commission meeting to be held in Austin, and all other matters properly related thereto.**

CHAIRMAN WAITS: Discussion and possible action to set a date for the Lander County Commission meeting to be held in Austin, and all other matters properly related thereto.

And I think we were looking at something a little bit later in the year. Hopefully Summit will be almost completed and we can have that meeting down there with all of the southern folks.

COMMISSIONER CLARK: You don't want to go next meeting?

CHAIRMAN WAITS: No. Could still be snow. Absolutely. No.

COMMISSIONER ALLAN: So.

CHAIRMAN WAITS: So Austin -- Austin, do you have any input?

FRANK WHITMAN: It's just Mit- -- Miteshell and Frank. And, no, we don't. It's at your pleasure, commissioners.

CHAIRMAN WAITS: Okay. Well, do you want to look at May?

1 June?  
2 COMMISSIONER CLARK: It doesn't --  
3 CHAIRMAN WAITS: What's your --  
4 COMMISSIONER CLARK: -- matter --  
5 CHAIRMAN WAITS: -- pleasure?  
6 COMMISSIONER CLARK: -- to me.  
7 COMMISSIONER ALLAN: Well, I --  
8 COMMISSIONER CLARK: Just as long --  
9 COMMISSIONER ALLAN: -- guess it all depends on -- anything  
10 sooner, the courthouse is probably cold. Anything later, it's  
11 probably hot.  
12 CHAIRMAN WAITS: No, no. No, no.  
13 COMMISSIONER ALLAN: No?  
14 CHAIRMAN WAITS: No, no.  
15 COMMISSIONER ALLAN: Okay.  
16 COMMISSIONER CLARK: Well, when is the construction going  
17 to start?  
18 CHAIRMAN WAITS: It's not. Construction on what? The  
19 road?  
20 COMMISSIONER ALLAN: Yeah.  
21 CHAIRMAN WAITS: Oh, no. It's not this year. They  
22 postponed it.  
23 COMMISSIONER CLARK: Oh. okay.  
24 CHAIRMAN WAITS: We're okay.  
25 COMMISSIONER CLARK: I wouldn't wasn't worried about snow  
26 as much as I was the construction.  
27 CHAIRMAN WAITS: Oh, I see. Okay. Well --  
28 COMMISSIONER SPARKS: What time do we do these meetings  
29 typically? What time do we do them, typically? Like --  
30 CHAIRMAN WAITS: 10:00 o'clock.  
31 COMMISSIONER SPARKS: 10:00 o'clock?  
32 CHAIRMAN WAITS: 10:00 o'clock.  
33 COMMISSIONER SPARKS: Okay.  
34 CHAIRMAN WAITS: Yeah. Gives everybody time to get down  
35 there.  
36 COMMISSIONER SPARKS: How about, like, May 9th?  
37 CHAIRMAN WAITS: How about June 27th?  
38 COMMISSIONER CLARK: Oh. June 27th.  
39 KEITH WESTENGARD: I'd just like to point out in May we --  
40 we do have some -- some budget --

1 COMMISSIONER SPARKS: Oh, yeah.  
2 KEITH WESTENGARD: -- things that we'll --  
3 COMMISSIONER SPARKS: Yeah.  
4 KEITH WESTENGARD: -- need to get to the state.  
5 COMMISSIONER SPARKS: Yeah. We'll --  
6 CHAIRMAN WAITS: Yeah. We're --  
7 COMMISSIONER SPARKS: -- go after --  
8 CHAIRMAN WAITS: -- we're --  
9 COMMISSIONER SPARKS: -- that.  
10 CHAIRMAN WAITS: -- we'll still be --  
11 KEITH WESTENGARD: Okay.  
12 CHAIRMAN WAITS: -- busy.  
13 COMMISSIONER ALLAN: So June. Yeah.  
14 CHAIRMAN WAITS: Let's go June 27th. Does anybody have any  
15 problems with that day?  
16 COMMISSIONER CLARK: When?  
17 CHAIRMAN WAITS: June 27th, end of June?  
18 COMMISSIONER CLARK: Yeah. I -- I -- I got a problem with  
19 that day. Can we go the 13th?  
20 CHAIRMAN WAITS: Sure.  
21 COMMISSIONER SPARKS: That would be better.  
22 COMMISSIONER CLARK: Yeah.  
23 COMMISSIONER ANCHO: That's --  
24 COMMISSIONER CLARK: Okay.  
25 COMMISSIONER ANCHO: -- good.  
26 COMMISSIONER ALLAN: Okay. I'll make a motion that we  
27 schedule the commissioners' meeting for the June 13th, 2019, be  
28 held in Austin at 10:00 o'clock.  
29 COMMISSIONER CLARK: Second.  
30 CHAIRMAN WAITS: Thank you. Moved by Judie that we have  
31 the meeting June 13th at 10:00 a.m. in Austin and seconded by  
32 Art.  
33 Any other discussion?  
34 (No comment.)  
35 CHAIRMAN WAITS: Public comment?  
36 (No comment.)  
37 CHAIRMAN WAITS: All those in favor?  
38 COMMISSIONER ANCHO: Aye.  
39 COMMISSIONER SPARKS: Aye.  
40 COMMISSIONER ALLAN: Aye.

1 CHAIRMAN WAITS: Aye.  
2 COMMISSIONER CLARK: Aye.  
3 CHAIRMAN WAITS: Okay. None opposed. And that passes.  
4 And let's move on to Number 7.

5  
6 7) Discussion and possible action with regard to established  
7 grant procedures as outlined in Lander County Grant Request  
8 Instruction Manual FY 2019-2020 and whether these procedures  
9 should be expanded or modified, and all other matters  
10 properly related thereto.

11  
12 CHAIRMAN WAITS: Discussion and possible action with regard  
13 to established grant procedures as outlined in Lander County  
14 Grant Requests Instruction Manual Fiscal Year 2019-2020 and  
15 whether these procedures should be expanded or modified, and all  
16 other matters properly related thereto.

17 KEITH WESTENGARD: Let me catch up with you here real  
18 quick, Commissioner.

19 COMMISSIONER SPARKS: (Indiscernible.)

20 COMMISSIONER ANCHO: Seven.

21 KEITH WESTENGARD: So last year we put some -- the -- the  
22 commission put some things in place. And what I'd like to do  
23 is -- is kind of go over those a little bit, make sure that  
24 we're going to -- going to follow those this year.

25 One of them was that we weren't going to exceed a hundred  
26 thousand dollars for all of our grants. And right now,  
27 including -- including the biggest grant, which is in the south,  
28 Austin Water Sewer District #2, we're at about 4.3 million. But  
29 that --

30 COMMISSIONER CLARK: Is that all?

31 KEITH WESTENGARD: A lot of that is included in the -- in  
32 the, like I say, in the -- in the request from water/sewer  
33 District 2.

34 Things that were put in place last year were quarterly  
35 financial reports from each of the grantees that received  
36 grants. Which we haven't -- we received a couple, but not --  
37 not from everybody.

38 That the grant amounts will not include salaries. We can't  
39 pay salaries through a grant.

40 That -- one thing that Cindy and I have talked about we'd



1 like to -- to implement this year is that July 1st we don't just  
2 give the -- the people that received a grant -- approved grant  
3 from you guys get a check.

4 COMMISSIONER SPARKS: Right.

5 KEITH WESTENGARD: We would like them to provide us an  
6 invoice, bring it to you for approval, and then we'll write the  
7 check out of that line item for whatever entity you approve the  
8 grant for.

9 Personal wages, we talked about.

10 And we'd like to see a decline in the grants in -- in the  
11 future. And we've said that, I think, every -- every year for  
12 the last couple of years. And -- and they kind of -- they --  
13 they do fluctuate a little bit. And actually some are more this  
14 year, some are less.

15 If we don't receive an application, we'd like to be able to  
16 deny it -- by the deadline for our budget workshop to present to  
17 this commission.

18 Let me see.

19 Nonprofit is -- is a kind of a touchy subject. A lot of  
20 the nonprofits come. And -- and we support them -- or I should  
21 say the county supports them and they shouldn't be supporting  
22 them. And it has to do with wages -- that we pay wages.

23 So those -- those are the things we'd like to -- to look at  
24 implementing with -- with your approval.

25 It's important. We -- we need to reduce the grant  
26 requests. They're -- they're high.

27 One of the thing- -- oh, I'm sorry.

28 COMMISSIONER SPARKS: No, you're --

29 KEITH WESTENGARD: Okay.

30 One of the -- another one of -- another thing that Cindy  
31 and I discussed --

32 I lost my train of thought. I'm sorry. I completely  
33 forgot. If you guys --

34 COMMISSIONER CLARK: You were --

35 KEITH WESTENGARD: -- want to --

36 COMMISSIONER CLARK: -- talk- --

37 KEITH WESTENGARD: -- ask some questions, I'll remember.

38 COMMISSIONER CLARK: Okay. You were --

39 COMMISSIONER ALLAN: So --

40 COMMISSIONER CLARK: -- talking about verification of money

1 spent.

2 KEITH WESTENGARD: Yes.

3 COMMISSIONER CLARK: Now, the second year of the last term,  
4 Chairman Bakker was emphatic about bringing back receipts and  
5 just never got the receipts from everyone.

6 KEITH WESTENGARD: Very minimal, if any.

7 CINDY BENSON: And only because we sent-- Cindy Benson, for  
8 the record -- and that's only because we sent out a form for  
9 them to fill out and submit back to us with the backup material  
10 showing their expenses.

11 COMMISSIONER ALLAN: Cindy, I don't want to give you more  
12 work than you already have. But I guess one of my questions is,  
13 yes, you said very minimal receipts. And that was something  
14 we've asked for.

15 I think you guys' ideas are great. I think that those that  
16 received grants last year that did not follow what we requested,  
17 their quarterly reports, receipts on such, is, you know what, if  
18 they can't get their grant applications in on time, if they  
19 can't be filled out properly, and if they can't follow the  
20 rules, then, I'm sorry, I don't think they need the money. They  
21 can figure it somewhere else.

22 COMMISSIONER SPARKS: I agree.

23 COMMISSIONER ALLAN: So that means going back and looking  
24 at those from last year and if they did. You know, if they've  
25 given you any receipts, given you quarterly reports -- sorry --  
26 if they haven't, then I don't know if they should even be  
27 considered.

28 KEITH WESTENGARD: So we have not received any -- any --  
29 anything from previous years other than this. And these were  
30 just turned in within the last week.

31 CINDY BENSON: Yes. And -- and there are a couple of those  
32 that in their grant applications they have listed what they  
33 spent the money for last year. But it was not until they  
34 applied for the new grant that they supplied that.

35 COMMISSIONER CLARK: Well, I think what I want to see if I  
36 we give a grant for \$20,000, I want to make sure that the  
37 \$20,000 is spent and there's not \$5,000 hanging there and then  
38 they come back and --

39 CINDY BENSON: Yes.

40 COMMISSIONER CLARK: -- ask for another 20- and now they

1 have 25-. So we need an accounting process.

2 DISTRICT ATTORNEY HERRERA: Commissioners, --

3 CINDY BENSON: Yeah.

4 DISTRICT ATTORNEY HERRERA: -- just so you understand, we  
5 have a procedure.

6 And -- and, Commissioner, you're absolutely right. And we  
7 have established a procedure that -- that you voted for that  
8 says that.

9 What we're doing here today -- it's my understanding -- is --  
10 is to continue that procedure and modify anything else you may  
11 want to add to the existing procedure.

12 But -- but you're -- Judie, you're absolutely correct. We  
13 already have -- and I gave a legal opinion to Keith that -- that  
14 the policy that you established would prevent somebody from  
15 applying again if they haven't -- if they haven't gone along  
16 with our established procedure.

17 CHAIRMAN WAITS: I'm a little confused on -- on, I think,  
18 what we did last year. Because I do remember us deciding  
19 whether we're going to a maximum of 50,000, a maximum of a  
20 hundred. I did -- I did not think that that included our  
21 subdivisions like the water and sewer and Kingston, when we have  
22 a political subdivision GID or something.

23 COMMISSIONER CLARK: Yeah. I -- I agree.

24 CHAIRMAN WAITS: I thought that was separate. I thought  
25 our hundred thousand was for the others. Because, I mean,  
26 they -- they ended up more than a thousand before we even turned  
27 around.

28 And there are some that don't know they're even going to  
29 have an event and they'll come be before us and say, hi, we want  
30 to do a rodeo or, you know, want to do the Christmas parade,  
31 could we have an extra hundred dollars or something. And they  
32 don't know ahead of time to put it in.

33 COMMISSIONER CLARK: Yeah.

34 KEITH WESTENGARD: Okay. But --

35 CHAIRMAN WAITS: So we -- we have to have some kind of an  
36 exception that we could at least look at it, and perhaps not, if  
37 we haven't spent our whole hundred thousand.

38 COMMISSIONER ALLAN: And I -- I do think, you know, the  
39 Austin water/sewer, things like that, should be an exception  
40 because even though it's technically a grant, this is

1 infrastructure?  
2 CHAIRMAN WAITS: Yes.  
3 COMMISSIONER ALLAN: So I don't know -- I don't believe it  
4 really should.  
5 KEITH WESTENGARD: And that's next on the agenda. Not to  
6 cut you off, but it is next --  
7 COMMISSIONER ALLAN: Yeah.  
8 KEITH WESTENGARD: -- to talk about that grant,  
9 specifically.  
10 CHAIRMAN WAITS: Right. But we're talking --  
11 KEITH WESTENGARD: So --  
12 CHAIRMAN WAITS: -- grants. And who --  
13 KEITH WESTENGARD: Right.  
14 CHAIRMAN WAITS: -- what's going to be under. Like I  
15 remember, well, of course, we had the Chamber of Commerces. We  
16 have hospice that came before us. And they just asked for, I  
17 think, startup money or something like that. So.  
18 KEITH WESTENGARD: Yes.  
19 CHAIRMAN WAITS: So -- so I don't think they knew  
20 originally -- although I think they've got a request in. I  
21 don't think they knew originally they were going to start up.  
22 So we couldn't have got to them because they weren't there at  
23 the beginning of budget time.  
24 So I'm saying I think we need a little bit of flexibility if  
25 we haven't spent the whole hundred thousand that we at least the  
26 right to give a little bit if we want to do that throughout the  
27 year to somebody who meets our qualification.  
28 DISTRICT ATTORNEY HERRERA: And hence the reason we're here  
29 today to modify our existing --  
30 CHAIRMAN WAITS: Okay. Well, that's why I'm giving my  
31 opinion.  
32 CINDY BENSON: And we did have -- we did have a line item  
33 for other grants.  
34 KEITH WESTENGARD: Yes.  
35 COMMISSIONER SPARKS: Right.  
36 CINDY BENSON: I think that was 5,000.  
37 KEITH WESTENGARD: Five -- 5,000 was in that miscellaneous  
38 request.  
39 CINDY BENSON: Yes.  
40 CHAIRMAN WAITS: Oh, so it's 105-? Or it's 95,5-?

1 COMMISSIONER ALLAN: Well, I --  
2 CINDY BENSON: (Indiscernible.)  
3 COMMISSIONER ALLAN: -- think it's a hundred and then the  
4 extra is -- it's extra.  
5 CHAIRMAN WAITS: It was a 105-?  
6 KEITH WESTENGARD: Yes.  
7 CHAIRMAN WAITS: Okay.  
8 KEITH WESTENGARD: So -- but the 5,000 is --  
9 COMMISSIONER ALLAN: I'm -- I'm happy with that.  
10 KEITH WESTENGARD: So I did -- I did regain my thought real  
11 quick. And Cindy and I did go through each of the grant re- --  
12 requests last week. And we actually got it down to about  
13 99,000 -- 98; 98,5-; something ar- -- around there. But we cut  
14 a lot of stuff out.  
15 We started with --  
16 DISTRICT ATTORNEY HERRERA: 125-.  
17 KEITH WESTENGARD: -- wages. And -- and -- and then we  
18 went from there and -- and some of the ones that got big amounts  
19 last year, we cut down.  
20 And one of them, specifically, that we cut down was the  
21 Kids Club. They were at 40- last -- we gave them 25- last year  
22 that. They wanted 40- this yeah. We cut it actually down to  
23 \$7500.  
24 And these are things that I'm going to bring out to you at  
25 the budget workshop next week to let you know what our  
26 recommendations are to the commission, financially.  
27 COMMISSIONER SPARKS: I think a lot of these nonprofits,  
28 there's federal grants for that stuff too; right? I mean, it's  
29 -- these people could be applying for rather than just us.  
30 DISTRICT ATTORNEY HERRERA: Right. There are.  
31 CINDY BENSON: We've just made it too easy for them to come  
32 here.  
33 COMMISSIONER SPARKS: No. Exactly. That's my --  
34 COMMISSIONER ALLAN: Exactly --  
35 COMMISSIONER SPARKS: -- point. It's just -- yeah.  
36 CINDY BENSON: Yeah.  
37 COMMISSIONER ALLAN: Yeah.  
38 No. I think --  
39 CHAIRMAN WAITS: Okay.  
40 COMMISSIONER ALLAN: I guess if you want an action, I'll

1 make a motion to establish our grant procedures as outlined in  
2 the Lander County Grant Request Instruction Manual Fiscal Year  
3 twenty -- '19-2020.

4 COMMISSIONER SPARKS: We'll leave this --

5 COMMISSIONER ALLAN: And --

6 COMMISSIONER SPARKS: I'm sorry, Judie.

7 COMMISSIONER ALLAN: And incorporate the suggestions Keith  
8 and Cindy have made.

9 Is that --

10 COMMISSIONER SPARKS: So

11 KEITH WESTENGARD: Are you guys -- did everybody get what  
12 --

13 COMMISSIONER SPARKS: Yeah. Are we clear on the  
14 suggestions? That's --

15 KEITH WESTENGARD: Yeah. Are you guys clear on it? Or you  
16 -- okay.

17 COMMISSIONER SPARKS: Read what you've got there, Keith.

18 KEITH WESTENGARD: So the first one is that we do get -- we  
19 receive in Finance quarterly financial reports, that their --

20

21 (Cell phone ringing.)

22

23 KEITH WESTENGARD: That we receive --

24 Well, nobody's here, Ted.

25 DISTRICT ATTORNEY HERRERA: I don't know where --

26 COMMISSIONER CLARK: We're on --

27 DISTRICT ATTORNEY HERRERA: -- that came --

28 COMMISSIONER CLARK: -- video.

29 DISTRICT ATTORNEY HERRERA: -- from.

30 COMMISSIONER CLARK: You're on video.

31 KEITH WESTENGARD: Okay.

32 That we receive quarterly financial supports from each  
33 grantee, that we -- we know what their spending.

34 And if it's not received that it could affect the future of  
35 a -- of a next year grant or a future grant.

36 So quarterly financial reports submitted.

37 Submitted invoices. That they submit invoices with

38 documentation of what the money was spent on. And then we can

39 bring it to you or -- or we can make -- Cindy and I can look at

40 it and say it, okay, it meets the direct criteria and pay it if

1 we --  
2 Or we can bring it to you. And the com- -- you guys can  
3 say, okay, this is an invoice. Just with our regular bills.  
4 COMMISSIONER SPARKS: Uh-huh.  
5 KEITH WESTENGARD: Well, we'll probably have a separate  
6 item and say okay.  
7 COMMISSIONER CLARK: Well, I would say bring it to us if  
8 there's --  
9 CINDY BENSON: That's what I --  
10 COMMISSIONER CLARK: -- an issue.  
11 CINDY BENSON: -- think.  
12 KEITH WESTENGARD: Okay. Art, --  
13 COMMISSIONER ALLAN: If there's --  
14 COMMISSIONER CLARK: Otherwise --  
15 COMMISSIONER ALLAN: -- an issue.  
16 KEITH WESTENGARD: If there's an --  
17 CINDY BENSON: Yeah.  
18 KEITH WESTENGARD: -- issue or just all of it?  
19 COMMISSIONER ALLAN: If there's an issue.  
20 COMMISSIONER CLARK: If there's an issue.  
21 KEITH WESTENGARD: Okay. All right.  
22 COMMISSIONER CLARK: If you have --  
23 KEITH WESTENGARD: I --  
24 COMMISSIONER CLARK: -- somebody that's cheating or  
25 somebody that's not doing things right, yeah, we should know  
26 about --  
27 KEITH WESTENGARD: Okay.  
28 COMMISSIONER CLARK: -- it.  
29 KEITH WESTENGARD: I just want to be clear on it that  
30 grants cannot be used for personal -- personnel wages --  
31 personnel wages.  
32 COMMISSIONER SPARKS: Okay.  
33 KEITH WESTENGARD: That if -- if a grant's requested from  
34 year to year that the grant needs to be --  
35 CINDY BENSON: Declined.  
36 KEITH WESTENGARD: -- de- -- declined yearly. And we could  
37 put a 20 percent, a 25 percent, a 5 percent, whatever you guys  
38 would like to put on there each year.  
39 CHAIRMAN WAITS: I think I would like the word "may." We  
40 might --

1 KEITH WESTENGARD: "May"?

2 CHAIRMAN WAITS: -- have some that we think is important.

3 And we want --

4 COMMISSIONER CLARK: Wiggle room.

5 CHAIRMAN WAITS: -- to give the same amount to every year.

6 COMMISSIONER CLARK: Yeah.

7 KEITH WESTENGARD: Okay

8 CHAIRMAN WAITS: So don't make it automatic.

9 KEITH WESTENGARD: "May" be reduced annually.

10 CHAIRMAN WAITS: Yeah. May be reduced. Is that okay?

11 COMMISSIONER CLARK: There are --

12 COMMISSIONER SPARKS: Why --

13 COMMISSIONER CLARK: -- some things --

14 COMMISSIONER SPARKS: But then --

15 COMMISSIONER CLARK: -- going -- going on in this town

16 that -- that really need to keep being funded that -- the stuff

17 for kids, to Kids Club, the archery. I mean, those things --

18 those type of things, we need to help them generate.

19 COMMISSIONER SPARKS: I mean, if you put the word "may" in,

20 why even have that? You know what I'm saying?

21 KEITH WESTENGARD: Okay.

22 CHAIRMAN WAITS: It alerts them if they read it.

23 COMMISSIONER ALLAN: Yeah.

24 COMMISSIONER CLARK: There's always going to be an

25 exception.

26 COMMISSIONER SPARKS: Yeah.

27 COMMISSIONER CLARK: Like -- like Patsy said, if they come

28 for the Parade of Lights in Dec- -- or in November instead of

29 getting a grant for it. I mean, those things are going to

30 happen.

31 CHAIRMAN WAITS: That's the extra 5,000.

32 Go ahead.

33 KEITH WESTENGARD: If the grant re- -- applications --

34 excuse me -- if the grant request applications are not received

35 by the application date, which Cindy gives plenty of notice on

36 those, that we would not accept them.

37 CHAIRMAN WAITS: How does everybody know what the

38 application date is?

39 KEITH WESTENGARD: We -- we put --

40 CINDY BENSON: When they --



1 KEITH WESTENGARD: -- it out --  
2 CINDY BENSON: -- get the application, it says on there  
3 when it's due by.  
4 CHAIRMAN WAITS: And so everybody who has a grant now has  
5 been sent an application?  
6 CINDY BENSON: All except for the school board. They did  
7 not get sent one. We just send them to people that --  
8 CHAIRMAN WAITS: Okay.  
9 CINDY BENSON: -- that have --  
10 CHAIRMAN WAITS: So they're --  
11 CINDY BENSON: -- gotten --  
12 CHAIRMAN WAITS: -- all --  
13 CINDY BENSON: -- them --  
14 CHAIRMAN WAITS: -- alerted.  
15 CINDY BENSON: -- before.  
16 CHAIRMAN WAITS: That's good.  
17 CINDY BENSON: Yeah.  
18 CHAIRMAN WAITS: Okay.  
19 CINDY BENSON: And so he did not know -- Russ from the  
20 school district did not know that -- that we had a -- the  
21 certain date that they had to be in. So we did accept his.  
22 COMMISSIONER CLARK: The school board asked for a grant?  
23 CINDY BENSON: Uh-huh.  
24 KEITH WESTENGARD: That -- that was that one related to the  
25 early childhood --  
26 COMMISSIONER SPARKS: Early childhood.  
27 KEITH WESTENGARD: -- 30,000.  
28 COMMISSIONER SPARKS: Thirty grand.  
29 COMMISSIONER CLARK: We can't supply wages.  
30 KEITH WESTENGARD: And that would be a wage cut -- or a  
31 wage --  
32 COMMISSIONER CLARK: Yeah.  
33 KEITH WESTENGARD: And I --  
34 COMMISSIONER SPARKS: Exactly.  
35 KEITH WESTENGARD: And Cindy and I did cut that out of  
36 our -- our -- that's on our recommendations to you.  
37 So -- so that's what we're looking at.  
38 CINDY BENSON: There was one other criteria.  
39 KEITH WESTENGARD: Did I miss it?  
40 CINDY BENSON: I think we were talking about that we -- the

1 institute that applies for the money needs to be in sound  
2 financial --

3 KEITH WESTENGARD: Oh, that's right. Yes.

4 CINDY BENSON: Yeah. The --

5 CHAIRMAN WAITS: I'm sorry. Needs to be what?

6 CINDY BENSON: Should be in sound financial standing, not,  
7 like, owe back money to -- on taxes or something or have --

8 COMMISSIONER SPARKS: Right.

9 CINDY BENSON: -- liens against anything.

10 KEITH WESTENGARD: Right.

11 COMMISSIONER ALLAN: That's a really --

12 KEITH WESTENGARD: Thank you, Cindy.

13 COMMISSIONER ALLAN: -- good point.

14 KEITH WESTENGARD: I forgot about that one.

15 CINDY BENSON: Yeah.

16 CHAIRMAN WAITS: Okay.

17 We have a motion on the floor to approve that modification.  
18 Judie made the notion. Brian seconded.  
19 Any other discussion?  
20 (No comment.)

21 CHAIRMAN WAITS: Public comment?

22 BERT RAMOS: Bert Ramos, for the record.  
23 Can we also make sure that these grants aren't incorporated  
24 into -- into our budgets?  
25 Because I know, like, the -- for example, the weed grant, the  
26 -- the 20,000 that you guys give to the Conservation District.  
27 You just add it to the Road and Bridge weed control. And it  
28 causes some discrepancies between who's spending what. So they'd  
29 have --

30 COMMISSIONER ALLAN: That's --

31 BERT RAMOS: -- their own --

32 COMMISSIONER ALLAN: -- kind of --

33 BERT RAMOS: -- line --

34 COMMISSIONER ALLAN: -- the --

35 BERT RAMOS: -- item.

36 COMMISSIONER ALLAN: -- exception. Yeah. I think that  
37 should be separate.

38 BERT RAMOS: Yeah. That way -- that way they're  
39 responsible for theirs and there's going --

40 KEITH WESTENGARD: Mixing of funds.

1 BERT RAMOS: Yeah.  
2 COMMISSIONER SPARKS: Right.  
3 CINDY BENSON: Yeah.  
4 BERT RAMOS: If we could add that through that.  
5 COMMISSIONER ALLAN: Well, I don't know if we really need  
6 to add that to the criteria. I think that's just going to have  
7 to be a line --  
8 CINDY BENSON: We'll need to --  
9 COMMISSIONER ALLAN: -- item for Cindy to move.  
10 CINDY BENSON: Yeah.  
11 BERT RAMOS: Okay. Perfect.  
12 CINDY BENSON: We can do that.  
13 CHAIRMAN WAITS: Okay.  
14 All in favor?  
15 COMMISSIONER SPARKS: Aye.  
16 COMMISSIONER ALLAN: Aye.  
17 COMMISSIONER CLARK: Aye.  
18 COMMISSIONER ANCHO: Aye.  
19 CHAIRMAN WAITS: Aye.  
20 Any opposed?  
21 Okay. That passes unanimously.

22  
23 8) **Discussion and possible action regarding all grants**  
24 **previously given to and currently applied for by the Lander**  
25 **County Water and Sewer District #2 and to further consider**  
26 **all other options which may be available, and all other**  
27 **matters properly related thereto.**  
28

29 CHAIRMAN WAITS: And we move on to Number 8.  
30 Discussion and possible action regarding all grants  
31 previously given to and currently applied for by the Lander County  
32 Water and Sewer District #2 and to further consider all other  
33 options which may be available, and all other matters properly  
34 related thereto.

35  
36 (Commissioner Clark left commission chambers.)  
37

38 CHAIRMAN WAITS: And this was quite extensive in here of  
39 what they're looking at for the sewer. They did give us some  
40 pictures. Unfortunately they don't show a whole lot. But I do

1 have pictures if you would like to look at them. And it does  
2 show how the sewer pipe has been disintegrating terribly. And  
3 they also were talking about a new truck.

4 Well, I think we -- we're on top of the truck. We actually  
5 have a county truck that's in pretty doggone good shape that we  
6 are going to see how quickly we can get that to Austin.

7 KEITH WESTENGARD: Right.

8 CHAIRMAN WAITS: But the concern about this isn't  
9 necessarily to make this decision to fund this right now. It  
10 was something that we're going to look on whether we want to put  
11 it on our budget. But --

12 COMMISSIONER ALLAN: No.

13 CHAIRMAN WAITS: -- the extensive work that needs to be  
14 done, because it is so old -- so old -- looks like it's millions  
15 and millions of dollars, and it's not going to quit.

16 KEITH WESTENGARD: Yeah.

17 CHAIRMAN WAITS: So one of the concerns on discussion is,  
18 is it something you just want to keep putting out? Or is there  
19 another agenda item that we may be considering as an alternative  
20 other option?

21  
22 (Commissioner Clark returned to commission chambers.)

23  
24 COMMISSIONER SPARKS: Why wouldn't something of this, like,  
25 nature, extensiveness of it, just come and be put aside as like  
26 capital improvement project?

27 And then why -- my other question is why -- why isn't it,  
28 like, their water and sewer not part of ours? Or why could it  
29 not be part of our -- our, you know, the countywide's water and  
30 sewer type thing?

31 CHAIRMAN WAITS: It can be. That's something that's a  
32 consideration. Absolutely.

33 And that's what we will put on another agenda if that's your  
34 concern. Because it doesn't look like it's going to stop.

35 I mean, this sewer system is actually disintegrating in  
36 some of these areas.

37 And I will put on the record that if we do have a sewer  
38 break and the sew- -- and there is sewage, the penalty is  
39 \$15,000 a day from the state for us to fix that.

40 COMMISSIONER SPARKS: Okay.

1 CHAIRMAN WAITS: We, in Austin, don't have even a hardware  
2 store to run to and fix.  
3 And so it takes time. And so we've got an outgo of quite a  
4 lot of additional expense for penalties, which seems really  
5 hard. It's like, oh, you're down and out, let me kick you.  
6 So I'm sorry.  
7 KEITH WESTENGARD: And -- and I will say that -- Bert's  
8 still here -- I will say Bert supports Water/Sewer 2 a lot.  
9 He -- he's -- so if it was to come to the county or if we  
10 go in -- down that road, I -- I think that would be my  
11 recommendation that we -- we look at that. Because we support  
12 them pretty regularly in -- in the south anyway.  
13 CHAIRMAN WAITS: Well, a few years ago, of course, we -- we  
14 got that nice, big net proceeds. And we paid -- what? --  
15 \$6 million. We paid off our water system to start.  
16 And then we knew that they were doing Highway 50 with NDOT  
17 so we put that in. We thought that was going to be this year.  
18 And that's quite a bit and -- and engineering and all.  
19 And now it looks like we've got one that we don't even know  
20 the final total. So if the county's going to be that involved,  
21 do you want me to put that on the agenda that --  
22 DISTRICT ATTORNEY HERRERA: to take it over?  
23 CHAIRMAN WAITS: To take it over and what we need to do.  
24 DISTRICT ATTORNEY HERRERA: Well, what we need to do is  
25 have them ask us to take it over because we can't make them.  
26 COMMISSIONER CLARK: But, you know, is -- there's a few --  
27 CHAIRMAN WAITS: I'm not sure --  
28 COMMISSIONER CLARK: -- instan- --  
29 CHAIRMAN WAITS: -- so sure about that.  
30 DISTRICT ATTORNEY HERRERA: I'm 100 percent positive  
31 what --  
32 COMMISSIONER ALLAN: Could we --  
33 DISTRICT ATTORNEY HERRERA: -- I said.  
34 COMMISSIONER ALLAN: -- just send them a letter and say,  
35 will you please ask us to take you over?  
36 DISTRICT ATTORNEY HERRERA: Basically, that's it. They --  
37 they have to request it. We can't demand it if they're a  
38 separate legal entity.  
39 CHAIRMAN WAITS: Okay. So let's put that on the agenda so  
40 we can discuss that.

1 DISTRICT ATTORNEY HERRERA: Yes. That would be good.  
2 CHAIRMAN WAITS: Okay. Fair enough.  
3 So we don't need any action under Number 8 for right now.  
4 COMMISSIONER CLARK: There was an interesting --  
5 CHAIRMAN WAITS: Do we have any public comment from Austin?  
6 MITESHELL LANHAM: No.  
7 COMMISSIONER CLARK: There -- there was an interesting  
8 comment made to me on the Water District Number 2. And it was  
9 net proceeds mines' money is for Lander County. And that's the  
10 view of a lot of people that are concerned about this Water  
11 District Number 2, that they're entitled this to this money  
12 because net proceeds is for all of Lander County.  
13 COMMISSIONER ALLAN: I agree.  
14 COMMISSIONER CLARK: So I just wanted to throw that out  
15 there because it's rather unique.  
16 COMMISSIONER ALLAN: You're absolutely right there, Art.  
17 Is they --  
18 COMMISSIONER CLARK: You know, how do you --  
19 COMMISSIONER ALLAN: -- may be a separate --  
20 COMMISSIONER CLARK: -- argue that? I mean, --  
21 COMMISSIONER ALLAN: Yeah.  
22 COMMISSIONER CLARK: -- it's for Lander County.  
23 COMMISSIONER ALLAN: And they are --  
24 COMMISSIONER CLARK: So --  
25 COMMISSIONER ALLAN: -- Lander County residents and they  
26 may be a separate entity and such, but --  
27 COMMISSIONER CLARK: Yeah.  
28 COMMISSIONER ALLAN: -- still --  
29 CHAIRMAN WAITS: When you --  
30 COMMISSIONER ALLAN: -- it's a --  
31 CHAIRMAN WAITS: -- become a --  
32 COMMISSIONER ALLAN: -- municipality.  
33 CHAIRMAN WAITS: -- subdiv- -- a subdivision, though, as a  
34 GID, Government Improvement District, you also plan to do your  
35 own finances.  
36 DISTRICT ATTORNEY HERRERA: Yep.  
37 CHAIRMAN WAITS: And you don't look to someone else. So --  
38 COMMISSIONER ANCHO: Uh-huh.  
39 CHAIRMAN WAITS: -- there's lots of things we need to  
40 discuss. And we will do that at our next meeting.

1 KEITH WESTENGARD: Yeah.

2  
3  
4 **CORRESPONDENCE**

5  
6 **10) Correspondence, reports, potential upcoming agenda items.**

7  
8 CHAIRMAN WAITS: Okay. Moving right along, that brings us  
9 to Number 10.

10 Correspondence, reports, potential upcoming agenda items.

11  
12 (The following correspondence was received:

13 1. NWTB Workshop on Repository Science and Operations  
14 from International Underground Research Laboratory  
15 Collaborations.

16 2. United States Department of the Interior offer of 123  
17 parcels totaling 264,076 acres in the Battle Mountain district.

18 3. Nevada Division of Environmental Protection Remedial  
19 Design Report Broadway Colt Service Center.

20 4. United States Department of the Interior EA for Lazy  
21 Old Men Mining Company, LLC, for public review and comment.

22 5. United States Department of the Interior affected  
23 allotments from fire closure decisions in the Elko District.)

24  
25 CHAIRMAN WAITS: We have some we have identified. Do we  
26 have any more?

27 COMMISSIONER CLARK: Yeah. I would -- I'd like to schedule  
28 a town hall meeting for April the 2nd on Second Amendment.

29 Ron will catch you up.

30 CHAIRMAN WAITS: Hi, Ron.

31 SHERIFF RON UNGER: Hi. Ron Unger, again, for the record.

32 On the -- for the upcoming agendas, I would just like to  
33 give everybody a heads up that the next meeting I'm going to  
34 come up and ask for a resolution from Lander County for you guys  
35 to make Lander County a Constitutional Second Amendment county.

36 So just a heads up. Give you a little thought. I'll bring  
37 what information I can.

38 I do have a lot of information at this point from other  
39 counties within the state of Nevada and outside the state of  
40 Nevada. So I'll get that. So --

1 COMMISSIONER SPARKS: Art, if we had that town hall  
2 meeting, we'll do the -- do it in the evening apparently; right?  
3 COMMISSIONER CLARK: Yeah.  
4 COMMISSIONER SPARKS: Okay.  
5 COMMISSIONER CLARK: 6:00 o'clock.  
6 COMMISSIONER SPARKS: Perfect. Yeah.  
7 SHERIFF RON UNGER: This is --  
8 COMMISSIONER CLARK: That's what I'm --  
9 SHERIFF RON UNGER: -- above --  
10 COMMISSIONER CLARK: -- thinking.  
11 SHERIFF RON UNGER: -- and beyond Art's. I -- I did want  
12 to --  
13 COMMISSIONER CLARK: Yeah.  
14 SHERIFF RON UNGER: -- make sure that --  
15 COMMISSIONER SPARKS: Yeah.  
16 SHERIFF RON UNGER: -- you --  
17 COMMISSIONER SPARKS: For sure.  
18 SHERIFF RON UNGER: -- understood --  
19 COMMISSIONER CLARK: You know, --  
20 SHERIFF RON UNGER: -- that.  
21 COMMISSIONER CLARK: And -- and just so everybody  
22 remembers, Ron and I and Cindy started on this in Lander County  
23 2 1/2 years ago with the NRA video that people came here to --  
24 to do the video.  
25 So we kind of led this because we knew what was going to  
26 happen.  
27 SHERIFF RON UNGER: So --  
28 COMMISSIONER CLARK: So we'll --  
29 CHAIRMAN WAITS: Okay.  
30 COMMISSIONER CLARK: -- we'll do --  
31 CHAIRMAN WAITS: So --  
32 COMMISSIONER CLARK: -- that at the --  
33 CHAIRMAN WAITS: -- so is --  
34 COMMISSIONER CLARK: -- civic center --  
35 CHAIRMAN WAITS: -- the town -- I'm sorry.  
36 COMMISSIONER CLARK: We do that at the civic center.  
37 KEITH WESTENGARD: Whatever you'd like, Commissioner. Is  
38 that where you'd like it?  
39 COMMISSIONER CLARK: If the civic center is busy, then  
40 we'll do it in the community room.



1 SHERIFF RON UNGER: Am I done? Did --  
2 COMMISSIONER CLARK: You're never done.  
3 SHERIFF RON UNGER: Oh, and I know, but (indiscernible).  
4 CHAIRMAN WAITS: So is it the commission that is calling  
5 the hearing? Is that --  
6 KEITH WESTENGARD: How would you like --  
7 CHAIRMAN WAITS: -- what you want?  
8 COMMISSIONER CLARK: Calling a hearing.  
9 CHAIRMAN WAITS: Yeah.  
10 COMMISSIONER ALLAN: The --  
11 KEITH WESTENGARD: Town hall.  
12 COMMISSIONER ALLAN: -- town hall --  
13 CHAIRMAN WAITS: I mean, is this --  
14 COMMISSIONER ALLAN: -- meeting.  
15 CHAIRMAN WAITS: -- sponsored by us for the town hall  
16 meeting? Or is --  
17 COMMISSIONER CLARK: Well, I -- I just want to let the  
18 people in Lander County know that we're --  
19 DISTRICT ATTORNEY HERRERA: Who -- who's -- is -- who's  
20 supporting it? Who -- who's bringing it?  
21 Is it the county --  
22 COMMISSIONER CLARK: Okay. Me.  
23 DISTRICT ATTORNEY HERRERA: -- commissioners? Huh?  
24 COMMISSIONER CLARK: Yeah. The commissioners.  
25 DISTRICT ATTORNEY HERRERA: Okay. So --  
26 CHAIRMAN WAITS: So do we have to have that as an agenda  
27 item, --  
28 DISTRICT ATTORNEY HERRERA: Yes.  
29 CHAIRMAN WAITS: -- then?  
30 COMMISSIONER CLARK: No.  
31 DISTRICT ATTORNEY HERRERA: Yes.  
32 CHAIRMAN WAITS: And if we have --  
33 KEITH WESTENGARD: We'll have to --  
34 CHAIRMAN WAITS: -- it on the --  
35 KEITH WESTENGARD: -- have it recorded, --  
36 CHAIRMAN WAITS: -- agenda item. That's on the 28th --  
37 KEITH WESTENGARD: -- and posted.  
38 CHAIRMAN WAITS: -- for us to have a meeting is kind of --  
39 COMMISSIONER CLARK: Right. So we're --  
40 COMMISSIONER SPARKS: It's kind -- it's kind of --

1 COMMISSIONER CLARK: -- going to --  
2 COMMISSIONER SPARKS: -- quick --  
3 COMMISSIONER CLARK: -- have to do it before the 28th.  
4 CHAIRMAN WAITS: But we don't have another meeting before  
5 the 28th. And it's not on our agenda today.  
6 COMMISSIONER CLARK: How many days do we need --  
7 KEITH WESTENGARD: Ten.  
8 CHAIRMAN WAITS: Well, I'm just saying, you -- you could  
9 have it if you -- if we approve you to have it, but it doesn't  
10 give a lot of time to get the information out unless you --  
11 COMMISSIONER CLARK: I know. The -- the -- the 28th. If  
12 we discuss it on the 28th, do we still have enough time to post?  
13 KEITH WESTENGARD: It's -- yeah. I -- I think we could  
14 still post. But what I would suggest is that it's -- and -- and  
15 I'll help with how- -- however you need, but the -- the sheriff  
16 calls it a town hall meeting put on by the sheriff then -- we --  
17 we don't have to record it. I mean, it's just --  
18 COMMISSIONER CLARK: Okay. Okay.  
19 KEITH WESTENGARD: -- you know it's -- we don't have to  
20 do --  
21 COMMISSIONER CLARK: Yeah.  
22 KEITH WESTENGARD: -- the open meeting law.  
23 COMMISSIONER CLARK: Do you want to do it that --  
24 KEITH WESTENGARD: If Ron --  
25 COMMISSIONER CLARK: -- way, --  
26 CHAIRMAN WAITS: We're not --  
27 COMMISSIONER CLARK: -- Ron?  
28 CHAIRMAN WAITS: -- sponsoring it.  
29 KEITH WESTENGARD: Whatever you --  
30 COMMISSIONER CLARK: Okay.  
31 KEITH WESTENGARD: -- need. If you want --  
32 SHERIFF RON UNGER: I'll need his --  
33 KEITH WESTENGARD: -- us to advertise --  
34 SHERIFF RON UNGER: -- help on that. But --  
35 KEITH WESTENGARD: Yeah.  
36 COMMISSIONER CLARK: Okay.  
37 KEITH WESTENGARD: You can advertise. We can help set it  
38 up, whatever you need, Ron. I'm just saying that way we don't  
39 have to go through --  
40 COMMISSIONER CLARK: Okay.

1 KEITH WESTENGARD: -- open meeting and have recorders  
2 and -- and the whole deal.  
3 COMMISSIONER CLARK: And I'll help you with that, Ron.  
4 COMMISSIONER SPARKS: Maybe *The Bugle* can help get the word  
5 out.  
6 CHAIRMAN WAITS: So what time are you looking at?  
7 COMMISSIONER CLARK: 6:00 o'clock.  
8 CHAIRMAN WAITS: Evening meeting?  
9 COMMISSIONER CLARK: Yeah. 6:00 o'clock. And if the --  
10 KEITH WESTENGARD: I'll -- I'll know and I can --  
11 COMMISSIONER CLARK: Yeah. If --  
12 KEITH WESTENGARD: -- go check --  
13 COMMISSIONER CLARK: -- the civic --  
14 KEITH WESTENGARD: -- real quick.  
15 COMMISSIONER CLARK: -- center is busy, then we'll just do  
16 it in the --  
17 KEITH WESTENGARD: And then I can --  
18 COMMISSIONER CLARK: -- community room.  
19 KEITH WESTENGARD: -- get with you for all that.  
20 CHAIRMAN WAITS: Okay. So we don't need it on the  
21 agenda --  
22 COMMISSIONER CLARK: No.  
23 CHAIRMAN WAITS: -- for that?  
24 Any other items?  
25 COMMISSIONER ALLAN: I think it's been mentioned before,  
26 but, Keith, I would like the put Lou Lani on the agenda for to  
27 Central Nevada Regional Water Authority.  
28 KEITH WESTENGARD: Okay. So do -- do we need to advertise  
29 for that?  
30 DISTRICT ATTORNEY HERRERA: Now what's that one?  
31 UNIDENTIFIED PARTICIPANT: Lou Lani -- Lani, on the Central  
32 Nevada Regional Water Board Authority? Or could -- can the  
33 commission just appoint?  
34 He's an alternate; right?  
35 COMMISSIONER ALLAN: He would be a second alternate.  
36 KEITH WESTENGARD: Al- -- second alternate.  
37 COMMISSIONER ALLAN: Because we already have an alternate.  
38 KEITH WESTENGARD: Okay. I'll let you know.  
39 DISTRICT ATTORNEY HERRERA: Yeah.  
40 COMMISSIONER ALLAN: Okay.

1 DISTRICT ATTORNEY HERRERA: I'd have to -- I don't know.  
2 COMMISSIONER ALLAN: I mean, --  
3 CHAIRMAN WAITS: Okay.  
4 COMMISSIONER CLARK: -- we actually will be losing Frank.  
5 I don't know how many more meetings he plans on attending.  
6 CHAIRMAN WAITS: Till -- he's here till the end of June.  
7 COMMISSIONER CLARK: Till -- yeah.  
8 COMMISSIONER ALLAN: Right. So --  
9 COMMISSIONER CLARK: Till July.  
10 COMMISSIONER ALLAN: -- we will have another meeting after  
11 that.  
12 Is -- so I think then Lou could -- could take his place in  
13 that, in becoming the primary alternate. Because we can have as  
14 many alternates as we want.  
15 DISTRICT ATTORNEY HERRERA: He's -- he's not an alternate  
16 now?  
17 COMMISSIONER ALLAN: Nope.  
18 DISTRICT ATTORNEY HERRERA: Yeah. We have to appoint.  
19 COMMISSIONER CLARK: I think Louis' on the -- on the PLUAC.  
20 DISTRICT ATTORNEY HERRERA: He's on a lot of things.  
21 COMMISSIONER ALLAN: Yeah. And he's on the Humboldt River  
22 Basin. But he wanted to be on the Central Nevada.  
23 KEITH WESTENGARD: Just let me know about the advertising.  
24 DISTRICT ATTORNEY HERRERA: Yeah.  
25 CHAIRMAN WAITS: Anything else?  
26 DISTRICT ATTORNEY HERRERA: I think so. You have to --  
27 CHAIRMAN WAITS: Okay.  
28 DISTRICT ATTORNEY HERRERA: -- appoint.  
29 CHAIRMAN WAITS: Public comment for nonagend- --  
30 DISTRICT ATTORNEY HERRERA: And he takes over.  
31 CHAIRMAN WAITS: -- -agendized items only.  
32 Persons are invited to submit comments in writing and/or  
33 attend or make comments on -- on any nonagenda item at the board  
34 meeting, if any, and discussion of those comments at the  
35 discretion of the board. All public comment may be limited to  
36 three minutes per person, again at the discretion of the board.  
37 Reasonable restrictions may be placed on public comments based  
38 upon time, place, and manner, but public comment based upon  
39 viewpoint may not be restricted.  
40 Any public comment?

1 COMMISSIONER ALLAN: I actually have something if --  
2 Totally trivial. I thought I'd share this.  
3 I had a bald eagle sitting on the pivot yesterday. And you  
4 don't see that often in Battle Mountain.  
5 CHAIRMAN WAITS: Okay. And just for information -- because  
6 that's wonderful -- NACO registration has opened up for the  
7 Clark County national NACO meeting in July. And I recommend you  
8 go on to website and get your -- get your reservations in early  
9 because it does fill up.  
10 COMMISSIONER CLARK: Okay.  
11 CHAIRMAN WAITS: That's it.  
12 COMMISSIONER CLARK: What's the date?  
13 CHAIRMAN WAITS: The date?  
14 COMMISSIONER CLARK: For the convention?  
15 CHAIRMAN WAITS: The date is July -- hang on -- it starts  
16 the twenty -- 26th. Twenty-sixth. No, I'm sorry. Twelfth.  
17 July 12th through the 15th.  
18 Okay. Motion?

19  
20

21 **ADJOURNMENT**

22 COMMISSIONER CLARK: There's one on --  
23 COMMISSIONER ALLAN: Motion to --  
24 COMMISSIONER CLARK: -- 12th.  
25 COMMISSIONER ALLAN: -- adjourn.  
26 COMMISSIONER ANCHO: I'll second.  
27 CHAIRMAN WAITS: Okay. Judie.  
28 COMMISSIONER SPARKS: Might have to --  
29 CHAIRMAN WAITS: Judie. Kathy.  
30 All in favor?  
31 COMMISSIONER ALLAN: Aye.  
32 COMMISSIONER CLARK: Aye.  
33 COMMISSIONER SPARKS: Aye.  
34 CHAIRMAN WAITS: Aye.  
35 Thank you.  
36 COMMISSIONER SPARKS: Good bye.  
37 CHAIRMAN WAITS: Thank you. Thank you. Thank you, Austin.  
38  
39 (Meeting ended at 11:30 a.m.)  
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**CHAIRMAN OR VICE CHAIRMAN OF THE  
BOARD OF LANDER COUNTY  
COMMISSIONERS AND THE LANDER  
COUNTY LIQUOR BOARD**



**ATTEST:**

**LANDER COUNTY CLERK**

*Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of Battle Mountain and Austin, Nevada.*

1 STATE OF UTAH )  
2 ) ss.  
3 COUNTY OF DAVIS )  
4  
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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 MARCH, 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

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26 \_\_\_\_\_  
27 TIFFANY ELKINGTON, CCR #930  
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