

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 April 12, 2018, at 9:00 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**
8 **SEAN BAKKER, COMMISSIONER**
9 **ART CLARK III, COMMISSIONER**
10 **DOUG MILLS, COMMISSIONER**
11 **JUDIE ALLAN, COMMISSIONER**
12 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**
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 MILLS: -- call this meeting to order.

22 Lander County Commission meeting, Town Board of Battle
23 Mountain and Austin, Board of Highway -- or County Highway
24 Commissioners, April 12th, 2018.

25 Please join us in the Pledge of Allegiance.

26 Art, will you lead us.
27

28 (Pledge of Allegiance)
29

30 CHAIRMAN MILLS: Thank you. We'd like to have a moment of
31 silence, please.
32

33 (Moment of silence)
34

35 CHAIRMAN MILLS: Thank you.

36 Lander County Commissioners may break from lunch -- break for
37 lunch from 12:00 p.m. to 1:15 p.m.

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

1 **COMMISSIONER REPORTS**

2
3 CHAIRMAN MILLS: Commissioners' reports on meetings,
4 conferences, and seminars attended.

5 Judie?

6 COMMISSIONER ALLAN: So Tuesday night we had a LEPC
7 meeting. And it was actually pretty short, but couple of things
8 we discussed.

9 Still talking about a possible building, but it -- it will
10 be in the works throughout the year and -- and brought up before
11 the commission ye- -- next year on -- on any kind of approval or
12 whatnot, but --

13 So we -- we kind of talked about that and what we wanted to
14 go and direction. And so we've got plenty of time. But it was
15 brought up.

16 One of the other topics is a couple of the members have
17 been trying to get with the businesses around town to talk about
18 their evacuation plans and -- and -- and get a cohesive idea of
19 in an event of any kind of emergency that business owners know
20 what the resources are, what LEPC's resources are, and -- and
21 what the evacu- -- evacuation plans could be, and how those
22 parti- -- particular business -- what they would -- would do.

23 So this is another ongoing process that we'd like to have,
24 you know, participation from the community, possibly a workshop
25 to -- to get business owners to attend, to -- to let them know
26 what LEPC's all about and our resources for the community, and
27 what needs to be done so that basically the -- the town of
28 Battle Mountain knows if there is an incident what needs to be
29 done, where people can go, who can help them.

30 You know, another -- another big thing we talked about was
31 animal evacuation and, you know, building a -- a directory of
32 individuals that -- that can help if there is a need for
33 evacuating animals. So...

34 So that was all.

35 CHAIRMAN MILLS: Okay.

36 I don't think I have anything that's not on the agenda
37 already.

38 Sean?

39 COMMISSIONER WAITS: (Indiscernible.)

40 CHAIRMAN MILLS: Hm?

1 COMMISSIONER BAKKER: Oh.
2 COMMISSIONER ALLAN: I --
3 CHAIRMAN MILLS: You have --
4 COMMISSIONER ALLAN: -- forgot.
5 CHAIRMAN MILLS: -- another thing?
6 COMMISSIONER ALLAN: Yeah. I forgot. We did -- it's been
7 a long week.
8 We had an RTC meeting Monday and elected new -- new
9 officers, discussed the bid -- budget a little bit.
10 We did spend a little bit of money for the sheriff's office.
11 And the RTC is fuel tax money. So that money can go to
12 towards safety projects.
13 And with the sheriff's department, these were safety
14 features. So we were able to -- to help them out with some items
15 that they needed.
16 A little built of discussion on possible future projects and
17 po- -- and -- and past projects.
18 So short meeting, but it was nice. We -- we hadn't had one
19 for a while and it was time.
20 CHAIRMAN MILLS: Okay.
21 Sean?
22 COMMISSIONER BAKKER: I don't have anything to report on
23 that's not on the agenda either. So...
24 CHAIRMAN MILLS: Okay. Patsy?
25 COMMISSIONER BAKKER: Patsy?
26 COMMISSIONER WAITS: Thank you.
27 On the 23rd of March, I had a NACO meeting. And there
28 were several things that -- that we're looking at coming up, of
29 course. But one of the big things was the passage of the
30 omnibus bill.
31 And I wanted to just take a couple minutes and h- -- and
32 quickly highlight that for you because NACO did a comprehensive
33 analysis of that bill. And it is on their website for you.
34 It was almost unparalleled with the extra funding that they
35 did. But -- but the norm seems to be four of the last five years
36 that our legislatures are passing this omnibus bill, which
37 includes all these things that takes a while to sort out. But
38 that seems to be an easier way for them than just doing individual
39 -- their individual bills and passing those. It seems to save a
40 lot of time too.

1 So, with that, there's just a couple things I -- I did want
2 to highlight for you. Of course, the SRS was reauthorized. The
3 infrastructure was 10 million of new fund- -- 10 billion of new
4 funding. The opioid epidemic response was 2 billion increase
5 overall. The di- -- disaster relief funding, which is a very
6 big item, billions in new funding on that one. And, of course,
7 our PILT, payment in lieu of taxes, was fully funded for 2018.

8 On the -- April 2nd, I did have a chamber meeting in
9 Austin, attended that one. The big thing is our -- our events
10 coming up. And, of course, we have a car show at the end of
11 April.

12 And also the American Legion is doing our dedication of the
13 veterans statue. And that will be on the 21st, on Saturday, at
14 10:00 a.m. at the visitors center.

15 And we've been real concerned about the I-11 corridor.
16 Frank Whitman has attended one of the -- the meetings in person.
17 But they are up to comments. You actually can comment on that
18 up until tomorrow. And, of course, the one that looks most
19 favorable for Lander County is Fallon because it would indeed
20 help Austin and even maybe folks coming up this way and then
21 hitting Battle Mountain and -- and going back over, something
22 like that.

23 So if any of you are inclined to comment, they do need
24 comments. We never know what's going to happen. And it can go
25 any direction.

26 On the sixth of April, the NACO committee of the emeritus
27 hosted the third workshop. And this workshop was on how a bill
28 becomes a law.

29 We had a lot of really good tips on communicating
30 effectively with the legislature. And one of the main speakers
31 was Michael Stewart who is the research director of the
32 legislative council. He used to work for the secretary of
33 state. He was excellent.

34 And then we had Assemblywoman Teresa Benitex-Thompson. And
35 she chairs the government affairs. And she was real good on
36 giving us ideas, what -- she said, on the bills, you need to
37 look at what needs to be fixed, how will this bill fix it? And
38 then they evaluate the impact on the counties and the whole
39 state. And those are your three main things, she says. So
40 that's -- and if you testify and -- and NACO does and we do

1 individually for some of the bills that we're in favor of, of
2 course, that's what we have to keep in mind are all those
3 things.

4 On the ninth I did attend the RTC meeting. And, as
5 Commissioner Judie said, we actually funded a -- the speed monitor
6 for the southern end of the county and the trailer that will go on
7 that flashes how fast you are going, rather than traveling back
8 and forth with the only one that we have and also the breath
9 analysis for all of the units, which was excellent.

10 On the ninth I also had a Convention & Tourism Authority
11 meeting. And we did a couple grants. We did a grant for the
12 archery club. And we did a grant for UNR on the Cooperative
13 Extension for their photo class in Battle Mountain they did last
14 year in Austin. Very -- very successful. So they're doing one in
15 Battle Mountain.

16 And, of course, we approved the tentative budget and sent
17 that on.

18 Also on the fifth of April, I did have my JPS meeting, which
19 is the Justice and Public Service -- Public Safety, which actually
20 is the national committee that I sit on for NACO. And we did the
21 same thing. We went over a lot of the different policy riders and
22 what the omnibus spending package did on the recap.

23 But one of the things I did want to share with you was the
24 extension of medical marijuana protections. The omnibus extends
25 the -- what they call the Rohrabacher-Farr Amendment. And that
26 prohibits the federal government from spending funds to
27 interfere with the implementation of state medical cannabis
28 laws. And this is the only layer of protection they have. And
29 they extended that.

30 So it doesn't mean it isn't against the federal law; it
31 just means that they are prohibited from enforcing it with
32 anything that might cost money. So I thought that was important
33 that you all know that.

34 Thank you.

35 CHAIRMAN MILLS: Okay.

36 Art?

37 COMMISSIONER CLARK: Yeah. I had a public lands meeting.
38 And we found out that there'll be 6 point million --
39 \$6.5 million increase to PILT. So we should realize a little
40 extra money there.

1 Sage grouse is still in limbo, but it -- it's a less popular
2 issue at the federal level.

3 Wild horses and burros. There was a March meeting sche- --
4 scheduled, but that was canceled.

5 Klondike Gold is on hold right now with their BLM permits.

6 May 14th is the elk plan. It'll be in the Austin town hall.

7 And a lot of problems down at Lake Mead. State officials
8 that are concerned about this and -- and the states that are
9 affected by the Colorado River, they've agreed that Lake Mead
10 is not sustainable. They don't want to do anything about it
11 because it's so political. So they're going to wait for the
12 feds to come in and be the bad guys and make decisions.

13 And there are no new water -- water wells to be drilled in
14 Pahrump unless existing water rights are sold for the new well. I
15 had mentioned this three years ago that there were big water
16 problems in southern Nevada. And it's manifested to no wells
17 unless you have existing water rights. So pretty much will
18 prohibit a lot of future building in Pahrump.

19 And that's all I have.

20 CHAIRMAN MILLS: Patsy?

21 COMMISSIONER WAITS: Yes. I do have one more that -- that
22 I meant to share with you that we did discuss at the NACO
23 meeting. And that was the -- the additional funds that were
24 coming in for the counties.

25 And there was \$5 million on the marijuana tax that they had
26 actually kind of directed for the different counties. And of
27 that, 3.5 million went directly to the counties that actually
28 have establishments and dispensaries, medical or recreational.

29 But the other 1.5 million was carved out. And NACO did so
30 much in -- in actually lobbying for this so I wanted to be sure
31 and share it.

32 Of that 1.5 million, it's divided between the 17 counties.
33 So \$80,000 actually goes to every single county. And this was
34 for last year. And I checked with Cindy. We just received
35 ours, I think, last week or the week before. And that's
36 regardless of whether you have a dispensary or not. That's
37 80,000 of the marijuana tax that actually comes back.

38 And then this coming year, for our '18/'19, we'll get another
39 80,000.

40 Thank you.

1 CHAIRMAN MILLS: All right.

2

3

4 **STAFF REPORTS**

5

6 CHAIRMAN MILLS: Okay. Let's move to staff reports on
7 meetings, conferences, and seminars attended.

8 KEITH WESTENGARD: Several weeks back I attended a
9 cooperating agencies meeting with the BLM at the state office in
10 Reno to discuss the state sage grouse pl- -- plan that Secretary
11 Zinke has mandated be on his desk by April 20th.

12 So I've reviewed about 25 percent of the -- the sage grouse
13 EIS right now. I have to have comments, if any, back to the
14 cooperating group by Saturday. So I'll -- I'll continue to work
15 on that.

16 Doug and I attended a meeting with Senator Heller's staff
17 last week. And we -- we had some good conversation regarding the
18 -- the -- our Rock Creek Dam project.

19 We had some real good conversation regarding the FAA and the
20 closure of our -- of our crosswind run- -- runway. They're going
21 help out with that, hopefully.

22 But it was a pretty productive -- productive meeting.

23 CHAIRMAN MILLS: And just -- and just on that for
24 clarification. It's not actually closure of the crosswind
25 runway. It's -- it's a -- they're cutting the funding off.

26 KEITH WESTENGARD: Right.

27 CHAIRMAN MILLS: So kind of -- kind of a different --

28 KEITH WESTENGARD: Well --

29 CHAIRMAN MILLS: -- aspect there, but --

30 KEITH WESTENGARD: So we --

31 CHAIRMAN MILLS: -- eventually, if they don't pay for it,
32 it will end up getting -- up being closed --

33 KEITH WESTENGARD: Right.

34 CHAIRMAN MILLS: -- because we'll -- we can't afford to --

35 KEITH WESTENGARD: Right. Because we would -- we would --

36 CHAIRMAN MILLS: -- maintain it.

37 KEITH WESTENGARD: -- absorb all the costs related to that
38 runway. And that's the one -- one runway that is in dire need
39 of rebuilding, not even just repair.

40 We did some repairs on it last year, but it still needs a

1 lot of work.

2 One of -- one of the other things we talked about with
3 Senator Heller's staff was our indigent transports with a --

4 We talked a little -- quite a bit about that. And we've
5 got some ideas from them regarding what's called a TIGER grant.
6 It's a transportation grant. So we are -- we are looking into
7 that.

8 We've got some feedback from the taxi companies, Elko and
9 Winnemucca. They're wanting a minimum of \$150, but they want some
10 type of a schedule. They don't want to be a -- a -- they don't
11 want to get a call at 3:00 o'clock in the morning to come and pick
12 somebody up to -- to move them to Elko or Winnemucca to do any
13 transport.

14 So we continue to work on that.

15 COMMISSIONER CLARK: So I -- I have a question on that.
16 Where -- what are we going to do? Just hold them here until the
17 driver --

18 KEITH WESTENGARD: Well, that --

19 COMMISSIONER CLARK: -- gets here? Or --

20 KEITH WESTENGARD: We're still -- we're still trying to
21 figure out the best way to do this.

22 COMMISSIONER CLARK: Yeah.

23 KEITH WESTENGARD: If we could have say we had two en- --
24 two -- two people that needed transporting to one of the other
25 counties and we'll -- we'll keep them overnight, but they'll be
26 ready to go at 9:00 o'clock the following morning, then we can
27 set it up with the taxi service.

28 It's pretty -- it's --

29 COMMISSIONER BAKKER: I think the --

30 KEITH WESTENGARD: -- challenging.

31 COMMISSIONER BAKKER: -- executive director ought to just
32 drive over here and pick them up at 4:00 in the morning.

33 KEITH WESTENGARD: It's pretty challenging. Yeah. I think
34 they could probably put them at Bakker Brew for the day and --

35 COMMISSIONER BAKKER: Uh-huh.

36 KEITH WESTENGARD: -- have free coffee and donuts. So...

37 CHAIRMAN MILLS: All kinds of plans coming out.

38 COMMISSIONER BAKKER: I know. Brainstorming.

39 KEITH WESTENGARD: Our -- our taxiway alignment project is
40 continuing. We should be getting opening bids on that pretty

1 soon.

2 Austin Jet A. We did run in some -- to some problems with
3 the Austin Jet A. We're probably going to go -- have -- have to
4 go back out to rebid.

5 The -- the low bid that came in at around 235,000, which
6 clearly fit into our budget, there was some problems with it.

7 The next bid was -- 380,000, I believe. And then it went up
8 to 4- something, which was clearly out of our budget.

9 So we are -- we continue to work on that.

10 We've got some things straightened out with Ted's help, which
11 was really helpful as well as the contractor's board.

12 So we have -- we'll -- probably going to -- we are working on
13 going back out to bid on that.

14 Let me see.

15 We did att- -- Cindy and I attended a meeting in Elko that
16 had to do with our NDF wildland fire contract.

17 They're -- they're looking at revamping it. They actually
18 want to try to bring the cost down and give a little more
19 service to the county. So we continue to work on that. There
20 will be some legislative changes, probably coming next year.

21 Well, Commissioner Clark, myself, Bert met with the insurance
22 people yesterday as well as some people from the sheriff's
23 association. And I see Tim's here to go over that.

24 We've got --

25 COMMISSIONER CLARK: That was a good meeting.

26 KEITH WESTENGARD: It was a very informative meeting, but
27 we have some things that -- the commission will have some things
28 that they're going to have to deal with on our -- on our
29 insurance, our benefit package.

30 I -- I -- I think everything else is in the -- or on the
31 agenda. Thanks.

32

33

34 **PUBLIC COMMENT**

35

36 CHAIRMAN MILLS: Okay. Move to public comment for
37 nonagendized items only.

38 Persons are invited to submit comment in writing and/or
39 attend and make comments on any nonagenda item at the board
40 meeting, --

1 (Indiscernible side conversation between District Attorney
2 Herrera and Keith Westengard.)

3
4 CHAIRMAN MILLS: -- if any, and discussion of those
5 comments at the discretion of the board. All public comment may
6 be limited to three --

7 COMMISSIONER CLARK: Thank you.

8 CHAIRMAN MILLS: -- minutes per person, again at the
9 discretion of the board. Reasonable restrictions may be placed
10 on public comment based upon time, place, and manner, but public
11 comment based upon viewpoint may not be restricted.

12 Do we have any public comment?

13 Can we get you to state your name for the record?

14 KEITH PIAZZA: Keith Piazza, a resident of, you know,
15 Lander County.

16 CHAIRMAN MILLS: Okay.

17 KEITH PIAZZA: I would like to request that a -- a section
18 of road be repaired. There's a sh- -- about a 300-yard section
19 of Eisenhower Road, the southernmost tip of it out by the second
20 set of railroad tracks. It's getting busted up pretty bad to
21 the point where it's a hazard to -- to vehicles, I believe, and
22 cause damage to vehicles.

23 So I would just like to request that that -- that be
24 repaired.

25 COMMISSIONER CLARK: I was just out there the other day and
26 I share your concern.

27 KEITH PIAZZA: Thank you.

28 COMMISSIONER CLARK: It's a mess.

29 KEITH PIAZZA: It -- it -- it is. Yeah. It is.

30 COMMISSIONER CLARK: But I don't know who owns it.

31 KEITH PIAZZA: It -- it -- 806 goes there, as you probably
32 know, --

33 COMMISSIONER CLARK: Is it --

34 KEITH PIAZZA: -- goes right up to it. And the state says
35 that they're done at that point.

36 COMMISSIONER CLARK: Uh-huh.

37 KEITH PIAZZA: So, yeah, then that's -- then it picks up on
38 Eisenhower. And on my GPS that's where it changes to Eisenhower
39 too. So...

40 COMMISSIONER CLARK: Yeah, but the worst part is in -- in

1 between the Eisenhower Road and 806 right there --
2 KEITH PIAZZA: Yes.
3 COMMISSIONER CLARK: -- on the tracks. And I was wondering
4 myself who would be responsible to fix that.
5 KEITH PIAZZA: Yeah. That's -- that's one of the worst
6 parts is right --
7 COMMISSIONER CLARK: Yeah, --
8 KEITH PIAZZA: -- there --
9 COMMISSIONER CLARK: -- it's --
10 KEITH PIAZZA: -- where the --
11 COMMISSIONER CLARK: -- it's --
12 KEITH PIAZZA: -- tracks.
13 COMMISSIONER CLARK: -- bad.
14 KEITH PIAZZA: Yes. And if you go, go out past that,
15 there's a real bad part --
16 COMMISSIONER CLARK: Okay.
17 KEITH PIAZZA: -- too. Yeah.
18 CHAIRMAN MILLS: Okay. We'll work on finding out what we
19 can do to help out with that.
20 KEITH PIAZZA: Okay. Thank you very much.
21 COMMISSIONER WAITS: Thank you.
22 COMMISSIONER BAKKER: Thanks, Keith.
23 CHAIRMAN MILLS: Other public comment?
24 BERT RAMOS: You guys approve that in the budget again,
25 we're good.
26 COMMISSIONER BAKKER: State your name for the record.
27 BERT RAMOS: Bert Ramos.
28 COMMISSIONER BAKKER: Did we cut that out of the budget?
29 COMMISSIONER CLARK: Not me. Not me. I did not cut
30 anything from the budget, for the record.
31 UNIDENTIFIED PARTICIPANT: Good (indiscernible).
32 COMMISSIONER BAKKER: We'll take a look at that again.
33 CHAIRMAN MILLS: Okay. Other public comment?
34 (No comment.)
35
36

37 **CONSENT AGENDA**

38
39 CHAIRMAN MILLS: We'll move to the consent agenda.
40 All matters listed under the consent agenda are considered

1 routine and may be acted upon by the Board of County Commissioners
2 with one action, without extensive discussion. Any member of the
3 board or any citizen may request that an item be taken from the
4 consent agenda, discussed, and acted upon separately during the
5 meeting. Consent agenda materials are available at the Lander
6 County Clerk's Office for viewing, and copies are available for a
7 nominal charge.

8 One, approval of April 12, 2018, agenda notice; two,
9 approval of February 22, 2018, minute -- meeting minutes; three,
10 approval of March 8, 2018, meeting minutes; four, approval of
11 March 19, 2018, budget workshop minutes; five, approval of
12 March 20, 2018, budget workshop minutes; and six, approval of
13 March 22, 2018, meeting minutes -- oh, there's more -- seven,
14 approval of April 10, 2018, special meeting minutes; eight,
15 approval of the payment of bills; nine, approval of payroll
16 change requests.

17 COMMISSIONER WAITS: Okay. Well, right off the bat, Number
18 2, the February 22nd meeting minutes and Number 3, March 8th,
19 we've already approved.

20 CHAIRMAN MILLS: Yeah. Those were in the last meeting.

21 COMMISSIONER WAITS: We just received the March 19th ones
22 on Tuesday. What are those? Over 300-and-some pages. I -- I
23 started plowing through them, but, unfortunately, my -- I had
24 about another hundred left to go yesterday and my electricity
25 went out last night, and I couldn't finish --

26 CHAIRMAN MILLS: Oh.

27 COMMISSIONER WAITS: -- reading them.

28 COMMISSIONER BAKKER: Okay.

29 COMMISSIONER WAITS: So I don't have those read. If
30 everybody else does and they're okay with it, that's fine.

31 COMMISSIONER BAKKER: Nope. We'll wait.

32 COMMISSIONER WAITS: Okay. Then -- then --

33 COMMISSIONER BAKKER: Make --

34 COMMISSIONER WAITS: Then we need to pull the 20th and the
35 22nd and the April 10th, because we haven't received those.

36 COMMISSIONER BAKKER: And the 19th.

37 COMMISSIONER WAITS: Yeah. And the 19th.

38 COMMISSIONER BAKKER: Yeah.

39 COMMISSIONER WAITS: Yeah. You said --

40 COMMISSIONER BAKKER: So --

1 COMMISSIONER WAITS: -- yes. And so I -- yeah.
2 COMMISSIONER BAKKER: I'll make a motion to approve the
3 April 12th, 2018, agenda notice; the payment of the bills; and
4 the payroll change requests.
5 COMMISSIONER CLARK: Second.
6 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
7 Do we have any public comment?
8 (No comment.)
9 CHAIRMAN MILLS: All in favor?
10 COMMISSIONER BAKKER: Aye.
11 CHAIRMAN MILLS: Aye.
12 COMMISSIONER WAITS: Aye.
13 COMMISSIONER ALLAN: Aye.
14 COMMISSIONER CLARK: Aye.

15
16

17 **COMMISSIONERS**

18

- 19 1) **Discussion only regarding the Rock Creek Dam project, and all**
20 **other matters properly related thereto.**

21

22 CHAIRMAN MILLS: Okay. Item Number 1. Discussion only
23 regarding the Rock Creek Dam project, and all other matters
24 properly related thereto.

25 COMMISSIONER BAKKER: Okay.

26 Where do we want to start here?

27 You guys just had a meeting -- I wasn't here -- with Heller's
28 office. You want to elaborate on --

29 Well, let me give some background before we do that.

30 We've been working with -- or talking to Congressman Amodei
31 and Senator Heller on their lands bill and writing the public
32 lands of the Rock Creek area into their lands bill to transfer
33 to the county.

34 That -- those are two avenues, Amodei and Heller, because
35 they're both doing separate bills.

36 On the other hand, we're also -- sent the letter to John
37 Ruhs to change everything to the Lander County district office
38 so we can do -- start the NEPA process and do an R&PP, which is
39 kind of like how we got the golf course, to transfer that lands
40 over to the county that way to start the Rock Creek Dam project.

1 And that background, what did Heller say last week?
2 KEITH WESTENGARD: So some of the concerns that were
3 brought up were that there was a land trade between private par-
4 -- between the BLM and Klondex Mine.
5 COMMISSIONER BAKKER: Uh-huh.
6 KEITH WESTENGARD: So they are going to -- they -- they
7 were aware of that land transfer. They are looking into it to
8 see what the specifics are.
9 COMMISSIONER BAKKER: And Klondex just got bought out.
10 KEITH WESTENGARD: Okay.
11 COMMISSIONER BAKKER: So --
12 KEITH WESTENGARD: Okay.
13 COMMISSIONER BAKKER: -- they're -- they're -- the BLM's
14 concern -- concern with Klondex is not anymore as of a week ago.
15 KEITH WESTENGARD: How about the new landowner, though?
16 COMMISSIONER BAKKER: They don't -- they don't see a
17 protest --
18 KEITH WESTENGARD: Okay.
19 COMMISSIONER BAKKER: -- or problem. And it's the -- it's
20 actually the tribal land now.
21 KEITH WESTENGARD: Oh, went back to tribe, then?
22 COMMISSIONER BAKKER: Yeah, the tribe has the land that the
23 Klondex traded to the BLM.
24 KEITH WESTENGARD: Okay.
25 COMMISSIONER BAKKER: That's the land that the tribe will
26 be given, hopefully, an easement once the MOU.
27 And another background, I talked to Hy. And he's talking
28 about doing the MOU for the contractor for the tribe for the
29 land.
30 So an MOU is a memorandum of understanding. So once that's
31 drawn up, the tribe will hopefully sign it, which they've
32 already agreed to it, just verbally. And once that's signed,
33 that's part of the MOU for the water line that's going to the
34 casino. So it's a tradeoff.
35 Do we -- we get the MOU for the land up there by Rock
36 Creek. They get the water for their casino.
37 And I've already discussed that with Hy. And he said he
38 would draft that up.
39 I already talked to the contractor that's building the
40 Indian casino. He said he would put that in front of the

1 Te-Moak Tribe so they can finalize it.

2 KEITH WESTENGARD: So they -- they -- of course, they
3 didn't -- they didn't really commit to anything other than
4 assisting us when and -- if and when we needed it. But they
5 felt it -- it -- they felt, the general conversation, that it
6 seemed like a good idea for water storage for the future as well
7 as a recreational site. They did want to get some information
8 on some of the water rights holders downstream.

9 COMMISSIONER BAKKER: And there's one.

10 KEITH WESTENGARD: Just one.

11 COMMISSIONER BAKKER: Two.

12 KEITH WESTENGARD: Okay.

13 COMMISSIONER BAKKER: Newmont, which we've been --
14 discussed with Newmont. And we'll bring that back before us.
15 Newmont has agreed, once you fill out the proper paperwork,
16 to supply equipment and help to build the dam site.

17 So -- and they -- and it's the TS water rights that are
18 upstream.

19 KEITH WESTENGARD: Okay. Oh, they're upstream. They're
20 not -- they weren't worried about upstream. They're worried
21 about what's downstream.

22 COMMISSIONER BAKKER: Oh.

23 KEITH WESTENGARD: Down- -- downstream from the dam site.

24 COMMISSIONER BAKKER: Right.

25 KEITH WESTENGARD: Right.

26 CHAIRMAN MILLS: Right. Partly because the Rock Creek is a
27 tributary to the Humboldt River.

28 COMMISSIONER BAKKER: Right.

29 CHAIRMAN MILLS: So --

30 COMMISSIONER ALLAN: But it is --

31 CHAIRMAN MILLS: -- pretty much --

32 COMMISSIONER ALLAN: -- not included into the Humboldt
33 River Basin as far as --

34 CHAIRMAN MILLS: Well, I talked --

35 COMMISSIONER BAKKER: The Humboldt decree.

36 CHAIRMAN MILLS: I talked to the s- --

37 DISTRICT ATTORNEY HERRERA: Yes.

38 CHAIRMAN MILLS: -- one of the state water engineers about
39 that. And they say it is part of the decree.

40 DISTRICT ATTORNEY HERRERA: It is.

1 COMMISSIONER BAKKER: We'll have to --
2 CHAIRMAN MILLS: So --
3 COMMISSIONER BAKKER: -- check into that, though.
4 COMMISSIONER ALLAN: It -- I thought it was specifically
5 not included in -- in the issues with Pershing County and --
6 COMMISSIONER BAKKER: But we bought --
7 CHAIRMAN MILLS: Well, there's still -- there's the water
8 that flows from Rock Creek to the Humboldt still. Some of that
9 water still belongs to the water (indiscernible).
10 DISTRICT ATTORNEY HERRERA: It's in --
11 COMMISSIONER BAKKER: But we've also --
12 DISTRICT ATTORNEY HERRERA: -- the (indiscernible).
13 COMMISSIONER BAKKER: -- had discussions with Pershing
14 County already. And they agree that if we store water up here
15 and during the drought years release the water to them, they
16 will also be okay with that. And they would be the wa- -- the
17 only water right holders that you -- we would need to worry
18 about downstream.
19 DISTRICT ATTORNEY HERRERA: That -- that has priority over
20 us.
21 COMMISSIONER BAKKER: Yes.
22 DISTRICT ATTORNEY HERRERA: The other ones we have priority
23 over --
24 COMMISSIONER BAKKER: Yes.
25 DISTRICT ATTORNEY HERRERA: -- them.
26 COMMISSIONER BAKKER: Yeah.
27 DISTRICT ATTORNEY HERRERA: Just so everybody --
28 CHAIRMAN MILLS: Right.
29 DISTRICT ATTORNEY HERRERA: -- understands that.
30 COMMISSIONER BAKKER: Yeah.
31 DISTRICT ATTORNEY HERRERA: It's not that there are no
32 water holders.
33 COMMISSIONER BAKKER: Right. No, no, no.
34 DISTRICT ATTORNEY HERRERA: We have --
35 COMMISSIONER BAKKER: We -- we have --
36 DISTRICT ATTORNEY HERRERA: -- power --
37 COMMISSIONER BAKKER: -- the second to the senior water
38 right holders.
39 DISTRICT ATTORNEY HERRERA: I'll get it.
40 CHAIRMAN MILLS: Right. Yeah. Our standing on water

1 rights is pretty good. So...

2 DISTRICT ATTORNEY HERRERA: Yeah. It was (indiscernible)

3 --

4 COMMISSIONER WAITS: Af- -- after 30 years or more?

5 COMMISSIONER BAKKER: Yeah.

6 So --

7 And then Amodei came to town, which I didn't get to talk to

8 him.

9 But he -- talking to Martin, they feel the same. And his

10 only concern was the two landowners upstream.

11 And talked to Mr. Forgeron. And he said he was going to

12 discuss with those landowners getting a easement?

13 DISTRICT ATTORNEY HERRERA: Correct?

14 COMMISSIONER BAKKER: So...

15 And that -- pretty much where we're at right now.

16 Any questions?

17 COMMISSIONER WAITS: So how does that affect our budget?

18 We still put in something for it to keep it so we're okay.

19 because it's -- it'll still be a while, but we still need the

20 money --

21 COMMISSIONER BAKKER: We're still --

22 COMMISSIONER WAITS: -- in the budget.

23 COMMISSIONER BAKKER: -- looking two years out.

24 COMMISSIONER WAITS: But we still need the -- some money in

25 the budget to show good faith? Is that it?

26 COMMISSIONER BAKKER: That's what the -- when we do the

27 R&PP -- because we're going to have to file that before the

28 lands bill -- that's what they want to see.

29 COMMISSIONER WAITS: Okay. Thank you.

30 COMMISSIONER BAKKER: Part of the R&PP is that we're

31 committed and that we own the water rights.

32 CHAIRMAN MILLS: Committable.

33 COMMISSIONER WAITS: The history doesn't show we're

34 committed? We have to recommit. Okay.

35 COMMISSIONER BAKKER: It's the federal government. So...

36 COMMISSIONER WAITS: Okay. Got it.

37 COMMISSIONER BAKKER: But any other questions?

38 COMMISSIONER ALLAN: I just have a comment.

39 And -- and, Sean, I appreciate you bringing this before the

40 -- the board and the community to -- to make them aware.

1 One of the things I'd like to state, though, is there's been
2 a whole bunch of negotiations going on. There was a request for
3 funding. This is the first time other than a letter to the BLM
4 that this board has actually discussed Rock Creek.
5 All this action has been taking place. And it had never,
6 ever been brought before the commission to discuss whether the --
7 the commission wanted to go forward with it or not.
8 COMMISSIONER WAITS: You mean recently?
9 COMMISSIONER ALLAN: When -- when this whole --
10 COMMISSIONER BAKKER: We just --
11 COMMISSIONER ALLAN: -- process --
12 COMMISSIONER BAKKER: -- started recently.
13 COMMISSIONER ALLAN: -- started.
14 COMMISSIONER WAITS: Yeah. Well, that's what I'm saying,
15 recently.
16 COMMISSIONER ALLAN: Recently.
17 COMMISSIONER WAITS: Yes.
18 COMMISSIONER ALLAN: Yes.
19 COMMISSIONER WAITS: Yeah. Because when you say it hasn't
20 been brought forth, it's like --
21 COMMISSIONER ALLAN: Well, true.
22 COMMISSIONER WAITS: Yeah.
23 COMMISSIONER ALLAN: You know.
24 COMMISSIONER WAITS: Previous commissions have been --
25 COMMISSIONER ALLAN: Twenty --
26 COMMISSIONER WAITS: -- working --
27 COMMISSIONER ALLAN: -- years --
28 COMMISSIONER WAITS: -- with it --
29 COMMISSIONER ALLAN: -- ago --
30 COMMISSIONER WAITS: -- for --
31 COMMISSIONER ALLAN: -- or --
32 COMMISSIONER WAITS: -- years.
33 COMMISSIONER ALLAN: -- whatnot.
34 COMMISSIONER WAITS: So, yes, you're right. And --
35 COMMISSIONER ALLAN: But --
36 COMMISSIONER WAITS: -- thank you.
37 COMMISSIONER BAKKER: -- but that's the only thing I want
38 to point out is that we kind of --
39 I don't know if you want to say "put the cart before the
40 horse" or what, but -- and -- and I appreciate it being on the

1 agenda now and --
2 COMMISSIONER BAKKER: I would --
3 COMMISSIONER ALLAN: -- discussing it.
4 COMMISSIONER BAKKER: -- think it wouldn't be, because you
5 got to make sure that all the -- everyone that's on board or has
6 --
7 COMMISSIONER ALLAN: On board are five commissioners.
8 COMMISSIONER BAKKER: Oh, cool. So the tribe doesn't
9 matter? Newmont doesn't matter that has a stakeholder in it?
10 The other landowners don't matter? I think they do.
11 COMMISSIONER CLARK: Counselor, is there any impropriety
12 with the way this has been done?
13 DISTRICT ATTORNEY HERRERA: To my understanding, no action
14 has been taken.
15 COMMISSIONER BAKKER: None.
16 COMMISSIONER CLARK: Exactly.
17 COMMISSIONER BAKKER: And there won't be any --
18 DISTRICT ATTORNEY HERRERA: So you --
19 COMMISSIONER BAKKER: -- action taken --
20 DISTRICT ATTORNEY HERRERA: -- can --
21 COMMISSIONER BAKKER: -- till it's brought before this
22 board to vote on anything.
23 DISTRICT ATTORNEY HERRERA: I mean, Judie says action's
24 been taken, but I -- I -- I'm not aware --
25 COMMISSIONER ALLAN: There has --
26 DISTRICT ATTORNEY HERRERA: -- of it.
27 COMMISSIONER ALLAN: -- been action. We did send a letter
28 to the BLM, approval letter to the BLM.
29 COMMISSIONER BAKKER: That was approved by --
30 DISTRICT ATTORNEY HERRERA: That was --
31 COMMISSIONER BAKKER: -- this board.
32 DISTRICT ATTORNEY HERRERA: -- approved by --
33 COMMISSIONER ALLAN: That was --
34 DISTRICT ATTORNEY HERRERA: -- the --
35 COMMISSIONER ALLAN: -- approved --
36 DISTRICT ATTORNEY HERRERA: -- commission.
37 COMMISSIONER ALLAN: -- by the board.
38 DISTRICT ATTORNEY HERRERA: So I don't know of any action
39 other than that that was --
40 COMMISSIONER BAKKER: There has been none.

1 DISTRICT ATTORNEY HERRERA: I just don't know of any,
2 Judie.

3 COMMISSIONER BAKKER: There's been discussions, --
4 COMMISSIONER ALLAN: Funny.
5 COMMISSIONER BAKKER: -- talks.
6 COMMISSIONER ALLAN: Well, --
7 COMMISSIONER BAKKER: So what's your job as a commissioner
8 if not to bring things back to this board to better our
9 community? Isn't that our jobs?
10 COMMISSIONER ALLAN: It is our job, Sean, but as a board
11 is --
12 COMMISSIONER BAKKER: As a board.
13 COMMISSIONER ALLAN: -- is to bring it before the board to
14 see if the whole -- the entire board supports this.
15 COMMISSIONER BAKKER: And we --
16 COMMISSIONER ALLAN: Then --
17 COMMISSIONER BAKKER: -- did --
18 COMMISSIONER ALLAN: -- you can --
19 COMMISSIONER BAKKER: -- that.
20 COMMISSIONER ALLAN: -- cross --
21 COMMISSIONER BAKKER: And if the entire board didn't
22 support it, didn't want to fund it, we wouldn't be talking about
23 it today, and it would just be a moot point, a dead issue.
24 Would have --
25 COMMISSIONER CLARK: You have --
26 COMMISSIONER BAKKER: -- been a waste of my time and only
27 mine.

28 CHAIRMAN MILLS: So I just want to throw my opinion about
29 this out there and that is that, you know, Rock -- Rock Creek
30 was a project that this community worked on for a long time.
31 It was -- it was a long-term project that was worked on, and
32 then it -- it died many years ago.
33 And it's a -- it's a good project, I think.
34 But it died. It died because the Indians put up some
35 resistance to it. And then -- and then we came kind of gave up on
36 the project.
37 But this came up again because, you know, we've -- we've
38 been going through a drought. And then this last year, we had
39 an abundance of water. And we were -- it's my understanding
40 that three times the capacity of Rye Patch Reservoir flowed

1 through the Humboldt system and went out to the Humboldt Sink
2 and is either sinking in the ground, which is fine, or it's
3 evaporating off and is wasted.

4 And if there's a -- if there's a way we -- because water's
5 important in -- in Nevada. And if there's a way we can save
6 some of that water and -- and store it somewhere, then we
7 probably should look at doing that.

8 COMMISSIONER CLARK: No.

9 COMMISSIONER ALLAN: Commissioner Mills?

10 CHAIRMAN MILLS: And the --

11 COMMISSIONER CLARK: The storage -- the storage issue was
12 talked about when the drought was at its peak to the point that
13 some people were proposing a Quonset hut to be built over the
14 Humboldt River and a --

15 CHAIRMAN MILLS: Okay.

16 COMMISSIONER CLARK: -- storage --

17 CHAIRMAN MILLS: Well --

18 COMMISSIONER CLARK: -- facility to be dug into the ground
19 with a cover over it. So I think this is probably the most --

20 CHAIRMAN MILLS: So --

21 COMMISSIONER CLARK: -- prudent --

22 COMMISSIONER ALLAN: Okay.

23 COMMISSIONER CLARK: -- approach.

24 COMMISSIONER ALLAN: I -- I'm sorry. I would like to
25 interject here.

26 CHAIRMAN MILLS: But --

27 COMMISSIONER ALLAN: Commissioner Mills, --

28 CHAIRMAN MILLS: -- can -- if --

29 COMMISSIONER ALLAN: -- I am not --

30 CHAIRMAN MILLS: -- if I can --

31 COMMISSIONER ALLAN: -- opposing --

32 CHAIRMAN MILLS: I know.

33 COMMISSIONER ALLAN: -- this project.

34 CHAIRMAN MILLS: And I'm just giving some background of
35 what --

36 COMMISSIONER ALLAN: And I understand --

37 CHAIRMAN MILLS: -- on my opinion --

38 COMMISSIONER ALLAN: -- the --

39 CHAIRMAN MILLS: -- of what --

40 COMMISSIONER ALLAN: -- background --

1 CHAIRMAN MILLS: -- we're doing.
2 COMMISSIONER ALLAN: -- of it. I am aware of the process
3 --
4 CHAIRMAN MILLS: But the --
5 COMMISSIONER ALLAN: -- when they first started.
6 CHAIRMAN MILLS: -- the point that comes before this
7 commission is that if -- if we're going to revive this project,
8 which we've been talking about a little bit, we've -- we've had
9 some discussion that if it's -- if it's worth reviving, we
10 should revive it. But if we're going to hit that resistance
11 that we got last time that shut the project down, --
12 COMMISSIONER CLARK: Right.
13 CHAIRMAN MILLS: -- there's no -- there's no reason to
14 proceed with the project.
15 If the Indians are going to fight us on it and shut us down
16 on the project, there's no reason to proceed, and we shouldn't go
17 any further.
18 So before bringing it before this commission as an official
19 possibility of a project, we did some preliminary checking to
20 see if it's even feasible.
21 And we're finding that there's a lot of support for the
22 project. There's a lot of support now. Things have changed.
23 And the Indians are now more in support of this project than
24 they were in the past.
25 And it looks like the likelihood of success is much better
26 than it was in the past.
27 So now we've talked to some people. We've -- we've done
28 some preliminary research. We've been -- done some preliminary
29 things to see if it's really a feasible project. And we're
30 finding that it's -- it seems pretty favorable.
31 COMMISSIONER ALLAN: So let me --
32 CHAIRMAN MILLS: So now --
33 COMMISSIONER ALLAN: -- ask --
34 CHAIRMAN MILLS: -- we're bringing --
35 COMMISSIONER ALLAN: -- you --
36 CHAIRMAN MILLS: -- it --
37 COMMISSIONER ALLAN: -- this.
38 CHAIRMAN MILLS: -- before the commission. And -- and now,
39 we're to the point where some actual real action may be --
40 COMMISSIONER ALLAN: Let --

1 CHAIRMAN MILLS: -- needed to proceed with the project. So
2 now it's coming forth as a -- as a project before the
3 commission.

4 COMMISSIONER ALLAN: And I will say that -- that I spoke
5 with Sean regarding this. And -- and did let him know that I
6 support it.

7 But I also felt that it needed to be on the agenda to make
8 the -- the citizens aware of what is going on.

9 I do have a question regarding negotiations, is you state
10 that you've negotiated with the tribe regarding the water for the
11 casino, is -- is you're making deals in tradeoffs. What are those
12 deals? I mean, what -- what -- what's -- what's this tradeoff
13 here of they're in agreement that they're going to go ahead and
14 let us go with it and we give them water to the casino?

15 Has -- has that been discussed with the board? Or is this
16 just a couple commissioners and a public works director that
17 discuss this and make this deal?

18 We don't know. Nobody --

19 COMMISSIONER BAKKER: Go ahead, --

20 COMMISSIONER ALLAN: -- knows.

21 COMMISSIONER BAKKER: -- Keith.

22 KEITH WESTENGARD: Okay.

23 With -- with all respect, Commissioner Allan, I -- I want to
24 say, there are a lot of things that are done prior to being
25 brought to this commission to see, first, if it's feasible, if
26 there's an interest in the project. But nothing moves forward
27 until it's brought to this board for their approval.

28 And -- and I -- the negotiations or -- or deals, nothing's
29 been set in stone until it comes to this board and this board says
30 yes or no.

31 But if we brought everything -- if I brought everything to
32 this board that -- that goes on, you would -- there would be
33 meetings twice a week for six hours or eight hours every day.

34 COMMISSIONER CLARK: This is no different than any other
35 project.

36 KEITH WESTENGARD: Yeah. Like I said, with -- with
37 respect, I just want you to know that, yeah, there's a lot of
38 things that go on that -- that public works does, that I do,
39 that everybody in this building or ev- -- anything that's
40 related to this commission, homework goes into it before it's

1 brought to this board.
2 When we go and talk to the -- to the tribe or when we go
3 and -- and talk to these different entities, when I go to these
4 meetings, there are things put out there that have to be brought
5 back to the board for final approval when we spend money or move
6 forward on a project.
7 So we -- we -- we get an idea of what these other entities
8 would be interested in doing, then we bring it back to the board
9 and say, this is what we talked to these different entities about.
10 What is this board interested in us moving forward with?
11 So there's a lot of homework that goes into everything that's
12 done --
13 COMMISSIONER ALLAN: My point --
14 KEITH WESTENGARD: -- before --
15 COMMISSIONER ALLAN: -- exactly is -- is what is this board
16 -- board interested in moving forward with?
17 COMMISSIONER BAKKER: Well, we already approved the water
18 line. The board approved it.
19 You've already done this three times, Judie. You've said
20 this three times in a commission meeting.
21 KEITH WESTENGARD: All right.
22 COMMISSIONER BAKKER: Go ahead, Bert.
23 COMMISSIONER CLARK: Who -- who's doing -- who's being
24 covert here? Who's clandestine in this -- in this issue, Judie?
25 Who's the bad guy that you're trying to point out?
26 COMMISSIONER ALLAN: I'm not saying there is any bad guy.
27 I'm talking about transparency.
28 COMMISSIONER CLARK: This is transparency.
29 It comes to the board. We discuss it and we move on.
30 COMMISSIONER BAKKER: Bert?
31 BERT RAMOS: So I was just going to clarify that as far as
32 public works, there -- we strike many deals. But they're never
33 official deal until we come sit in front of the --
34 COMMISSIONER CLARK: Right.
35 BERT RAMOS: -- this commission for its --
36 COMMISSIONER ALLAN: I understand how --
37 BERT RAMOS: -- approval.
38 COMMISSIONER ALLAN: -- the process works.
39 BERT RAMOS: So just for the public works side of this and
40 the negotiations that -- that public works is involved in, it's

1 nothing that is not transparent or hid from the public. It's
2 just trying to put pieces of the puzzle together and then coming
3 here for you guys to finalize it.

4 That's all I wanted to clarify.

5 COMMISSIONER BAKKER: Thanks, Bert.

6 COMMISSIONER CLARK: Thanks, Bert.

7 CHAIRMAN MILLS: Okay. Do we have --

8 COMMISSIONER CLARK: I think --

9 CHAIRMAN MILLS: -- any other --

10 COMMISSIONER CLARK: I think --

11 CHAIRMAN MILLS: -- questions?

12 COMMISSIONER CLARK: -- it's -- I think it's a great
13 project.

14 COMMISSIONER BAKKER: Let's move on.

15 COMMISSIONER CLARK: And I really appreciate the work
16 that's being done. And, you know, hopefully next time we can
17 make a decision on this.

18 I know the people in town are very excited about this -- this
19 dam being built.

20 CHAIRMAN MILLS: Do we --

21 COMMISSIONER ALLAN: I've already stated the fact that I
22 support it. And I think it's a wonderful project.

23 CHAIRMAN MILLS: Do we have any public comment on this
24 item?

25 (No comment.)

26 CHAIRMAN MILLS: Okay.

27 COMMISSIONER BAKKER: Okay.

28
29 **2) Discussion for possible action regarding a letter requesting**
30 **the BLM to loan Indian artifacts to Lander County that were**
31 **found in the area of Rock Creek Dam project for display to**
32 **the public, and all other matters properly related thereto.**
33

34 CHAIRMAN MILLS: We'll move on to Item Number 2.
35 Discussion for possible action regarding a letter requesting the
36 BLM to loan Indian artifacts to Lander County that were found in
37 the area of Rock Creek Dam project for display to the public,
38 and all other matters properly related thereto.

39 COMMISSIONER BAKKER: I'll start with this one too, I
40 guess.

1 COMMISSIONER CLARK: I -- I think it's pretty cool.

2 COMMISSIONER BAKKER: Well, talking to the Nevada State
3 Museum and the BLM -- and I don't know how true this is, so
4 that's why it's on for this board to approve and see if we want
5 to move forward with this -- that there was artifacts that was
6 found back in 1985 in the Rock Creek area.

7 And if we send a letter -- well, we've got to find out if
8 they even have any artifacts one way or the other because it's
9 pretty much hearsay.

10 But we can -- I don't know how to put it. Put it --
11 give -- send a letter to the Nevada State Museum, which then
12 will request the artifacts from the Bureau of Land Management.

13 And this was not a request from the tribe. This was just
14 something I found out in conversation. And no deal was struck.

15 I'm just saying.

16 So, with that, I'm going to make a motion to approve a letter
17 requesting the BLM to loan Indian artifacts to Lander County that
18 were found in area of the Rock Creek Dam project for --

19 COMMISSIONER CLARK: For.

20 COMMISSIONER BAKKER: -- display to the public.

21 COMMISSIONER CLARK: Okay. I'll second that.

22 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
23 Do we have any public comment?

24 COMMISSIONER WAITS: I -- I do need a clarification because
25 you mentioned the state.

26 COMMISSIONER BAKKER: Yeah. Well, yeah, it needs to go to
27 the --

28 COMMISSIONER CLARK: BIA?

29 COMMISSIONER BAKKER: -- state museum. Nevada State
30 Museum, not the BLM.

31 KEITH WESTENGARD: In Carson.

32 COMMISSIONER WAITS: Okay.

33 COMMISSIONER BAKKER: In Carson.

34 COMMISSIONER WAITS: Okay. Because I just got confused
35 when you --

36 COMMISSIONER BAKKER: No, you're right. So do I -- do we
37 need to reagentize this?

38 DISTRICT ATTORNEY HERRERA: Yes.

39 COMMISSIONER BAKKER: Okay.

40 CHAIRMAN MILLS: Okay.

1 Table that one.
2 COMMISSIONER WAITS: No second. Okay.
3 CHAIRMAN MILLS: Moving on.
4 COMMISSIONER WAITS: Whoops.
5 COMMISSIONER BAKKER: Motion dies.
6 COMMISSIONER WAITS: Okay.
7

8 3) Discussion for possible action to approve/disapprove a letter
9 of support to be submitted with a grant application to secure
10 funding for the buying and planting of 30 trees in the
11 historic Austin, Nevada, cemetery, and authorize the chair to
12 sign, and all other matters properly related thereto.
13

14 CHAIRMAN MILLS: Item Number 3. Discussion for possible
15 action to approve/disapprove the letter of support to the -- to
16 be submitted with a grant application to secure funding for the
17 buying and planting of 30 trees in the historic Austin, Nevada,
18 cemetery, and authorize the chair to sign, and all other matters
19 properly related thereto.

20 And --

21 COMMISSIONER BAKKER: Hey, was this deal made --

22 CHAIRMAN MILLS: -- (indiscernible).

23 COMMISSIONER BAKKER: -- before it came to this --

24 KEITH WESTENGARD: This --

25 COMMISSIONER BAKKER: -- board?

26 KEITH WESTENGARD: -- this is a request.

27 COMMISSIONER ALLAN: Oh, let it --

28 KEITH WESTENGARD: This --

29 COMMISSIONER ALLAN: -- go.

30 KEITH WESTENGARD: -- is a -- this is a request through
31 Cooperative Extension, through Lisa Taylor. And she couldn't
32 make it today.

33 And I think Commissioner Waits has some comments --

34 COMMISSIONER WAITS: I will.

35 KEITH WESTENGARD: -- as well.

36 COMMISSIONER WAITS: Thank you. Because you've been all
37 informed. I know. My -- my meeting's coming up.

38 And because it's -- it's the county cemetery -- and, yes,
39 we need a little bit of help probably digging some holes for
40 the -- for the actual trees and everything.

1 But this is the first time you've seen it, yes, officially on
2 the agenda.

3 But we've -- you've heard about it. It's not new.

4 So here's where we are. We -- we do have a letter in of
5 support. And there's other letters that have gone in from the
6 local community, from the American Legion, and, of course, the
7 chamber and such, which is part of that.

8 And we had lost so many trees about -- over 25 trees in the
9 Austin Cemetery.

10 And, of course, the -- the benefits of trees, we could go
11 on for hours and hours. But the -- the biggest thing is not
12 only the esthetics, but the fact that they filter the air, you
13 know, pollutants, and -- and all the rest that --

14 In fact, we are doing some educational seminars with the
15 school on the effects of trees and the wonderful things that
16 they do do. And we're right down to sitting under tree actually
17 reduces stress.

18 Well, so does looking at a sleeping cat, but that's not on
19 the agenda.

20 But, I mean, it's some really important things.

21 So we are also going to give that to the senior center
22 because -- because of Arbor Day and Earth Day and all the things
23 that they're realizing of the benefits that we've never dreamt of
24 -- of the trees.

25 And in the urban areas, they were just excelling. So when
26 we're looking at what's been happening in the cemetery and because
27 the county owns it, we would like your letter of support to go
28 into that and the application to actually -- application will go
29 in this week. And they have the money for us. So it's exciting.
30 And --

31 COMMISSIONER CLARK: Yeah. Let's do it.

32 CHAIRMAN MILLS: I --

33 COMMISSIONER WAITS: -- it's a --

34 CHAIRMAN MILLS: -- I --

35 COMMISSIONER WAITS: -- start.

36 CHAIRMAN MILLS: -- did talk with Lisa about this and told
37 her it would be a great Eagle Scout project or something to get
38 the -- the scouts --

39 COMMISSIONER WAITS: If --

40 CHAIRMAN MILLS: -- involved with too.

1 COMMISSIONER WAITS: -- we had any scouts. We have Cub
2 Scouts rights now.
3 CHAIRMAN MILLS: Oh, do you?
4 COMMISSIONER WAITS: And -- and it'll be a long time. We
5 want -- the trees will --
6 CHAIRMAN MILLS: All right.
7 COMMISSIONER WAITS: -- be pretty mature by the time we get
8 some youngsters up there for their Eagle Scouts, I think. So...
9 COMMISSIONER BAKKER: Okay.
10 COMMISSIONER WAITS: Thank you. With -- with that, I'll
11 make a motion that we approve the letter of support to be
12 submitted with the grant application to secure the funding for
13 buying and planting of 30 trees in the historic Austin, Nevada,
14 cemetery and authorize the chair to sign.
15 COMMISSIONER CLARK: I --
16 COMMISSIONER BAKKER: Second.
17 COMMISSIONER CLARK: -- second that.
18 COMMISSIONER BAKKER: Or Art can have it.
19 CHAIRMAN MILLS: Okay. Patsy made a motion. Art seconded.
20 Do we have any public --
21 COMMISSIONER CLARK: When you --
22 CHAIRMAN MILLS: -- comment?
23 COMMISSIONER CLARK: -- come up to 50 and you make a right,
24 there's a --
25 CHAIRMAN MILLS: All in favor?
26 COMMISSIONER CLARK: -- cemet- --
27 COMMISSIONER BAKKER: Aye.
28 COMMISSIONER ALLAN: Aye.
29 CHAIRMAN MILLS: Aye.
30 COMMISSIONER CLARK: Aye. Aye. Aye.
31 COMMISSIONER WAITS: Aye.
32 COMMISSIONER CLARK: There's a cemetery on the left. And
33 (indiscernible).
34 CHAIRMAN MILLS: Okay. Item 4. Discussion for --
35 COMMISSIONER CLARK: Which one --
36 CHAIRMAN MILLS: -- possible action to --
37 COMMISSIONER CLARK: -- do the trees --
38 CHAIRMAN MILLS: -- approve --
39 COMMISSIONER CLARK: -- go to?
40 COMMISSIONER WAITS: All of them.

1 COMMISSIONER CLARK: Oh, both? Okay.

2 COMMISSIONER BAKKER: Okay.

3 COMMISSIONER WAITS: For the record, Commissioner Clark was
4 questioning what cemetery it was going to go in, because we have
5 five cemeteries actually there.

6 And they -- we do have a -- a map in here. And they will be
7 going to all of them except the Indian cemetery. They did not
8 want -- they -- they handle their own. And they did not want any
9 of --

10 CHAIRMAN MILLS: Oh.

11 COMMISSIONER WAITS: -- our --

12 CHAIRMAN MILLS: Okay.

13 COMMISSIONER WAITS: -- trees. So -- so for the record,
14 it's the other cemeteries.

15

16 **4) Discussion for possible action to approve/disapprove**
17 **Proclamation 2018-03 declaring Sunday, April 8, through**
18 **Saturday, April 14, 2018, National Crime Victims' Rights**
19 **Week, and all other matters properly related thereto.**

20

21 CHAIRMAN MILLS: Okay. Item 4. Discussion for possible
22 action to approve/disapprove Proclamation 2018-03 declaring
23 Sunday, April 8th, through Saturday, April 14th, 2018,
24 National Crime Victims' Rights Week, and all other matters
25 properly related thereto.

26 Good morning.

27 BRADY GRIFFITHS: Good morning.

28 COMMISSIONER CLARK: Good morning.

29 BRADY GRIFFITHS: My name is Brady Griffiths. I am the
30 field outreach director with Marsy's Law for Nevada for rural
31 and northern Nevada.

32 Marsy's Law is fighting for equal rights for victims of
33 crime.

34 Not all of us are victims of crime, but you can't predict the
35 future.

36 Marsy's Law would ensure that victims have the right to
37 notification, being told of any releases or hearings pertinent to
38 their case, the right to privacy, being free from harassment and
39 the accused, the right to a voice during the process, being able
40 to give a victim impact statement and speak their piece, and the

1 right to full and timely restitution.
2 Marsy's Law, it's been a very busy, successful week for us.
3 This is National Crime Victims' Rights Week, and we'd love to have
4 the support of Lander County.
5 So...
6 COMMISSIONER BAKKER: I think it's --
7 COMMISSIONER ALLAN: I'll make a motion that we approve the
8 Proclamation 2018-03 declaring Sunday, April 8th, through
9 Saturday, April 15th, 2018, National Crime Victims' Rights
10 Week. And I'll read the rec- -- proclamation into the record.
11 Well --
12 COMMISSIONER WAITS: I guess the question is: Don't we
13 have to read the proclamation in, Counselor?
14 DISTRICT ATTORNEY HERRERA: Pardon me?
15 COMMISSIONER CLARK: Do we need to read the proclamation
16 in?
17 DISTRICT ATTORNEY HERRERA: You don't necessarily need to
18 read the proclamation.
19 COMMISSIONER WAITS: Okay. If -- if --
20 DISTRICT ATTORNEY HERRERA: You can.
21 COMMISSIONER WAITS: -- you're okay --
22 DISTRICT ATTORNEY HERRERA: You certainly --
23 COMMISSIONER WAITS: -- with that.
24 DISTRICT ATTORNEY HERRERA: Yeah. I -- I'm --
25 COMMISSIONER WAITS: Okay.
26 DISTRICT ATTORNEY HERRERA: -- okay --
27 COMMISSIONER CLARK: Okay.
28 DISTRICT ATTORNEY HERRERA: -- with that. It -- it's
29 not --
30 COMMISSIONER WAITS: Right.
31 DISTRICT ATTORNEY HERRERA: -- a -- yeah.
32 COMMISSIONER ALLAN: Okay. As --
33 COMMISSIONER BAKKER: Well, the --
34 COMMISSIONER ALLAN: -- long as --
35 COMMISSIONER BAKKER: -- proclamation number.
36 DISTRICT ATTORNEY HERRERA: Well, it -- it -- it's better
37 to -- it's always better to have a record of everything.
38 Will you get in trouble if you don't read it? I don't
39 believe so.
40 COMMISSIONER WAITS: Okay. So we --

1 DISTRICT ATTORNEY HERRERA: To answer --
2 COMMISSIONER WAITS: -- can ask the clerk to attach -- the
3 secretary to attach the -- the proclamation to it, which they
4 would always do, I'm sure, --
5 DISTRICT ATTORNEY HERRERA: Right.
6 COMMISSIONER WAITS: -- anyway; right?
7 DISTRICT ATTORNEY HERRERA: Un- -- unless you -- unless --
8 COMMISSIONER WAITS: Okay.
9 DISTRICT ATTORNEY HERRERA: -- Judie wants to read it.
10 COMMISSIONER WAITS: Okay.
11 DISTRICT ATTORNEY HERRERA: That's fine.
12 COMMISSIONER ALLAN: No, that's fine, as long as we don't
13 have to.
14 DISTRICT ATTORNEY HERRERA: Well, yes.
15 COMMISSIONER WAITS: Actually, on the Channel 2 news
16 yesterday, the Washoe County did read it in. And they even
17 caught them on the news reading it in. (Indiscernible.)
18 DISTRICT ATTORNEY HERRERA: Yeah. They -- they -- a lot of
19 people read it in for the --
20 COMMISSIONER WAITS: Yeah.
21 DISTRICT ATTORNEY HERRERA: -- record. So it -- it's --
22 it's certainly --
23 COMMISSIONER WAITS: Okay.
24 DISTRICT ATTORNEY HERRERA: -- allowable.
25 Is it --
26 COMMISSIONER ALLAN: Well, do we --
27 DISTRICT ATTORNEY HERRERA: -- is it --
28 COMMISSIONER ALLAN: -- want to --
29 DISTRICT ATTORNEY HERRERA: -- short?
30 COMMISSIONER ALLAN: -- take a --
31 COMMISSIONER WAITS: Do we have a second?
32 COMMISSIONER ALLAN: -- vote if we want to read it in or
33 not?
34 CHAIRMAN MILLS: We haven't got a second yet.
35 COMMISSIONER WAITS: I'll second.
36 CHAIRMAN MILLS: Okay. Judie made a motion. Patsy
37 seconded.
38 Do we have any public comment?
39 COMMISSIONER CLARK: Yeah. I -- I have something to say.
40 Being a victim of murder, I've learned a lot. And it just

1 amazed me when we went to court 20 years ago when my son was
2 murdered that we had just slid under the -- the wire where victims
3 could actually be in court.

4 It was a battle to get that.

5 And you could show no emotion. If you showed emotion, you
6 were kicked out of court.

7 And the point here is that the perpetrators of the crime have
8 more rights than the victims.

9 So I -- I support this wholeheartedly. You know, I'm part of
10 the 8 percent that makes it through a situation -- a tragedy like
11 my wife and I have.

12 And it's -- the thing that up- -- upsets me the most about
13 what's going on in this country right now -- and not many people
14 know about this, but the rules that changed with juveniles,
15 violent offenders. Juvenile violent offenders cannot be given
16 consecutive terms. They all must be concurrent.

17 So if you a 12-year-old kid that kills somebody, he cannot
18 get life without. He cannot get a -- a consecutive sentence,
19 one for the murder and one for using a gun.

20 So what this law has done is it's successfully put juveniles
21 in prison for a short time for the crimes that they've committed
22 to get schooled so that when they come out, they can organize
23 their own group of -- of people and proceed with their lifestyle.

24 So I'm encouraged by this.

25 What activities will we have here in Lander County for this?
26 Or do we anything scheduled?

27 Keith?

28 KEITH WESTENGARD: No, we don't.

29 COMMISSIONER CLARK: Okay.

30 KEITH WESTENGARD: No.

31 CHAIRMAN MILLS: Okay. Thank you, Art. Do we have any
32 other public comment?

33 (No comment.)

34 CHAIRMAN MILLS: Okay. All in favor?

35 COMMISSIONER BAKKER: Aye.

36 COMMISSIONER ALLAN: Aye.

37 CHAIRMAN MILLS: Aye.

38 COMMISSIONER WAITS: Aye.

39 COMMISSIONER CLARK: Aye.

40 COMMISSIONER WAITS: I do have a question, because in

1 our -- our paperwork also there's endorsements. And, of course,
2 I've been working with Brady for a long time on this one too.
3 This has become before our legislature twice. And now it
4 will be a ballot question.
5 BRADY GRIFFITHS: Yes. We are now question number one at
6 the top of the ballot this election.
7 COMMISSIONER WAITS: I'm --
8 BRADY GRIFFITHS: -- which is --
9 COMMISSIONER WAITS: Okay.
10 BRADY GRIFFITHS: -- very exciting for --
11 COMMISSIONER WAITS: But there --
12 BRADY GRIFFITHS: -- equal --
13 COMMISSIONER WAITS: -- is an --
14 BRADY GRIFFITHS: -- rights.
15 COMMISSIONER WAITS: -- endorsement in here for
16 individuals. I -- I take it it's not an endorsement that we
17 need to do as a county? Or we should? Or shouldn't? Or --
18 BRADY GRIFFITHS: I -- I believe you can't endorse.
19 Because it is now a ballot question, you can't endorse as the
20 body as a whole. But we can pursue --
21 COMMISSIONER WAITS: But it's in here --
22 BRADY GRIFFITHS: -- individual --
23 COMMISSIONER WAITS: -- for individual endorsements --
24 BRADY GRIFFITHS: -- endorsements.
25 COMMISSIONER WAITS: -- if we so --
26 BRADY GRIFFITHS: Correct.
27 COMMISSIONER WAITS: -- choose. Thank --
28 BRADY GRIFFITHS: Yes.
29 COMMISSIONER WAITS: -- you.
30 BRADY GRIFFITHS: But just wanted to recognize Crime
31 Victims' Rights Week. And I'm happy to reach out after this
32 week.
33 COMMISSIONER WAITS: Thank you. You know --
34 BRADY GRIFFITHS: -- regarding --
35 COMMISSIONER WAITS: -- you --
36 BRADY GRIFFITHS: -- personal endorsements.
37 COMMISSIONER WAITS: You've been working a long time on it.
38 And we sincerely appreciate it. It is needed, as Commissioner
39 Clark says. Thank you.
40 CHAIRMAN MILLS: Okay. Thank you, Brady.

1 BRADY GRIFFITHS: One request. Is there any chance for a
2 picture with the proclamation with the commissioners?

3 COMMISSIONER BAKKER: Yeah.

4 BRADY GRIFFITHS: Can we do that?

5 COMMISSIONER WAITS: We'll probably be breaking in just a
6 little bit. Can you wait around just --

7 BRADY GRIFFITHS: Yes, --

8 COMMISSIONER WAITS: -- a little --

9 BRADY GRIFFITHS: -- absolutely.

10 COMMISSIONER WAITS: -- bit till --

11 BRADY GRIFFITHS: I'll be --

12 COMMISSIONER WAITS: -- we get to --

13 BRADY GRIFFITHS: -- happy to.

14 COMMISSIONER WAITS: -- a break?

15 COMMISSIONER BAKKER: Oh.

16 BRADY GRIFFITHS: Yeah.

17 COMMISSIONER BAKKER: Yeah.

18 COMMISSIONER WAITS: Thank you.

19 BRADY GRIFFITHS: Thank you so much.

20 COMMISSIONER BAKKER: We got to vote.

21 CHAIRMAN MILLS: We did.

22 JEANNE FALZONE: No, they did.

23 COMMISSIONER BAKKER: Did we?

24 KEITH WESTENGARD: Okay. Oh, they --

25 CHAIRMAN MILLS: Uh-huh.

26 KEITH WESTENGARD: -- did? Okay.

27 COMMISSIONER BAKKER: All right.

28 CHAIRMAN MILLS: Okay.

29

30 5) Discussion for possible action regarding an update from LP
31 Insurance for the group insurance rates for FY 2018-2019, and
32 all other matters properly related thereto.
33

34 CHAIRMAN MILLS: Move to Item Number 5. Discussion for
35 possible action regarding update from LP Insurance for a group
36 insurance rate for fiscal year 2018-2019, and all other matters
37 properly related thereto.

38 COMMISSIONER WAITS: Good morning.

39 TIM HOLLAND: Good morning.

40 JOYCE TOSTE: Good morning.

1 COMMISSIONER BAKKER: Good morning.
2 TIM HOLLAND: Hello. I am Tim Holland with LP Insurance
3 Services.
4 JOYCE TOSTE: I'm Joyce Toste with Prominence Health Plan.
5 TIM HOLLAND: The last time we met, we -- I asked for one
6 more month because of the -- some pretty serious claims that
7 were going on -- to delay the renewal. We usually have this in
8 your hands earlier.
9 We got the renewal late last night. And Joyce did drive it
10 up early this morning. So we have all that information of the --
11 the -- the first shout out of the door kind of increase towards --
12 UNIDENTIFIED PARTICIPANT: Yes.
13 TIM HOLLAND: -- Lander County. And we have a lot of data
14 that we'd like to discuss that kind of shows some of the numbers
15 to you.
16 JOYCE TOSTE: If I can get them out of the bag.
17 Let me just get --
18 COMMISSIONER ALLAN: Thanks.
19 CHAIRMAN MILLS: Thank you.
20 COMMISSIONER BAKKER: Thank you.
21 TIM HOLLAND: These are going to be different than the
22 numbers that we did discuss in our previous meetings.
23 KEITH WESTENGARD: Tim?
24 TIM HOLLAND: Okay.
25 COMMISSIONER WAITS: Tim, if there's -- if there's a
26 particular page in here that we're going to be looking towards
27 here, we need to fax it to Austin because they're on our
28 conference.
29 TIM HOLLAND: Okay. I would be faxing --
30 COMMISSIONER WAITS: They won't know what we're talking
31 about.
32 TIM HOLLAND: Okay. That would be --
33 JOYCE TOSTE: Could you fax it to them?
34 COMMISSIONER CLARK: Take a five-minute break and fax this
35 stuff over?
36 TIM HOLLAND: Fax it over?
37 JOYCE TOSTE: Sure.
38 COMMISSIONER WAITS: Why don't we do --
39 JOYCE TOSTE: Thirteen.
40 COMMISSIONER WAITS: -- that?

1 CHAIRMAN MILLS: Yeah.
2 COMMISSIONER BAKKER: (Indiscernible.)
3 CHAIRMAN MILLS: Let's do that. We'll take a --
4 JOYCE TOSTE: (Indiscernible.)
5 CHAIRMAN MILLS: -- we'll take a break.
6
7 (Break taken between 9:54 a.m. and 10:06 a.m.)
8
9 CHAIRMAN MILLS: Call this meeting back to order.
10 Did we get our stuff sent down to Austin okay? And we're
11 good to go?
12 UNIDENTIFIED PARTICIPANT: Yes.
13 CHAIRMAN MILLS: Okay.
14 TIM HOLLAND: Okay. I would kind of like to start with the
15 external re- -- reporting package, which is on the right-hand
16 side of the folder. It kind of gives us a little bit of a road
17 map of where we are and how we're getting an increase like we
18 are.
19 And this external reporting package basically covers the
20 benefit-cost ratio, high-cost claims summary, top prescription
21 costs, top prescriptions, top PCPs, and kind of an age-gender mix,
22 which is -- these are very large underwriting factors that are
23 factored into any type of -- when we look at that -- when we look
24 at a case.
25 So if you could kind of go to the -- the second page, please,
26 benefit-cost ratio.
27 What we have now is we have about an 18-month look back is
28 what we've really been trying to get to.
29 So the top part is your base period. And these are claims
30 that are paid from 1/31/17 to 3/31 of '18.
31 And then we have our current period. We can see in our
32 base period --
33 Well, I'm going to -- on the left-hand side, we have our
34 period, obviously. Then we have our subscribers. Members are
35 subscribers, plus their dependents.
36 You have the total premium that Lander County paid. Then
37 you have a completed medical cost, a prescription cost. And
38 then you have a total cost.
39 Premium PMPM. And what that means is per member per month.
40 So what it tell -- tells us is, you know, each employee of Lander

1 County costs us, on that first top line, \$505.13 per month. But
2 during this period, that employee cost Lander County \$682.04 per
3 claim.

4 And, therefore, we get a benefit-cost ratio. And you can see
5 in the base period, we ran at 104.9 percent. And then in our
6 current period, we had --

7 I tell you, you can see it. It was really hot or really
8 cold. I mean, we ran with some absolutely fantastic months. And
9 we got into, you know, March, May, and June -- excuse me -- and
10 it's like, okay, this finally leveled off, and we got a bunch of
11 really good months there. And then we get, you know, the 166.3,
12 the 343.5, 135.

13 So now when we look at our -- our period here, Lander
14 County's running at a -- a loss ratio of 125.5 percent.

15 I'm happy we did wait the -- the one month because we were
16 at about 131 percent. And that would have kind of indicated a
17 higher renewal.

18 But, still, during this current period, we're at
19 125.5 percent loss ratio.

20 If you'd kindly turn the page, I'd like to tell you how we
21 got there.

22 High-cost claimants were about 80 percent of the total
23 premium that Lander County paid.

24 So with total premium in the last 12 months of \$1.1 million,
25 roughly 850,000 of that went to seven people. Seven people.

26 So you can see we've got -- we've got heart disease. We've
27 got heart failure. We've got --

28 JOYCE TOSTE: Respiratory failure.

29 TIM HOLLAND: -- respiratory failure. We've got a breakage
30 away from the spine, heart disease, prosthetic knee
31 replacements, gastric band issues.

32 So had some -- had some pretty big things this year.

33 If you'd kindly turn the page, please.

34 One of the things we discussed yesterday was prescription
35 costs and how they're done and how a lot of -- a lot of
36 companies are really pushing towards the generic first step
37 therapy-type thing. And we have some -- we have some
38 substantial prescription uses here.

39 We do have a lot of diabetic, a lot of bronchial, a lot of
40 asthma, antivirals, analgesics, just things that are -- what? --

1 blood thinners. A lot of -- we've got some pretty good
2 prescription use going on here.

3 Joyce is actually going to touch the next page
4 because opioids we hear about all the time -- and I wanted to
5 kind of cover what the county's doing on that.

6 And so we are on the top 25 scripts page.

7 JOYCE TOSTE: Right. So number 2, Lisinopril. Of course,
8 number one, is a blood pressure medication and very common.

9 Hydrocodone, acetaminophen, these are your opioid-type
10 narcotics.

11 And there are 59 scripts for that drug. So it's number 2
12 in the top 25.

13 And then you go down further and you'll see it a couple more
14 times within --

15 And it'll show you how many scripts were written.

16 So we are complying with the state mandate. We have letters
17 going out to members explaining how it's going to work. If you
18 get a new prescription, a new opioid prescription, you only get
19 seven days. Generally you have to go back if you need to continue
20 past that, get a new prescription. So we are following the
21 mandate.

22 And we want people to understand that. So we're sending
23 communications to all members. This is what will happen. It's
24 not going affect you if you're in chronic pain and you need this
25 ongoing medication. But doctors are under watch and everyone's
26 under watch for these drugs.

27 Any questions on that?

28 TIM HOLLAND: Next page, top providers, medical cross.
29 We've got -- actually, it's the next page we have there.

30 But you can see that St. Mary's Prime -- Prime Healthcare
31 at 201,373.

32 Battle Mountain General.

33 Elko did -- they were top in our last report. Now they've
34 come down a little bit.

35 New LifeCare Hospitals of Northern Nevada is actually a
36 Renown facility.

37 And then below that is the -- the main hospital, Renown.
38 Banner Churchill in Fallon.

39 James Lynch Spine Nevada in Reno.

40 That MedX AirOne, that is your --

1 JOYCE TOSTE: Air ambulance.
2 TIM HOLLAND: The air ambulance.
3 JOYCE TOSTE: Uh-huh.
4 TIM HOLLAND: Regional me- -- Regional Emergency Medical
5 Services Authority. That would be REMSA. And then we have a
6 specific position there.
7 On your next page, you actually have top PCP proofs.
8 And Art -- we had some conversation on that yesterday.
9 William Bee --
10 JOYCE TOSTE: Ririe.
11 TIM HOLLAND: -- Ririe Hospital rural clinic.
12 And then it's Shoshone/Paiute. You know, those were --
13 those are some -- some -- some big -- pretty big costs in that.
14 \$293,000 at William Bee. And then Shoshone was 229,000.
15 A call for PCP means they're -- because of the POS plan we
16 have in place where it has -- somebody has an HMO and a PPO,
17 that means the member did not call and assign a specific
18 physician. They just self-referred into a physician's office.
19 St. Mary's Health Group. No P- -- P- -- PCP assigned.
20 Same thing. And then you can see we have specific facilities or
21 physicians after that.
22 COMMISSIONER ALLAN: Tim, this --
23 TIM HOLLAND: Yeah.
24 COMMISSIONER ALLAN: -- William Bee Ririe hospital rural,
25 where is that?
26 JOYCE TOSTE: Ely.
27 TIM HOLLAND: Ely.
28 JOYCE TOSTE: But they -- they are operating the clinic in
29 Austin, I believe.
30 COMMISSIONER ALLAN: Oh, okay.
31 COMMISSIONER CLARK: Kingston.
32 JOYCE TOSTE: Or --
33 TIM HOLLAND: So --
34 JOYCE TOSTE: -- Eureka.
35 TIM HOLLAND: -- what we talked about.
36 JOYCE TOSTE: I'm sorry. You can make up.
37 TIM HOLLAND: The -- so we feel -- the -- the clinics that
38 are around Nevada, they're using one billing area. And so we're
39 seeing a lot of costs out of some facilities. But they have --
40 might have multiple facilities throughout the state.

1 The next page is just kind of a age-gender break down of the
2 plan use.

3 Zero to 19, obviously we don't have a lot of employees.
4 There's those -- that's the dependents that are being used --
5 utilization.

6 Then we have our base year, which is blue. Green year,
7 which is current.

8 Females and males at infant to 20 to 24, then females to
9 males 45 to 64, and then 60 plus. So most of the utilization is
10 right in that 45 to 64 area.

11 Any questions on the report that we have here in front of us?

12 And if not, I would like to move to the depressing page on
13 the left.

14 COMMISSIONER WAITS: And you keep telling us that as we get
15 older we have to have more things fixed and it's more expensive.
16 But when I'm looking at this, your 60-plus is the lowest we've
17 got. What does that tell you? Active seniors?

18 TIM HOLLAND: There you go.

19 JOYCE TOSTE: Hey, of the term (indiscernible). Just so --

20 COMMISSIONER CLARK: Retirees.

21 COMMISSIONER WAITS: Not necessarily. The retirees are
22 still seniors too. So, I mean, it's the same thing.

23 TIM HOLLAND: Obviously on our Lander County 2018 renewal
24 page, we have the -- the factors in with the increases plus your
25 (indiscernible) packet fees.

26 And the -- and the -- the overall increase is broken down in
27 the columns to the left. And then you will have a separate
28 (indiscernible) taxes and fee. And then you have your combined
29 amount.

30 In the pages that follow, pretty much just kind of go over
31 what we've already talked about. Just kind of has months;
32 policyholders; members; premium; claims of IBNRs, incurred but
33 not reported -- that's what we talked about when you're a 60- to
34 90-day lag in, you know.

35 What are -- what we're showing right now, we're paying for,
36 might have been in -- in February.

37 Your premium tax, broker commission, obviously. And so the
38 -- and then the last page has the claims that you've already
39 seen.

40 The troubling thing is that these are ongoing claims. We

1 don't have any that are not still active. And what makes a -- a
2 claim active or inactive, a member usually -- I mean, they
3 either get through their period or they term and they come off
4 the plan.

5 So those are the two things that -- that stop a claim. But
6 right now we are active on -- on quite a few of these.

7 JOYCE TOSTE: Five. (Indiscernible.)

8 TIM HOLLAND: We have five active?

9 JOYCE TOSTE: Yes. Five that are ongoing.

10 TIM HOLLAND: The 35.9 percent. I -- this is where I -- I
11 separate myself a tiny bit from Prominence.

12 We are out to market. We've been out to market for about a
13 month and a half. We needed the information that Joyce got us
14 last night and this morning. Every carrier in the state will,
15 given the information. And we will get a bid, either a decline
16 to quote, a bid. Some will come in higher. Some will come in
17 lower. And -- and this -- we feel that this number will be
18 adjusted.

19 Okay?

20 So this -- this -- we started our marking process a while
21 ago. We're out for medical. We're out for dental. We're out for
22 the lines of coverage. And this was the final piece we need to
23 get competitive offers to work with Prominence or the committee
24 makes its selection and moves somewhere else.

25 COMMISSIONER BAKKER: Yeah. So we -- we need to wait then?

26 JOYCE TOSTE: Yes.

27 COMMISSIONER CLARK: Uh-huh.

28 JOYCE TOSTE: So the process basically is underwriting
29 gives us a workup. And this is what we go out with. This is
30 what underwriting is saying we need. That -- that's not
31 necessarily what we'll end up with.

32 So it's my job to help Tim negotiate that. And I'm the
33 mediator at Prominence for that.

34 TIM HOLLAND: Yes.

35 COMMISSIONER BAKKER: Lucky you.

36 TIM HOLLAND: Yeah.

37 JOYCE TOSTE: Yes. And I -- I do pretty well at it. So --

38 TIM HOLLAND: Yeah. I -- it's -- it's a tough year.

39 COMMISSIONER BAKKER: Well, --

40 TIM HOLLAND: I mean --

1 COMMISSIONER BAKKER: -- thank --
2 JOYCE TOSTE: It is.
3 COMMISSIONER BAKKER: -- you.
4 TIM HOLLAND: We -- we -- you've been part of this. You
5 have good years. You have bad years. We're in -- we're in the
6 midst of a pretty tough year because we're l- -- we're -- we're
7 going to other carriers asking them for competitive rates and
8 get aggressive with us. And we have five ongoing claims that
9 are taking up a substantial amount of the premium. So some
10 dues -- some years it's good to go to market; some years are
11 tough to go to market.
12 We want to be in about a s- -- we want to be in about a 73 to
13 81 percent loss ratio to -- parties-and-balloons-type thing. And
14 we get codes come in.
15 COMMISSIONER CLARK: Well, I appreciate your information.
16 I really appreciate you meeting with those people yesterday.
17 You cleared up a big mess. And they understand now where the --
18 where the issues actually were. It wasn't in the coverage. It
19 was in the administration of getting the bills to insurance
20 before they went to collections in three or four days.
21 So I think that -- I think we're on a good road now.
22 TIM HOLLAND: And --
23 JOYCE TOSTE: Okay.
24 TIM HOLLAND: -- one thing that we would really like to
25 push is this thing that -- people are calling us after they get
26 scrambled. If we can really get people to get involved with us
27 before both the plan and --
28 JOYCE TOSTE: Uh-huh.
29 TIM HOLLAND: -- us, we can to a lot of things.
30 And the other is the telemedicine that we really pushed
31 hard this year on the Teladoc services.
32 And one of the biggest complaints we get is, you know,
33 can't see a doctor. We -- appointments went too far out. This
34 isn't happening. This isn't happening. They can just call a
35 doctor immediately on their phone, their smartphone, tablet, any
36 of that. And nobody's using that either.
37 JOYCE TOSTE: And there's no charge for that --
38 TIM HOLLAND: It --
39 JOYCE TOSTE: -- now --
40 TIM HOLLAND: -- it's a zero --

1 JOYCE TOSTE: -- as a forerun.
2 TIM HOLLAND: Yeah. There's no --
3 JOYCE TOSTE: So --
4 TIM HOLLAND: -- charge to that.
5 The -- that's something that Prominence did. They reduced
6 the copay for a Teladoc visit to zero.
7 COMMISSIONER BAKKER: Oh, cool.
8 JOYCE TOSTE: Because it do- -- I use it myself. It's very
9 -- I mean, you don't want to go -- who wants to go to urgent
10 care with a bunch of sick people? Really.
11 And if you have a sinus infection or something like that,
12 they can send your prescription to the pharmacy so you never
13 step foot into the -- the facility. It's -- it's great.
14 CHAIRMAN MILLS: So pertaining to that, I got a question --
15 because we have a lot of county employees here -- are you all
16 aware of that telemedicine option?
17 Couple of yeses; couple of noes.
18 TIM HOLLAND: We pushed it pretty hard during open
19 enrollment. But I --
20 CHAIRMAN MILLS: Can we give -- can we -- can you put --
21 put up just like --
22 TIM HOLLAND: Yeah.
23 CHAIRMAN MILLS: -- a -- a one-sheet-of-paper reminder?
24 TIM HOLLAND: Yes.
25 CHAIRMAN MILLS: We'll put it in everybody's mailbox.
26 TIM HOLLAND: Yep. Absolutely.
27 JOYCE TOSTE: (Indiscernible.)
28 COMMISSIONER BAKKER: And the directions on where to go and
29 --
30 CHAIRMAN MILLS: Yeah. The phone number, whatever,
31 whatever information they need to have.
32 COMMISSIONER CLARK: You have -- do you have this one
33 today?
34 TIM HOLLAND: I do have that.
35 COMMISSIONER CLARK: Do you want to talk about this? This
36 was pretty interesting.
37 TIM HOLLAND: Okay.
38 And this is something they probably need to fax down to --
39 COMMISSIONER BAKKER: Austin?
40 TIM HOLLAND: -- Austin.

1 COMMISSIONER CLARK: Oh, another little break.
2 COMMISSIONER WAITS: (Indiscernible.)
3 COMMISSIONER BAKKER: No. I think you can get it faxed --
4 CHAIRMAN MILLS: Yeah, we --
5 COMMISSIONER BAKKER: -- down --
6 CHAIRMAN MILLS: -- can --
7 CHAIRMAN MILLS: Yeah, we can --
8 UNIDENTIFIED PARTICIPANT: Yes.
9 COMMISSIONER CLARK: Now, which of these plans do you like?
10 COMMISSIONER ALLAN: Thank you.
11 COMMISSIONER WAITS: This one. (Indiscernible.)
12 COMMISSIONER CLARK: Ninety-five?
13 COMMISSIONER WAITS: Yep.
14 KEITH WESTENGARD: I'll give them back to you if I
15 (indiscernible).
16 TIM HOLLAND: (Indiscernible.)
17 COMMISSIONER CLARK: Does that cut Hawthorne out?
18 No. No, they come up here and then go 95 to Fernley.
19 COMMISSIONER WAITS: Uh-huh.
20 COMMISSIONER CLARK: There's this. There's no
21 infrastructures in case there's an accident here. I mean,
22 it's --
23 COMMISSIONER BAKKER: Hey.
24 COMMISSIONER CLARK: -- it's an easy shot.
25 COMMISSIONER BAKKER: Bert?
26 Okay. Tim.
27 TIM HOLLAND: Yo.
28 COMMISSIONER BAKKER: Yeah. Go --
29 CHAIRMAN MILLS: Okay.
30 COMMISSIONER BAKKER: -- ahead.
31 TIM HOLLAND: Okay. This is a snapshot. About one year
32 ago the market for both individual exchange products and some of
33 the carriers in the state of Nevada.
34 Nevada and Ohio had an enormous problem, as you can see. A
35 couple of counties in Ohio, you got the Pacific Northwest where
36 you have lots of greens, lots of carriers. You've got -- you've
37 got the southwest -- or -- excuse me -- southeast of the United
38 States where you have one carrier. And Nevada, for a long time,
39 had no carriers, not a single one.
40 Wasn't until a carrier from the Midwest came in and worked

1 with Renown to offer a -- a single-carrier plan in northern
2 Nevada.

3 So you -- in -- in southern Nevada, we've got Health Plan
4 of Nevada, Sierra Health and Life for just parts of Nye and
5 Clark. And we've got this other one for the rest.

6 Next year we think there's going to be one plan and one
7 carrier for all of rural Nevada. That's what they've been
8 indicating to us.

9 So --

10 CHAIRMAN MILLS: Who -- who's that going to be?

11 TIM HOLLAND: It -- probably Renown will be the provider
12 network. And it will be this carrier from the Midwest. So --

13 CHAIRMAN MILLS: Do you know the name of the --

14 TIM HOLLAND: I -- it slipped my mind right now.

15 CHAIRMAN MILLS: Okay.

16 TIM HOLLAND: But I can get it for you.

17 So the individual market's a very difficult thing. So
18 that's why your employer-sponsored plan is so important.

19 And just one of the other things we -- Art and I talked
20 about which is the importance of the relationship with carriers,
21 is there's not a lot of carriers in northern Nevada. There's
22 not. And the carriers that are here have -- I mean, just very,
23 very different methods of your care.

24 So you've got Prominence and Aetna that want your care to
25 be here. They want it to be in Elko. They want it to be at
26 University Medical Center, University of Utah.

27 You've got Hometown Health. You have Cigna. They will
28 want all of your care to go to Stanford. So if something bad
29 happens, you pack -- pack up the family and go to Stanford.

30 You've got Sierra Health and Life. You've got Health Plan
31 of Nevada and some Humana, United Healthcare. They're going to
32 give you a project here. But you're going down to Vegas for
33 your critical care.

34 We have Sierra Health and Life who's out here and has the
35 best-priced plan. They have just the lowest rates, but they can't
36 get an OB-GYN to contract with them within a hundred miles because
37 just the situation right now.

38 So this was -- this was kind of telling, especially, you
39 know, to Art when we looked at it was not a lot of carriers in
40 northern Nevada.

1 So we -- when we go out to market, I can bring you amazing
2 things sometimes, but it will be a significant change in the way
3 the employees receive their care.

4 COMMISSIONER CLARK: About 1996, NSEA tried to combine --
5 at the time, it was 15 rural counties. Now, I see 12.

6 We tried to combine those counties under one insurance plan.
7 And the advantages were really good.

8 The bigger the -- the more people you have in the plan,
9 the -- the better the coverage. That's -- just works out like
10 that because of money.

11 Any -- any chance that other counties might want to team up?

12 TIM HOLLAND: That's a good question.

13 January 1st, 2014, association plans went away under the
14 Affordable Care Act.

15 COMMISSIONER CLARK: Okay.

16 TIM HOLLAND: President Trump currently has a lot of
17 paperwork up. Floating around on his desk and in various areas
18 that are going to reinstate association plans. So we are
19 actually -- are taking steps to -- NACO's already moving down
20 the path of having association plans done.

21 COMMISSIONER CLARK: Okay.

22 TIM HOLLAND: So what -- what you have makes it a little
23 difficult when you combine a lot. Bodies are great, but when
24 you start putting sick bodies in with healthy bodies and you
25 have collective bargaining agreements that says, this guy has to
26 have a \$500 deductible, these people have to have 250, they have
27 to have a \$10 copay, that's when the minutia starts coming --
28 coming together when you start getting in collective bargaining
29 agreements. But for the greater good, we're definitely going to
30 try to have a -- a Nevada c- -- a NACO plan.

31 COMMISSIONER CLARK: Yeah. It just makes sense.

32 And you're right that under the umbrella plan that NSEA was
33 trying to -- to organize, there would have been one north and
34 one south hospital where you would've gone to. And I think the
35 plan was to go to a hospital in LA for the people in the south
36 at that time.

37 They didn't have the hospitals that they do today in Vegas.

38 TIM HOLLAND: And -- and the territory ratings will come in
39 where you have -- and Clark County is number one. Reno's number
40 two. Carson City, Douglas is number three. And all others,

1 four.

2 So when -- when you factor in Las Vegas pricing that has 12
3 hospitals and 4,000 doctors versus, you know, the others, it --
4 they -- they'll -- they'll wait.

5 CHAIRMAN MILLS: Awesome.

6 COMMISSIONER WAITS: Thank you, Tim.

7 COMMISSIONER BAKKER: Thank you, Tim.

8 CHAIRMAN MILLS: All right. Thank you.

9 COMMISSIONER BAKKER: Thank you, guys.

10 COMMISSIONER WAITS: He's -- he's preparing us for the --
11 the big one.

12 COMMISSIONER BAKKER: Uh-huh.

13 CHAIRMAN MILLS: Yeah.

14

15

16 **BOARD APPOINTMENTS**

17

18 **6) Discussion for possible action to appoint an individual to**
19 **fill one vacancy on the Lander County Advisory Board to**
20 **Manage Wildlife, a Category II board, to complete a term**
21 **ending June 30, 2019, and to consider the following: a) Colt**
22 **Spealman; and all other matters properly related thereto.**

23

24 CHAIRMAN MILLS: Moving to Item Number 6. Discussion for
25 possible action to appoin- -- appoint an individual to fill one
26 individual to fill one vacancy on the Lander County Advisory
27 Board to Manage Wildlife, a Category II board, to complete a
28 term ending June 30th, 2019, and to consider the following:
29 Colt Spealman, and all other matters properly related thereto.

30 COMMISSIONER CLARK: So who are we going to put in this
31 position? Colt Spealman or Colt Nelson?

32 COMMISSIONER ALLAN: The letter actually is Colt Spealman.

33 COMMISSIONER CLARK: Yeah, it is. But recommended action
34 is Colt Nelson. What do we do, Counselor?

35 DISTRICT ATTORNEY HERRERA: Well --

36 COMMISSIONER BAKKER: On what? Recom- -- my --

37 CHAIRMAN MILLS: There's the --

38 COMMISSIONER BAKKER: -- recommended action says Colt
39 Spealman.

40 COMMISSIONER CLARK: It says recommended action, approval,

1 Colt Nelson as a member.
2 COMMISSIONER BAKKER: Yeah, but what's your agenda --
3 COMMISSIONER ALLAN: That's just --
4 COMMISSIONER WAITS: The agenda --
5 COMMISSIONER ALLAN: -- recommended.
6 CHAIRMAN MILLS: Oh.
7 COMMISSIONER WAITS: -- says Colt --
8 COMMISSIONER ALLAN: That doesn't --
9 COMMISSIONER WAITS: -- Spealman --
10 DISTRICT ATTORNEY HERRERA: It's the agenda --
11 COMMISSIONER WAITS: -- so we're --
12 DISTRICT ATTORNEY HERRERA: -- that --
13 COMMISSIONER WAITS: -- okay.
14 DISTRICT ATTORNEY HERRERA: -- matters, Arthur.
15 COMMISSIONER CLARK: Yeah, I know.
16 I know.
17 COMMISSIONER ALLAN: The recommended --
18 COMMISSIONER BAKKER: Yeah.
19 DISTRICT ATTORNEY HERRERA: The --
20 COMMISSIONER ALLAN: -- action --
21 DISTRICT ATTORNEY HERRERA: -- recommendation --
22 COMMISSIONER ALLAN: -- is irrelative.
23 DISTRICT ATTORNEY HERRERA: -- is irrelevant.
24 COMMISSIONER BAKKER: Yeah, because that's in your packet.
25 It's in the --
26 COMMISSIONER CLARK: Re- --
27 COMMISSIONER BAKKER: -- packet.
28 COMMISSIONER CLARK: Reme- -- recommended --
29 DISTRICT ATTORNEY HERRERA: Your --
30 COMMISSIONER CLARK: -- action.
31 DISTRICT ATTORNEY HERRERA: -- recommendation's irrelevant
32 as far as --
33 COMMISSIONER CLARK: Okay.
34 COMMISSIONER BAKKER: The line item.
35 COMMISSIONER CLARK: Okay.
36 DISTRICT ATTORNEY HERRERA: It's the procedure. It's how
37 it's agendized.
38 COMMISSIONER CLARK: Sure.
39 COMMISSIONER BAKKER: I'll make a motion to fill a vacancy
40 on the Lander County Advisory Board to Manage Wildlife, a

1 Category II board, the term ending June 30, 2019, and to put
2 Colt Spealman in that position.

3 COMMISSIONER CLARK: Second.

4 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
5 Do we have any public comment?

6 (No comment.)

7 CHAIRMAN MILLS: All in favor?

8 COMMISSIONER BAKKER: Aye.

9 CHAIRMAN MILLS: Aye.

10 COMMISSIONER WAITS: Aye.

11 COMMISSIONER ALLAN: Aye.

12 COMMISSIONER CLARK: Aye.

13
14
15 **COMMISSIONERS**

- 16
17 7) **Discussion for possible action to approve/disapprove the**
18 **passage of Ordinance 2018-01 amending Chapters 5.04, 5.06,**
19 **and 5.24 of the Lander County Code to obtain business**
20 **licenses from the Building and Planning Department instead of**
21 **the Lander County Assessor's Office, and all other matters**
22 **properly related thereto.**

23
24 CHAIRMAN MILLS: Item 7. Discussion for possible action to
25 approve/disapprove the passage of Ordinance 2018-01 amending
26 Chapters 5.04, 5.06, and 5.24 of the Lander County Code to
27 obtain business licenses from the planning -- Building and
28 Planning Department instead of the Lander County Assessor's
29 Office, and all other matters properly related thereto.

30 COMMISSIONER BAKKER: We talked about this already a couple
31 times.

32 DISTRICT ATTORNEY HERRERA: It -- it's been published.

33 JEANNE FALZONE: All they've got to do is --

34 DISTRICT ATTORNEY HERRERA: All you have to do is approve
35 it. It's been published.

36 COMMISSIONER BAKKER: Okay.

37 DISTRICT ATTORNEY HERRERA: It's gone through the --

38 COMMISSIONER BAKKER: Make the motion to approve that
39 passage of the Ordinance 2018-01 amending Chapters 5.04, 5.06,
40 and 5.24 of the Lander County Code to obtain business license

1 from the Building and Planning Department instead of the Lander
2 County Assessor's Office.

3 COMMISSIONER CLARK: Second.

4 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
5 Do we have any public comment?

6 (No comment.)

7 CHAIRMAN MILLS: All in favor?

8 COMMISSIONER BAKKER: Aye.

9 COMMISSIONER ALLAN: Aye.

10 CHAIRMAN MILLS: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER CLARK: Aye.

13
14 **8) Discussion for possible action regarding the proposal and**
15 **reading by title of Ordinance No. 2018-02 amending Title 8 to**
16 **add a new Chapter 8.46 of the Lander County Code pertaining**
17 **to recreational and medical marijuana cultivation facilities,**
18 **and all other matters properly related thereto.**
19

20 CHAIRMAN MILLS: Item Number 8. Discussion for possible
21 action regarding the proposal and reading of title of Ordinance
22 Number 2018-02 amending Title 8 to add a new Chapter 8.46 of the
23 Lander County Code pertaining to recreational and medical
24 marijuana cultivation facilities, and all other matters properly
25 related thereto.

26 DISTRICT ATTORNEY HERRERA: Title needs to be read into the
27 record.

28 COMMISSIONER BAKKER: By --

29 COMMISSIONER WAITS: I have a question, though.

30 COMMISSIONER BAKKER: Oh.

31 COMMISSIONER WAITS: And in going through everything,
32 there's some areas in here that refer directly to marijuana
33 establishment licenses.

34 DISTRICT ATTORNEY HERRERA: Definitions.

35 COMMISSIONER WAITS: Just definitions?

36 DISTRICT ATTORNEY HERRERA: It's just definitions.
37 There's two paragraphs in here that make it point clear
38 that Lander County has no interest in those facilities. And
39 it's not in the best interest of the county.

40 COMMISSIONER WAITS: But it's -- but it's all kind of

1 information on the establishment licenses and things like that.

2 DISTRICT ATTORNEY HERRERA: Right. And -- and -- and we
3 follow -- and every other county in the state has the same
4 thing.

5 So we -- we just put definitions down there.

6 And then we -- we point out that -- that Lander County --
7 it's not in the interest of Lander County --

8 COMMISSIONER BAKKER: Are you talking about the licensing
9 process, Patsy?

10 COMMISSIONER WAITS: Yeah. I understand that. But I mean,
11 we've never had that before. So when -- it's interesting.
12 You're saying, wait a minute. Look what you have in the
13 ordinance now. You actually have how to establish a license,
14 but the license isn't approved.

15 COMMISSIONER BAKKER: No, we've got to bring -- don't we
16 still have to do the licensing part of it?

17 DISTRICT ATTORNEY HERRERA: Right. We haven't done that.
18 This -- this is just --

19 COMMISSIONER WAITS: This is just information on --

20 DISTRICT ATTORNEY HERRERA: Yes.

21 COMMISSIONER WAITS: -- it.

22 DISTRICT ATTORNEY HERRERA: Yes. We -- we haven't even
23 done a motion.

24 COMMISSIONER WAITS: So it's a catch-all ordinance
25 specifically talking about our cultivation facilities.

26 DISTRICT ATTORNEY HERRERA: Exactly.

27 COMMISSIONER WAITS: And the rest is just kind of a
28 catch-all on --

29 COMMISSIONER BAKKER: We'll put --

30 COMMISSIONER WAITS: -- it.

31 COMMISSIONER BAKKER: -- the licensing on --

32 DISTRICT ATTORNEY HERRERA: If you (indiscernible) --

33 COMMISSIONER BAKKER: -- the next --

34 COMMISSIONER WAITS: Okay.

35 DISTRICT ATTORNEY HERRERA: -- (indiscernible) --

36 COMMISSIONER BAKKER: -- agenda.

37 DISTRICT ATTORNEY HERRERA: -- then -- then --

38 COMMISSIONER BAKKER: Or --

39 DISTRICT ATTORNEY HERRERA: -- when we do --

40 COMMISSIONER BAKKER: -- one of the --

1 DISTRICT ATTORNEY HERRERA: -- up the --
2 COMMISSIONER BAKKER: -- agenda --
3 DISTRICT ATTORNEY HERRERA: -- licensing process, --
4 COMMISSIONER WAITS: Okay.
5 DISTRICT ATTORNEY HERRERA: -- it could be -- it'll com- --
6 completely come in front of you. Every --
7 COMMISSIONER WAITS: Okay.
8 DISTRICT ATTORNEY HERRERA: -- aspect of this is going to
9 come in front of you, Commissioner.
10 COMMISSIONER WAITS: Well, I'm -- I -- I am imagining that
11 you're picking this up from the other counties that have done
12 that. So you know how --
13 DISTRICT ATTORNEY HERRERA: I've -- I've talked to just
14 about every --
15 COMMISSIONER WAITS: -- how it's --
16 DISTRICT ATTORNEY HERRERA: -- county.
17 COMMISSIONER WAITS: -- done.
18 DISTRICT ATTORNEY HERRERA: And --
19 COMMISSIONER WAITS: Okay.
20 DISTRICT ATTORNEY HERRERA: And --
21 COMMISSIONER WAITS: And you know our intent, and you --
22 you're fine with it? So --
23 DISTRICT ATTORNEY HERRERA: Yeah. I'm -- it --
24 COMMISSIONER WAITS: Okay.
25 DISTRICT ATTORNEY HERRERA: It's -- I was fine with it.
26 COMMISSIONER BAKKER: Do you want her to --
27 COMMISSIONER ALLAN: So I guess, you know, we've had lots
28 of discussion about the -- the dispensaries and grow facilities.
29 We did approve the motion to get license for the grow
30 facilities, but we've never really discussed --
31 COMMISSIONER WAITS: Right.
32 COMMISSIONER ALLAN: -- approving anything else.
33 COMMISSIONER WAITS: Well, that's why I had the question,
34 because it was in here --
35 COMMISSIONER ALLAN: Right.
36 COMMISSIONER WAITS: -- and you saying it's because it's
37 the definition that has to part of our ordinance.
38 DISTRICT ATTORNEY HERRERA: Right.
39 COMMISSIONER WAITS: But we haven't -- that hasn't come
40 before us on the other on this --

1 COMMISSIONER ALLAN: We do the ordinance and then we go
2 back and decide whether we want it or not.
3 DISTRICT ATTORNEY HERRERA: No, it --
4 COMMISSIONER WAITS: No.
5 COMMISSIONER ALLAN: No. I mean whether we want to allow
6 the facilities.
7 DISTRICT ATTORNEY HERRERA: Well, it's my understanding
8 you've already approved it.
9 COMMISSIONER ALLAN: We have not --
10 DISTRICT ATTORNEY HERRERA: You approved --
11 COMMISSIONER ALLAN: -- approved --
12 DISTRICT ATTORNEY HERRERA: -- this to --
13 COMMISSIONER ALLAN: -- a --
14 DISTRICT ATTORNEY HERRERA: -- go --
15 COMMISSIONER ALLAN: -- dispensary.
16 DISTRICT ATTORNEY HERRERA: -- on --
17 COMMISSIONER ALLAN: We've --
18 DISTRICT ATTORNEY HERRERA: -- at this --
19 COMMISSIONER ALLAN: -- approved.
20 DISTRICT ATTORNEY HERRERA: -- point.
21 COMMISSIONER BAKKER: Oh, yeah. That's -- that's not even
22 in the ordinance, though. That's just a definition.
23 COMMISSIONER WAITS: Okay.
24 COMMISSIONER ALLAN: Okay.
25 COMMISSIONER WAITS: Let --
26 DISTRICT ATTORNEY HERRERA: You did, but then --
27 COMMISSIONER BAKKER: Because that won't ever -- unless
28 they change it.
29 DISTRICT ATTORNEY HERRERA: If you're talking about these
30 other facilities, that's just pure definition.
31 COMMISSIONER ALLAN: Okay.
32 DISTRICT ATTORNEY HERRERA: And -- and --
33 COMMISSIONER BAKKER: Yeah. You right.
34 COMMISSIONER ALLAN: -- and there are two big paragraphs in
35 here that point that out.
36 CHAIRMAN MILLS: Right.
37 COMMISSIONER BAKKER: Okay. You want to --
38 COMMISSIONER WAITS: So --
39 COMMISSIONER BAKKER: -- read that?
40 COMMISSIONER WAITS: -- let me ask a clarification

1 question, then. If -- when that comes before us, if we decided
2 to do that, to actually have a dispensary, how would that affect
3 this ordinance?
4 We would just add to it?
5 DISTRICT ATTORNEY HERRERA: Well, if -- we'd have to change
6 the ordinance. We already have a ordinance in place that --
7 that doesn't allow medical --
8 COMMISSIONER WAITS: Right.
9 DISTRICT ATTORNEY HERRERA: -- dispensaries.
10 COMMISSIONER WAITS: Right.
11 DISTRICT ATTORNEY HERRERA: So we would have to make
12 changes to this ordinance. Yeah.
13 COMMISSIONER WAITS: To this ordinance again.
14 COMMISSIONER BAKKER: An amendment.
15 DISTRICT ATTORNEY HERRERA: Yeah.
16 COMMISSIONER WAITS: Okay.
17 DISTRICT ATTORNEY HERRERA: So -- because right now this
18 ordinance only covers --
19 COMMISSIONER WAITS: The cultivation.
20 DISTRICT ATTORNEY HERRERA: -- cultivation.
21 COMMISSIONER WAITS: Thank you.
22 DISTRICT ATTORNEY HERRERA: That's it.
23 COMMISSIONER WAITS: Okay.
24 COMMISSIONER ALLAN: Okay.
25 COMMISSIONER BAKKER: So...
26 CHAIRMAN MILLS: So for this it -- it says we -- we need to
27 read into the record --
28 COMMISSIONER ALLAN: The title.
29 CHAIRMAN MILLS: -- the title. So that's just this one
30 paragraph of --
31 DISTRICT ATTORNEY HERRERA: Yeah.
32 COMMISSIONER ALLAN: So I'll make --
33 CHAIRMAN MILLS: Okay.
34 COMMISSIONER ALLAN: -- a motion --
35 COMMISSIONER BAKKER: To...
36 COMMISSIONER ALLAN: -- that -- well, I'll read the title
37 first.
38 An ordinance amending Title 8 of the chap- -- of the Lander
39 County Code entitled "Business Licenses and Regulations" to add
40 Chapter 8.46 pertaining to recreational and medical marijuana

1 cultivation facilities, setting forth the procedures, regulations,
2 and requirements for the issuance of licenses to operate marijuana
3 cultivation facilities, establishing fees and taxes required for
4 such licenses, setting forth the provisions for renewal and re- --
5 revocation of such licenses and other matters properly related
6 thereto. And also approve Title 8, new Chapter 8.46, of the
7 Lander County Code.

8 COMMISSIONER BAKKER: Is that suffice?

9 DISTRICT ATTORNEY HERRERA: Yes.

10 COMMISSIONER BAKKER: Second.

11 DISTRICT ATTORNEY HERRERA: And (indiscernible). And --
12 and --

13 COMMISSIONER BAKKER: Authorize the chair to publish?

14 DISTRICT ATTORNEY HERRERA: And have us --

15 COMMISSIONER ALLAN: And -- and direct the --

16 DISTRICT ATTORNEY HERRERA: To -- we have to file it and
17 then publish it.

18 COMMISSIONER BAKKER: Right, Sadie?

19 COMMISSIONER ALLAN: Direct --

20 COUNTY CLERK SULLIVAN: The passage?

21 DISTRICT ATTORNEY HERRERA: Huh?

22 COUNTY CLERK SULLIVAN: Is that -- Sadie Sullivan, for the
23 record. Are you saying the passage? Publica- -- publish --

24 DISTRICT ATTORNEY HERRERA: Our next --

25 COUNTY CLERK SULLIVAN: -- the passage?

26 DISTRICT ATTORNEY HERRERA: -- step --

27 COUNTY CLERK SULLIVAN: It's a --

28 DISTRICT ATTORNEY HERRERA: -- is -- our -- our next
29 step --

30 COUNTY CLERK SULLIVAN: -- proposal.

31 DISTRICT ATTORNEY HERRERA: -- is to -- the proposal is
32 to -- to file it in your office and then we publish.

33 COUNTY CLERK SULLIVAN: Correct.

34 COMMISSIONER ALLAN: And -- and proceed with the process of
35 filing with the clerk of court and the publication --

36 DISTRICT ATTORNEY HERRERA: Thank you.

37 COMMISSIONER ALLAN: -- process.

38 COMMISSIONER BAKKER: Second.

39 CHAIRMAN MILLS: Okay.

40 Judie made a motion. Sean seconded.

1 Do we have any public comment?
2 CARYNN CONDER: So is this ordinance still open to --
3 CHAIRMAN MILLS: Can we -- can we get your --
4 CARYNN CONDER: -- amendment?
5 CHAIRMAN MILLS: -- name --
6 CARYNN CONDER: Or no?
7 CHAIRMAN MILLS: -- for the record?
8 CARYNN CONDER: Oh. Carynn Conder. Sorry.
9 CHAIRMAN MILLS: Thank you.
10 CARYNN CONDER: Is it still, like, a work in progress? Or
11 is it set in stone at this point? Or --
12 COMMISSIONER BAKKER: At this -- this would be the
13 ordinance at this point.
14 CARYNN CONDER: Because I had some concern about it. Is
15 particular where it concerns the location of the facility --
16 proposed facility.
17 As you know, when applications were submitted for this, there
18 was no zoning ordinance for the -- the county. So applicants had
19 to just go by state zoning.
20 And so I'm just wondering why you didn't adopt the state
21 zoning requirements and if you would consider changing it.
22 Because when they award a certificate, it's going be very specific
23 to the property proposed for the facility. And --
24 COMMISSIONER ALLAN: As far as the grow facility?
25 CARYNN CONDER: Yeah.
26 COMMISSIONER WAITS: My understanding is they do have to
27 follow the state.
28 COMMISSIONER BAKKER: That's my understanding too.
29 CARYNN CONDER: Well, we do have to follow --
30 COMMISSIONER WAITS: Oh, yes.
31 CARYNN CONDER: -- the state. But your zoning requirements
32 and this ordinance is different than the state's.
33 COMMISSIONER ALLAN: We can go more than the state. We
34 can't go less.
35 COMMISSIONER BAKKER: Yeah. So...
36 COMMISSIONER ALLAN: And so basically the state zoning
37 mandates where it's -- it's allowed. So, you know, if -- if we
38 wanted to -- what is, I believe, 25 miles from -- or --
39 DISTRICT ATTORNEY HERRERA: The -- no. We have one. Don't
40 we have one mile from the --

1 CARYNN CONDER: It --
2 CHAIRMAN MILLS: It does --
3 CARYNN CONDER: states on --
4 CHAIRMAN MILLS: -- do --
5 CARYNN CONDER: -- page 8 that it's -- you're requiring
6 that it be at least one mile from town, but --
7 DISTRICT ATTORNEY HERRERA: Right.
8 CARYNN CONDER: -- but not more than ten.
9 CHAIRMAN MILLS: Not more than ten.
10 DISTRICT ATTORNEY HERRERA: Yeah.
11 CHAIRMAN MILLS: Right.
12 COMMISSIONER BAKKER: Yeah.
13 CARYNN CONDER: And the state requirement is that you just
14 be a thousand feet from a school or 300 feet from a community
15 facility.
16 DISTRICT ATTORNEY HERRERA: Right.
17 COMMISSIONER ALLAN: So that's it. Is -- is we're
18 requiring more than the state does.
19 DISTRICT ATTORNEY HERRERA: Right.
20 COMMISSIONER BAKKER: Right.
21 COMMISSIONER ALLAN: And -- and we can do that. But --
22 CARYNN CONDER: Well, the concern is the state has very
23 high security requirements.
24 DISTRICT ATTORNEY HERRERA: So do we?
25 CARYNN CONDER: And they -- they want you be close to law
26 enforcement.
27 So in choosing a proposed property, --
28 DISTRICT ATTORNEY HERRERA: (Indiscernible.)
29 CARYNN CONDER: -- we selected it close to law enforcement.
30 So I guess my question is, are you going to be firm on the
31 --
32 COMMISSIONER BAKKER: I think if -- if the state issues
33 your license or however that comes about, I think we can take a
34 look at that.
35 CARYNN CONDER: Okay.
36 COMMISSIONER ALLAN: Well, and I think also, you kind of
37 have to look at -- I don't know if you'd say logistics.
38 As the crow flies, I am two miles from town, driving. But
39 I just live back over there.
40 So as the crow -- I mean, driving, it's two miles to get to

1 town for me.
2 As the crow flies, I don't know, it might be a half a mile.
3 Is a mile out of town isn't that far. And -- and you will be
4 within that vicinity very close to the sheriff's office.
5 So I don't know as though that's really, you know --
6 CARYNN CONDER: Well, it --
7 COMMISSIONER ALLAN: -- a big --
8 CARYNN CONDER: -- it --
9 COMMISSIONER ALLAN: -- concern.
10 CARYNN CONDER: -- will be an issue in that the -- you'll
11 have to probably reapply with a different property, which, you
12 know --
13 COMMISSIONER BAKKER: When that -- when it comes, we'll --
14 we'll take a look at it.
15 CARYNN CONDER: Okay.
16 COMMISSIONER BAKKER: So...
17 CARYNN CONDER: My other thing is that -- I understand your
18 concern about various things about the facility. But I'll just
19 let you know that the state requires you to be unseen by the
20 public. You can't be -- there can be no o- -- odor to the
21 public.
22 And I do feel like with the high security requirements, the
23 closer to law enforcement, the better.
24 So that's my --
25 COMMISSIONER BAKKER: I agree.
26 COMMISSIONER ALLAN: Thank you for your comment.
27 CARYNN CONDER: Thank you.
28 COMMISSIONER BAKKER: Thank you.
29 CHAIRMAN MILLS: Okay.
30 Do we have any other public comment?
31 (No comment.)
32 CHAIRMAN MILLS: Okay.
33
34 (Child crying.)
35
36 CHAIRMAN MILLS: All in favor?
37 COMMISSIONER BAKKER: Aye.
38 CHAIRMAN MILLS: Aye.
39
40 (Child crying.)

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COMMISSIONER ALLAN: Aye.
COMMISSIONER WAITS: Aye.

(Child crying.)

- 9) Discussion only regarding a payment not to exceed \$256,000 towards the Highway 50 project in Austin and to have the county carry an interim loan for \$1,118,000 with 0% interest for the duration of the water project, and all other matters properly related thereto.

CHAIRMAN MILLS: Okay. Item Number 9. Discussion only regarding a payment not to exceed \$256,000 towards the Highway 50 project in --

(Child crying.)

CHAIRMAN MILLS: -- Austin and to have the county carry an interim loan for \$1,118,000 with 0 percent interest for the duration of the water project, and all other matters properly related thereto.

COMMISSIONER WAITS: Actually, I'm going to ask that we defer this.

In the last few days, we've had some concerns about the scope of the water and sewer on Highway 50 through Austin.

And it appears that NDOT might be changing the scope where they --

CHAIRMAN MILLS: Oh.

COMMISSIONER WAITS: -- might not be digging up all of the water lines, that they will the sewer. But if they don't dig up the water lines, then we aren't going to pay. It would cost us twice as much to dig them up even though the main may be open.

So they're asking for a clarification on that.

And if it's something that we have to talk about, we'll put it on the next agenda.

COMMISSIONER BAKKER: So table it?

COMMISSIONER WAITS: Yes, please.

COMMISSIONER BAKKER: Okay.

CHAIRMAN MILLS: Okay. Interesting

1 **10) Discussion for possible action regarding a proclamation**
2 **honoring National County Government Month this April, and all**
3 **other matters properly related thereto.**
4

5 CHAIRMAN MILLS: Moving on to Item Number 10.

6 Discussion for possible action regarding a proclamation
7 honoring National County Government Month as this April, and all
8 other matters properly related thereto.

9 COMMISSIONER BAKKER: Okay.

10 COMMISSIONER WAITS: Actually, we asked Keith to put this
11 on because of -- because it is National County Month. And
12 there's so many things that counties do.

13 And all 17 counties, actually, which make up NACO have --
14 have been working on a lot of common challenges and needs. And we
15 have -- we provide so many important services to the county, most
16 certainly seniors and the vulnerable and police and fire and
17 justice and district courts and administration of elections,
18 district attorneys, public defenders, maintenance of roads, water
19 systems, all kinds of critical infrastructure.

20 And because of this, we wanted to at least go ahead and
21 join the rest of the counties in declaring that April be County
22 Government Month and that you can access the NACO website by
23 NVNACO -- N-A-C-O -- .org or their twitter or whatever.

24 So we ask that you would put forth this proclamation.

25 COMMISSIONER BAKKER: I agree.

26 I'll make a motion to approve the Lander County proclamation
27 2018-04 in support of the National County Government Month,
28 April 2018, serving the undeserved [verbatim].

29 COMMISSIONER ALLAN: Second.

30 COMMISSIONER BAKKER: And authorize the chair to sign.
31 Sorry.

32 COMMISSIONER WAITS: I'll second the motion.

33 COMMISSIONER BAKKER: All right.

34 CHAIRMAN MILLS: Okay. Well, Sean made a motion. Judie
35 seconded.

36 Do we have any public comment?

37 (No comment.)

38 CHAIRMAN MILLS: All in favor?

39 COMMISSIONER BAKKER: Aye.

40 CHAIRMAN MILLS: Aye.

1 COMMISSIONER ALLAN: Aye.
2 COMMISSIONER WAITS: Aye.
3 COMMISSIONER CLARK: Aye.
4 COMMISSIONER WAITS: Aye.

5

6 11) Discussion for possible action to approve/disapprove
7 abolishing the Battle Mountain Livestock Events Center
8 Advisory Board and to lease the Battle Mountain Livestock
9 Events Center to a 501(c)(3), and all other matters properly
10 related thereto.

11

12 CHAIRMAN MILLS: Item 11. Discussion for possible action
13 to approve/disapprove abolishing the Battle Mountain Livestock
14 Events Center Advisory Board and to lease the Battle Mountain
15 Livestock Events Center to a 501(c)(3), and all other matters
16 properly related thereto.

17 COMMISSIONER BAKKER: Did they create a 501(c)(3)?

18 KEITH WESTENGARD: I have not received anything that says
19 they have at this point.

20 I believe they're working on it.

21 COMMISSIONER ALLAN: So --

22 COMMISSIONER BAKKER: Should we wait?

23 KEITH WESTENGARD: I don't know. Ted, what do you --

24 COMMISSIONER WAITS: What --

25 KEITH WESTENGARD: -- think?

26 COMMISSIONER WAITS: There's no back up on here. So
27 somebody's got to fill me in on --

28 COMMISSIONER CLARK: Yeah.

29 COMMISSIONER WAITS: -- what's -- what's going on?

30 COMMISSIONER BAKKER: Yeah. I don't -- I don't know
31 either.

32 DISTRICT ATTORNEY HERRERA: I -- I don't believe we should
33 abolish something until we have something to take its --

34 COMMISSIONER BAKKER: Yeah.

35 COMMISSIONER CLARK: Yeah.

36 DISTRICT ATTORNEY HERRERA: -- place.

37 COMMISSIONER BAKKER: Yeah. But --

38 COMMISSIONER CLARK: Yeah.

39 COMMISSIONER BAKKER: -- explain --

40 COMMISSIONER CLARK: Yeah.

1 COMMISSIONER BAKKER: -- why. Why are they doing this?
2 KEITH WESTENGARD: They want to be very -- they want to be
3 similar to the racetrack and -- and other entities in the county
4 and take it over for themselves so that they can have the
5 events.
6 DISTRICT ATTORNEY HERRERA: That are -- the issue is when
7 they put on the -- the -- the succ- -- they put on a very
8 successful rodeo.
9 And since they're an advisory board only, they do not have
10 any discretion, that they were having difficulty paying prizes
11 because they'd have to come to somebody from the county and on a
12 weekend and -- and get the money and -- and it was very
13 problematic for them to put on the rodeo and -- and pay
14 people -- stock people and -- and other people for their
15 services without having to go through the county.
16 COMMISSIONER BAKKER: So why don't we wait for them to
17 bring back 501(c)(3)?
18 DISTRICT ATTORNEY HERRERA: So if -- if it's a 501(c)(3) --
19 COMMISSIONER BAKKER: Before we --
20 DISTRICT ATTORNEY HERRERA: -- that's actually leasing the
21 property, this is their -- their argument.
22 COMMISSIONER BAKKER: Yeah, but until they have one, we
23 can't grant them --
24 DISTRICT ATTORNEY HERRERA: I understand.
25 COMMISSIONER ALLAN: So --
26 DISTRICT ATTORNEY HERRERA: I'm -- I'm just explaining.
27 COMMISSIONER BAKKER: Oh.
28 COMMISSIONER WAITS: And they may not be a 501(c)(3). It
29 may be a 501(c)(4).
30 DISTRICT ATTORNEY HERRERA: Then they c- -- then we can't
31 do it.
32 COMMISSIONER ALLAN: Okay. I'd like to -- to comment on
33 this.
34 I -- I support abolishing the Battle Mountain Livestock
35 Events Center Advisory Board. But what I'd actually like to see
36 happen is to have the rodeo grounds fall under the control more so
37 with the parks and rec department.
38 I am not comfortable with leasing it to a -- a particular
39 organization. Because like the racetrack, you know, they -- they
40 need their own equipment to maintain the racetrack. It's never

1 been a county entity.
2 And when you have high school rodeo -- I mean, not just
3 a -- a -- a certain organization is using that rodeo grounds.
4 And our county equipment does maintain it.
5 Is I wouldn't have a problem if they want to go ahead and
6 form their 501(c)(4) and -- and have rodeos there but it still be
7 under the direction of Lander County and the parks and recreation
8 for their control so that we can utilize county equipment for
9 maintenance and whatnot.
10 That if -- if you lease it --
11 DISTRICT ATTORNEY HERRERA: It's not my proposal,
12 Commissioner.
13 COMMISSIONER ALLAN: I'm --
14 DISTRICT ATTORNEY HERRERA: I'm just --
15 COMMISSIONER ALLAN: -- not -- I'm directing it to
16 everyone. Okay?
17 DISTRICT ATTORNEY HERRERA: All right.
18 COMMISSIONER ALLAN: Is that's -- I'm -- I'm making a
19 statement.
20 COMMISSIONER BAKKER: But --
21 COMMISSIONER WAITS: And I guess I'm having a real problem
22 of how we can stay in a dual role like that. Like here, you're
23 all on your own. You're autonomous. But wait a minute.
24 So I'm not sure.
25 And the other thing is if they haven't applied for --
26 they're asking for the 501(c)(3), if they haven't even applied
27 for it, we're looking at a year. So what --
28 COMMISSIONER ALLAN: Well --
29 COMMISSIONER WAITS: -- happens in the interim? If we
30 dissolve this, it's gone.
31 DISTRICT ATTORNEY HERRERA: No, we --
32 COMMISSIONER WAITS: And they don't --
33 DISTRICT ATTORNEY HERRERA: -- can't.
34 COMMISSIONER WAITS: -- have anything.
35 DISTRICT ATTORNEY HERRERA: Yeah, we can't (indiscernible).
36 COMMISSIONER WAITS: So I -- I think we're --
37 COMMISSIONER BAKKER: We just need to --
38 COMMISSIONER WAITS: -- jumping the --
39 COMMISSIONER BAKKER: -- wait.
40 COMMISSIONER WAITS: -- gun.

1 COMMISSIONER BAKKER: Yeah.
2 DISTRICT ATTORNEY HERRERA: Yeah.
3 COMMISSIONER ALLAN: Well, --
4 COMMISSIONER BAKKER: So --
5 COMMISSIONER ALLAN: -- as far as -- I mean, if -- if you
6 have a -- a livestock events --
7 COMMISSIONER CLARK: Board.
8 COMMISSIONER ALLAN: -- bo- -- no. If you have -- if you
9 have a rodeo club, a 501(c) rodeo club, they want to put on a
10 rodeo, they go to parks and recs and say: Is the rodeo grounds
11 available at this point? And they can proceed with their rodeo.
12 The high school rodeo association, they want to put on
13 rodeos, they go to the parks and rec and say, "Hey. We want to
14 put on this rodeo at this time."
15 What's the difference?
16 KEITH WESTENGARD: What I'd like to suggest, then, is that
17 this be tabled --
18 CHAIRMAN MILLS: Yep.
19 KEITH WESTENGARD: -- until --
20 CHAIRMAN MILLS: We've got to --
21 KEITH WESTENGARD: -- this --
22 CHAIRMAN MILLS: -- do some more --
23 KEITH WESTENGARD: -- is ready to go.
24 CHAIRMAN MILLS: -- discussion on this.
25 KEITH WESTENGARD: And we will do some homework on it. And
26 when a 501(c)(3) or (4) or (5) or (25) is ready to move forward,
27 --
28 UNDERSHERIFF ROBERT QUICK: No.
29 KEITH WESTENGARD: -- then we'll bring it forward, back to
30 the commission.
31 CHAIRMAN MILLS: Okay.
32 KEITH WESTENGARD: So let -- if we can table it.
33 CHAIRMAN MILLS: We'll table -- we'll table --
34 COMMISSIONER CLARK: Yeah.
35 CHAIRMAN MILLS: -- Item 11.
36 COMMISSIONER CLARK: We'll have to table that.
37 COMMISSIONER BAKKER: Okay.
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40

1 **12) Discussion for possible action to select a date for a Lander**
2 **County Board of Commissioners meeting to be held in Austin,**
3 **Nevada, and all other matters properly related thereto.**
4

5 CHAIRMAN MILLS: Move on to Item Number 12. Discussion for
6 possible action to select a date for a Lander County Board of
7 Commissioners meeting to be held in Austin, Nevada, and all
8 other matters properly related thereto.

9 COMMISSIONER BAKKER: June 12th, Sadie?

10 COUNTY CLERK SULLIVAN: I'm pulling up my calendar real
11 quick. And --

12 COMMISSIONER BAKKER: June.

13 COUNTY CLERK SULLIVAN: -- no. Of course not.

14 COMMISSIONER WAITS: Yeah. June 12th.

15 CHAIRMAN MILLS: What?

16 COMMISSIONER WAITS: What? Was her answer no?

17 CHAIRMAN MILLS: She said no.

18 KEITH WESTENGARD: Last year it was the last meeting in
19 May, I believe. So I don't know if --

20 COMMISSIONER WAITS: When?

21 KEITH WESTENGARD: The last meeting in May, which was May
22 --

23 COMMISSIONER BAKKER: Twenty-fourth?

24 KEITH WESTENGARD: -- 24th.

25 COMMISSIONER BAKKER: That's -- you guys can't do that
26 either.

27 COUNTY CLERK SULLIVAN: That's a tough --

28 COMMISSIONER WAITS: We're doing --

29 COUNTY CLERK SULLIVAN: -- one for us.

30 COMMISSIONER WAITS: -- taxes.

31 COUNTY CLERK SULLIVAN: -- because that's the start of
32 early vote.

33 COMMISSIONER BAKKER: Maybe do the first part of May.

34 UNDERSHERIFF ROBERT QUICK: Candidate (indiscernible).

35 KEITH WESTENGARD: What do we need to vote for? We --

36 COMMISSIONER ALLAN: What -- what about the end of June
37 after the primary's over?

38 And --

39 COUNTY CLERK SULLIVAN: End of June or July.

40 COMMISSIONER ALLAN: First part of July.

1 KEITH WESTENGARD: July?
2 COUNTY CLERK SULLIVAN: Yeah. End of --
3 KEITH WESTENGARD: First --
4 COUNTY CLERK SULLIVAN: -- June or July.
5 KEITH WESTENGARD: So the 12th of June -- July is the
6 first meeting.
7 And June is the --
8 COMMISSIONER ALLAN: The --
9 KEITH WESTENGARD: -- 28th.
10 COMMISSIONER ALLAN: -- 21st. Twenty-eighth.
11 Twenty-eighth. Should we do the 28th of June?
12 COMMISSIONER BAKKER: I -- yeah. Whatever.
13 KEITH WESTENGARD: Whatever --
14 COMMISSIONER BAKKER: You guys --
15 KEITH WESTENGARD: -- you guys --
16 COMMISSIONER BAKKER: -- pick --
17 KEITH WESTENGARD: -- want.
18 COMMISSIONER BAKKER: -- a date.
19 COMMISSIONER WAITS: July.
20 KEITH WESTENGARD: July.
21 CHAIRMAN MILLS: So there's a possibility in -- I may not
22 be here for that.
23 COMMISSIONER BAKKER: Where are you going?
24 CHAIRMAN MILLS: I'm having a grandchild. I'm going to be
25 --
26 COMMISSIONER BAKKER: Well, congratulations.
27 COMMISSIONER CLARK: Yeah.
28 CHAIRMAN MILLS: I'm going to be --
29 COMMISSIONER CLARK: Way --
30 CHAIRMAN MILLS: -- welcoming him --
31 COMMISSIONER CLARK: -- to go.
32 CHAIRMAN MILLS: -- into the world.
33 COMMISSIONER WAITS: So what? You're taking maternity
34 leave; is it?
35 CHAIRMAN MILLS: Yes. I'm taking maternity leave.
36 COMMISSIONER WAITS: Yeah.
37 CHAIRMAN MILLS: Grandparent re- -- maternity leave.
38 COMMISSIONER WAITS: Well, I kind of like July 12th.
39 COMMISSIONER CLARK: July 12th?
40 COMMISSIONER ALLAN: When's the meeting --

1 COMMISSIONER BAKKER: Art, are you missing --
2 COMMISSIONER ALLAN: -- going --
3 COMMISSIONER BAKKER: -- July 12th?
4 KEITH WESTENGARD: Whatever you --
5 COMMISSIONER CLARK: I don't --
6 KEITH WESTENGARD: -- guys would --
7 COMMISSIONER CLARK: -- care.
8 KEITH WESTENGARD: -- like.
9 CHAIRMAN MILLS: July 12th should be fine.
10 COMMISSIONER CLARK: We'll just leave from there.
11 COMMISSIONER BAKKER: Yeah.
12 KEITH WESTENGARD: July the 12th, 2018.
13 CHAIRMAN MILLS: July --
14 COMMISSIONER BAKKER: Okay.
15 CHAIRMAN MILLS: -- the 12th.
16 KEITH WESTENGARD: And --
17 COMMISSIONER BAKKER: Perfect.
18 KEITH WESTENGARD: -- what time would you like to start it
19 at?
20 COMMISSIONER BAKKER: 9:00.
21 KEITH WESTENGARD: Okay.
22 COMMISSIONER CLARK: 8:30.
23 COMMISSIONER BAKKER: 10:00. Whatever you guys want to.
24 KEITH WESTENGARD: (Indiscernible.)
25 COMMISSIONER ALLAN: Yeah.
26 CHAIRMAN MILLS: Patsy --
27 COMMISSIONER ALLAN: 10:00.
28 CHAIRMAN MILLS: -- wants us to --
29 COMMISSIONER CLARK: 7:00 --
30 CHAIRMAN MILLS: -- start at --
31 COMMISSIONER CLARK: -- o'clock.
32 CHAIRMAN MILLS: -- 10:00.
33 COMMISSIONER WAITS: No, 9:00's --
34 COMMISSIONER CLARK: 7:00 o'clock.
35 COMMISSIONER WAITS: -- good.
36 COMMISSIONER CLARK: And then Patsy has to leave Kingston
37 at 6:00.
38 COMMISSIONER WAITS: 9:00 a.m.?
39 COMMISSIONER BAKKER: Yeah. I'm fine --
40 CHAIRMAN MILLS: 9:00?

1 COMMISSIONER BAKKER: -- with that.
2 CHAIRMAN MILLS: That's why --
3 COMMISSIONER BAKKER: You good --
4 CHAIRMAN MILLS: -- it's --
5 COMMISSIONER BAKKER: -- with that, Sadie?
6 COUNTY CLERK SULLIVAN: Yes.
7 COMMISSIONER BAKKER: Thank you.
8 COUNTY CLERK SULLIVAN: (Indiscernible.)
9 COMMISSIONER BAKKER: Yeah. I'm flying down.
10 KEITH WESTENGARD: Make a motion.
11 COMMISSIONER BAKKER: Oh.
12 KEITH WESTENGARD: Please.
13 COMMISSIONER BAKKER: Make a motion.
14 KEITH WESTENGARD: We have to publish it, that's why.
15
16 (Child speaking.)
17
18 COMMISSIONER BAKKER: (Indiscernible.)
19 I'll make a motion to approve the Lander County Board of
20 Commissioners meeting to be held in Austin, Nevada, on
21 July 12th at 9:00 a.m.
22 COMMISSIONER WAITS: I'll second --
23 COMMISSIONER BAKKER: And you --
24 COMMISSIONER WAITS: -- the motion.
25 COMMISSIONER BAKKER: Okay.
26 CHAIRMAN MILLS: Okay. Sean made a motion. Patsy
27 seconded.
28 Do we have any public comment?
29 KEITH WESTENGARD: I've -- you've got -- do we need to
30 check with -- make sure there's nothing? No court or anything?
31 Or -- you going to be okay?
32 CHAIRMAN MILLS: They don't do that on -- they don't do
33 that on Thursday, do they?
34 COMMISSIONER BAKKER: There's no --
35 KEITH WESTENGARD: Well, by --
36 COMMISSIONER BAKKER: -- judge.
37 KEITH WESTENGARD: -- then, there should be.
38 COMMISSIONER WAITS: We don't -- we're not doing court
39 right --
40 COMMISSIONER ALLAN: Yeah, we don't --

1 COMMISSIONER WAITS: -- now, --
2 COMMISSIONER ALLAN: -- have a judge --
3 COMMISSIONER WAITS: -- are we?
4 COMMISSIONER ALLAN: -- yet. So --
5 COMMISSIONER WAITS: And if we do, we won't do it on that
6 Thursday.
7 DISTRICT ATTORNEY HERRERA: Exactly.
8 KEITH WESTENGARD: Okay.
9 COMMISSIONER BAKKER: There's no judge --
10 DISTRICT ATTORNEY HERRERA: (Indiscernible) --
11 CHAIRMAN MILLS: Yeah.
12 COMMISSIONER BAKKER: -- right now.
13 DISTRICT ATTORNEY HERRERA: -- (indiscernible).
14 CHAIRMAN MILLS: Okay.
15 COMMISSIONER BAKKER: Okay.
16 CHAIRMAN MILLS: All in favor?
17 COMMISSIONER BAKKER: Aye.
18 CHAIRMAN MILLS: Aye.
19 COMMISSIONER WAITS: Aye.
20 COMMISSIONER CLARK: Aye.
21 COMMISSIONER ALLAN: Aye.

22
23 13) Discussion for possible action to approve/disapprove the
24 private owner cooperative agreement construction contract
25 between Jay Wintle and Lander County and authorize the chair
26 to sign, and all other matters properly related thereto.
27

28 CHAIRMAN MILLS: Item 13. Discussion for possible action
29 to approve/disapprove the private owner cooperative agreement
30 and construction contract between Jay Wintle and Lander County
31 and authorize the chair to sign, and all other matters properly
32 related thereto.

33 Is this for the road?

34 KEITH WESTENGARD: Yes.

35 COMMISSIONER CLARK: Bert.

36 KEITH WESTENGARD: And it's been reviewed by the DA and the
37 public works.

38 DISTRICT ATTORNEY HERRERA: It's a very simple agreement.

39 Very simple, as you can see, by reading it.

40 It was kept simple for a reason. And --

1 COMMISSIONER WAITS: Certainly shorter than most of them.
2 DISTRICT ATTORNEY HERRERA: Absolutely.
3 Bert did a good job on that.
4 COMMISSIONER ALLAN: And this would be what road, for the
5 record?
6 BERT RAMOS: For 26th out here by Yellow Brick.
7 COMMISSIONER ALLAN: Is this the one --
8
9 (Child speaking.)
10
11 COMMISSIONER ALLAN: -- going over to Allen?
12
13 (Child speaking.)
14
15 BERT RAMOS: Yep.
16 COMMISSIONER ALLAN: Okay. So is it still part -- is it
17 still kind of extension of 26th Street?
18 BERT RAMOS: Uh-huh.
19 COMMISSIONER ALLAN: Okay.
20
21 (Child speaking.)
22
23 COMMISSIONER BAKKER: Is it up to grade?
24 BERT RAMOS: No. That's why he's paying for it. So is --
25 is what --
26
27 (Child laughing.)
28
29 BERT RAMOS: -- we did -- Bert Ramos, for the record --
30 what we did is to make a cleaner contract for the county and for
31 the landowner, we partnered. We put out our competitive bid.
32 And he's reimbursing the county for what would have been his
33 responsibility of building the road to the county standard in
34 our bid. So he's reimbursing us for the cost of that.
35 COMMISSIONER BAKKER: Okay.
36 I'll make a motion to approve the private owner cooperative
37 agreement construction contract between Jay Wintle and Lander
38 County and authorize the chair to sign.
39 COMMISSIONER ALLAN: Second.
40 CHAIRMAN MILLS: Sean made a motion. Judie seconded.

1 Do we have any public comment?
2 (No comment.)
3 CHAIRMAN MILLS: All in favor?
4 COMMISSIONER BAKKER: Aye.
5 CHAIRMAN MILLS: Aye.
6 COMMISSIONER WAITS: Aye.
7 COMMISSIONER CLARK: (Indiscernible.)

8

9 **14) Discussion and possible action regarding a policy to prohibit**
10 **county employees from putting political signs on personal**
11 **vehicles while parking in county-only parking areas, and all**
12 **other matters properly related thereto.**

13

14 CHAIRMAN MILLS: Item 14. Discussion and possible action
15 regarding a policy to prohibit county employees from putting
16 political signs on personal vehicles while parked in the county
17 park- -- county-only parking areas, and all other matters
18 properly related thereto.

19 COMMISSIONER BAKKER: Uh-uh.

20 KEITH WESTENGARD: So I'm asking the board to put a policy
21 in place to do exactly what it says, to -- to not allow county
22 employees with political signs on their vehicles to park just in
23 the back parking lot, the county-only parking lot.

24 CHAIRMAN MILLS: So when we --

25 COMMISSIONER BAKKER: I say we --

26 CHAIRMAN MILLS: -- say -- when we say "county-only parking
27 lot," we're only talking about the back of this building?

28 KEITH WESTENGARD: Only the back of this fenced-in --

29 CHAIRMAN MILLS: We're not talking --

30 KEITH WESTENGARD: -- area.

31 CHAIRMAN MILLS: -- about any other --

32 KEITH WESTENGARD: Every other --

33 CHAIRMAN MILLS: -- any other county property or --

34 KEITH WESTENGARD: Because they're all public parking in --
35 in all the other county areas that -- that would be fenced in.

36 CHAIRMAN MILLS: Okay. Do we have any county-only parking
37 areas in Austin that we need to maybe identify or --

38 KEITH WESTENGARD: No.

39 CHAIRMAN MILLS: Okay.

40 COMMISSIONER WAITS: I -- I --

1 KEITH WESTENGARD: I -- I take that --
2 COMMISSIONER WAITS: -- personally have a -- have a real
3 problem with this, though. Because I know the federal
4 government actually had passed some laws and even our state,
5 like the Legislative Council Bureau, which is nonpolitical.
6 And -- and they have some very strict laws. They can't even
7 promote anything on their own time, I mean, basically to show
8 that they might be more --
9 CHAIRMAN MILLS: Wow.
10 COMMISSIONER WAITS: -- towards one candidate than another.
11 They're very strict.
12 But all the rest of us haven't taken any kind of a
13 position.
14 And for us to set a policy when it's basically their
15 personal property -- I mean, the only thing that's really
16 touching is four tires. And I'm saying, those four tires can't
17 have anything on it. But the rest is their personal property.
18 And -- and I'm real concerned with freedom of speech. I mean,
19 if they want to put a Trump sign or a -- an Obama sign or -- or,
20 you know, ballot question number one, whatever. I -- I --
21 COMMISSIONER ALLAN: Or even --
22 COMMISSIONER WAITS: For us --
23 COMMISSIONER ALLAN: -- an --
24 COMMISSIONER WAITS: -- to set --
25 COMMISSIONER ALLAN: -- NRA.
26 COMMISSIONER WAITS: -- a policy --
27 CHAIRMAN MILLS: I think you're -- I think that's a good
28 point. Do we -- do we have any legal direction on that? Do --
29 can we restrict somebody from doing that with their --
30 DISTRICT ATTORNEY HERRERA: You can --
31 CHAIRMAN MILLS: -- private property.
32 DISTRICT ATTORNEY HERRERA: -- you can technically restrict
33 them in employee-only parking.
34
35 (Child speaking.)
36
37 DISTRICT ATTORNEY HERRERA: You -- you do -- you do have --
38 you may have some people that are aggrieved by it that -- and
39 may challenge it. But I think it's safe. But in -- in -- you
40 certainly --

1 (Child speaking.)

2

3 DISTRICT ATTORNEY HERRERA: -- can't, in my opinion, you
4 can't restrict it in -- in a parking place where the public has
5 access to. You have the First Amendment constitutional right.

6 COMMISSIONER WAITS: No, I -- I understand that, --

7

8 (Child speaking.)

9

10 DISTRICT ATTORNEY HERRERA: And --

11 COMMISSIONER WAITS: -- perfectly. But I have a real
12 problem even in our employee lot --

13 DISTRICT ATTORNEY HERRERA: Well, no. There's --

14 COMMISSIONER WAITS: -- restricting freedom of speech.

15 DISTRICT ATTORNEY HERRERA: Yeah.

16 COMMISSIONER WAITS: I -- I truly do. And I think --

17 DISTRICT ATTORNEY HERRERA: No, the argument goes to there,
18 Patsy.

19 COMMISSIONER WAITS: So --

20 DISTRICT ATTORNEY HERRERA: I'm not arguing against --

21 COMMISSIONER WAITS: -- I would --

22 DISTRICT ATTORNEY HERRERA: -- that.

23 COMMISSIONER WAITS: -- hate to see us set a policy.

24 That's just --

25 COMMISSIONER CLARK: I don't --

26 COMMISSIONER WAITS: -- personal.

27 COMMISSIONER CLARK: -- I don't think there's a whole lot
28 of freedom of speech in a public agency, if you really get into
29 the law.

30 DISTRICT ATTORNEY HERRERA: But --

31 COMMISSIONER CLARK: There's --

32 COMMISSIONER WAITS: Oh.

33 COMMISSIONER CLARK: -- not.

34 COMMISSIONER WAITS: But -- but there is.

35 COMMISSIONER CLARK: No, there's not.

36 COMMISSIONER WAITS: Oh. Well --

37 COMMISSIONER CLARK: No, there's --

38 CHAIRMAN MILLS: And -- and --

39 COMMISSIONER CLARK: -- not.

40 CHAIRMAN MILLS: -- here we come into our argument here,

1 because all -- so if we -- we pass a policy and somebody
2 contests it, do we win or do we lose?
3 COMMISSIONER WAITS: Oh.
4 DISTRICT ATTORNEY HERRERA: That's a good question.
5 Because --
6 COMMISSIONER WAITS: The answer is yes.
7 DISTRICT ATTORNEY HERRERA: Yeah.
8 CHAIRMAN MILLS: We -- we win and --
9 DISTRICT ATTORNEY HERRERA: We do --
10 CHAIRMAN MILLS: -- we lose.
11 DISTRICT ATTORNEY HERRERA: -- one of them. But do you --
12 do you want to fight that fight when -- when you got first --
13 you got constitutional things going on here that -- that -- that
14 allow people to freedom of association, freedom of expression.
15 And -- and you're going against some First Amendment strong
16 rights.
17 CHAIRMAN MILLS: Right.
18 DISTRICT ATTORNEY HERRERA: So then you get into employment
19 law. And as Arthur points out, there has been a lack of right
20 of privacy and stuff in employment contracts. But that is a
21 changing area because society changes. So that is changing. So
22 I don't know how -- who would win that one.
23 CHAIRMAN MILLS: Okay.
24 DISTRICT ATTORNEY HERRERA: Particularly when you go into
25 some --
26 COMMISSIONER BAKKER: Hey, let's table this till after
27 November.
28 CHAIRMAN MILLS: If -- yeah -- if -- if we don't make a
29 policy and somebody parks in the back with their sign on their
30 car, --
31 UNIDENTIFIED PARTICIPANT: Do we get in trouble --
32 CHAIRMAN MILLS: -- do we get in trouble for that?
33 DISTRICT ATTORNEY HERRERA: No.
34 COMMISSIONER WAITS: No.
35 COMMISSIONER CLARK: Well, --
36 DISTRICT ATTORNEY HERRERA: Absolutely --
37 COMMISSIONER CLARK: -- what I think --
38 DISTRICT ATTORNEY HERRERA: -- not.
39 COMMISSIONER CLARK: -- what I think we're being asked to
40 do is to support Keith's memo about -- politicking on company

1 time.

2 DISTRICT ATTORNEY HERRERA: That -- that gets into -- is
3 that -- if you have a freedom of expression, is it really
4 politicking?

5 COMMISSIONER WAITS: Well, if we're going to take it
6 literally, they park before they come to work and they leave
7 after they've left work.

8 So we're --

9 DISTRICT ATTORNEY HERRERA: Right.

10 COMMISSIONER WAITS: -- not talking politicking on
11 company --

12 DISTRICT ATTORNEY HERRERA: Right.

13 COMMISSIONER WAITS: -- time. I --

14 DISTRICT ATTORNEY HERRERA: Right.

15 COMMISSIONER WAITS: -- mean, there's a lot of ways to look
16 at this. I just hate to see us in the middle of a policy that
17 might --

18 DISTRICT ATTORNEY HERRERA: It's --

19 COMMISSIONER WAITS: -- cause some problems.

20 CHAIRMAN MILLS: Right.

21 COMMISSIONER WAITS: And let's face it, we're a very small
22 county.

23 And, yes, I think everybody in this building knows who's
24 running and who's not running. And if they put 15 signs on
25 their vehicle, I can't see where that's going to influence one
26 over another. I just hate to see us in the middle of --

27 CHAIRMAN MILLS: Yeah.

28 COMMISSIONER WAITS: -- a policy.

29 COMMISSIONER ALLAN: I'd like to read something. And this
30 was from January -- January 11th, 2018. This was from our
31 chairman.

32 I'd like to state on public record that this being an
33 election year and we have a lot of offices that are open for
34 election, I understand we have a lot of people in the community
35 that will put in a -- in to fill for these positions. And I would
36 recommend that we wholeheartedly support those that we want to
37 support. But I would also recommend that if there are those that
38 you do not support that we be kind to them through this election
39 process.

40 All these people, in seeking these positions, are friends,

1 family, and neighbors. And I'd like to ask -- I would like to
2 petition our community --

3
4 (Child speaking.)

5
6 COMMISSIONER ALLAN: -- to be nice to them even if we don't
7 support them, but wholeheartedly support those --

8
9 (Child speaking.)

10
11 COMMISSIONER ALLAN: -- that you would seek to achieve
12 these offices.

13 Okay. Let's all be adults here and park -- I mean, what --
14 what's the big deal?

15 If you want to park in the back, it's your private property.
16 It may be on county property. But you know what? Art's got NRA
17 signs on his pickups.

18 COMMISSIONER CLARK: What does --

19 COMMISSIONER ALLAN: Granted --

20 COMMISSIONER CLARK: -- NRA have to do with politics?

21 Nobody from NRA is running for a --

22 COMMISSIONER ALLAN: Art, --

23 COMMISSIONER CLARK: -- county --

24 COMMISSIONER ALLAN: -- it's --

25 COMMISSIONER CLARK: -- office.

26 COMMISSIONER ALLAN: We're talking --

27 COMMISSIONER CLARK: My, God. That is ridiculous. NRA.

28 COMMISSIONER ALLAN: Ex- --

29 COMMISSIONER CLARK: My, God.

30 COMMISSIONER ALLAN: Excuse --

31 COMMISSIONER BAKKER: Okay.

32 COMMISSIONER ALLAN: -- me.

33 COMMISSIONER CLARK: No. There is no excusing you. That's
34 ridiculous.

35 There -- NRA sign has nothing to do --

36 COMMISSIONER ALLAN: It's --

37 COMMISSIONER CLARK: -- with county --

38 COMMISSIONER ALLAN: -- pol- --

39 COMMISSIONER CLARK: -- politics.

40 COMMISSIONER ALLAN: We're not talking county politics.

1 Does it specifically say county politics --
2 UNIDENTIFIED PARTICIPANT: Pretty much.
3 COMMISSIONER ALLAN: -- in this --
4 COMMISSIONER CLARK: County- --
5 COMMISSIONER ALLAN: -- agenda?
6 COMMISSIONER CLARK: -- -only parking area.
7 DISTRICT ATTORNEY HERRERA: Yeah.
8 COMMISSIONER ALLAN: Putting political signs. Does it say
9 county politics?
10 COMMISSIONER CLARK: NRA --
11 COMMISSIONER ALLAN: I am --
12 COMMISSIONER CLARK: -- is not a political sign.
13 It is not a political sign, Judie.
14 COMMISSIONER ALLAN: You know, Art.
15 COMMISSIONER CLARK: I know a lot, Judie. And I know that
16 NRA is not a political entity.
17 COMMISSIONER ALLAN: Okay. Let me finish.
18 As Patsy stated, you know, prior elections, when we were
19 voting for a president and you might have bumper stickers or you
20 might have ballot items, --
21
22 (Child speaking.)
23
24 COMMISSIONER ALLAN: -- is it's every person's individual
25 right to put that on their vehicles.
26 We do not have a policy stating you can't.
27 Employee parking only. You know, the highway patrol is not
28 employees of Lander County. They are state employees. And they
29 park back there.
30 So this whole thing about whining about people parking with
31 political signs in employee parking lot is ridiculous.
32 We are to support our candidates.
33 If you have a problem with that individual, keep it to
34 yourself or in the privacy of your home. It has no business being
35 brought before this board.
36 KEITH WESTENGARD: I respectfully withdraw my agenda
37 request. I would like a sign of yours and yours and yours and
38 yours, please.
39 Thank you.
40 COMMISSIONER CLARK: You're welcome, Keith.

1 COMMISSIONER BAKKER: Thank you.
2 KEITH WESTENGARD: Okay.

3
4 15) Discussion for possible action to approve/disapprove the FAA
5 agreement for professional services with J-U-B Engineers,
6 Inc., to realign Taxiway C, A.I.P. 3-32-0001-027 at the
7 Battle Mountain Airport in the amount of \$158,639, and all
8 other matters properly related thereto.
9

10 CHAIRMAN MILLS: Okay. We'll move on to Item Number 15.
11 Discussion for possible action to approve/disapprove the FAA
12 agreement for professional services with J-U-B Engineers, Inc., to
13 realign Taxiway C, A.I.P. 3-32-0001-027 at the Battle Mountain
14 Airport in the amount of \$158,639, and all other matters properly
15 related thereto.

16 COMMISSIONER BAKKER: Okay.

17 KEITH WESTENGARD: I'm trying to think.

18 CHAIRMAN MILLS: So Taxiway C's one that's been in the
19 works for quite some time.

20 KEITH WESTENGARD: And that's --

21 CHAIRMAN MILLS: We're trying to --

22 KEITH WESTENGARD: -- our --

23 CHAIRMAN MILLS: -- get --

24 KEITH WESTENGARD: -- portion.

25 CHAIRMAN MILLS: Yeah. The FAA's finally going to come
26 through that. They're paying ninety- --

27 KEITH WESTENGARD: Ninety-four --

28 CHAIRMAN MILLS: -- -three percent --

29 KEITH WESTENGARD: -- point --

30 CHAIRMAN MILLS: -- of that?

31 KEITH WESTENGARD: -- ninety -- 93.75 percent.

32 CHAIRMAN MILLS: Yeah.

33 COMMISSIONER BAKKER: And our chunk's the 158-?

34 CHAIRMAN MILLS: Yeah. This is our piece --

35 KEITH WESTENGARD: Correct.

36 CHAIRMAN MILLS: -- of it.

37 COMMISSIONER BAKKER: Okay.

38 KEITH WESTENGARD: \$158,639.

39 COMMISSIONER BAKKER: No wonder they're trying to cut
40 funding.

1 CHAIRMAN MILLS: I know. And that's just for the taxiway.
2 KEITH WESTENGARD: Yeah.
3 CHAIRMAN MILLS: Imagine doing the whole runway.
4 COMMISSIONER BAKKER: Right.
5 Okay.
6 And I'll make a motion to approve the FFA [verbatim]
7 agreement of -- for professional services, J-U-B Engineers,
8 Incorporated, to realign Taxiway C, A.I.P. 3-32-0001-027 Battle
9 Mountain Airport in the amount of \$158,639 and authorize the chair
10 to sign.
11 COMMISSIONER CLARK: Second.
12 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
13 Do we have any public comment?
14 (No comment.)
15 CHAIRMAN MILLS: All in favor?
16 COMMISSIONER BAKKER: Aye.
17 CHAIRMAN MILLS: Aye.
18 COMMISSIONER ALLAN: Aye.
19 COMMISSIONER WAITS: Aye.
20 COMMISSIONER CLARK: Aye.

21
22
23 **CORRESPONDENCE**

24
25 **16) Correspondence, reports, potential upcoming agenda items.**

26
27 CHAIRMAN MILLS: Move to correspondence. Correspondence,
28 reports, potential upcoming agenda items.

29
30 (The following correspondence was received:

31 1. State of Nevada, Department of Conservation & Natural
32 Resources to Damon Borden, Alsaker Corporation, regarding
33 Groundwater Monitoring and LNAPL Recovery Report -- Fourth
34 Quarter 2017.)

35
36 KEITH WESTENGARD: Do we reagendaize Number 14?

37 COMMISSIONER BAKKER: You --

38 KEITH WESTENGARD: Sorry.

39 COMMISSIONER BAKKER: -- beat me to the punch line.

40 KEITH WESTENGARD: I'm sorry.

1 CHAIRMAN MILLS: No.
2 COMMISSIONER CLARK: Keith -- Keith -- oh, this is
3 correspondence. Okay.
4 COMMISSIONER WAITS: Frivolity. Frivolity.
5 COMMISSIONER BAKKER: I don't -- everything else, all of
6 the artifacts thing with the State of Nevada museum.
7 KEITH WESTENGARD: Oh, okay. Yeah. So we'll --
8 COMMISSIONER BAKKER: And I'll get the wording on that --
9 KEITH WESTENGARD: Also --
10 COMMISSIONER BAKKER: -- or to make sure.
11 KEITH WESTENGARD: -- also what --
12 CHAIRMAN MILLS: (Indiscernible.)
13 KEITH WESTENGARD: There's some discussions --
14 CHAIRMAN MILLS: (Indiscernible.)
15 COMMISSIONER BAKKER: Yeah.
16 KEITH WESTENGARD: I think I'd like to see if the
17 commission is okay with going back over the tentative budget at
18 the next meeting, prior to our final budget hearing.
19 And --
20 CHAIRMAN MILLS: Oh, right.
21 KEITH WESTENGARD: -- maybe work a few things out at that
22 point so that that -- that final budget workshop is not drug out
23 for a long time.
24 COMMISSIONER CLARK: Sounds good to me.
25 KEITH WESTENGARD: Okay. So if -- probably have that on
26 the April 24th meeting.
27 COMMISSIONER BAKKER: Anything else?
28 CHAIRMAN MILLS: I can't think of anything.

29
30
31 **PUBLIC COMMENT**

32
33 CHAIRMAN MILLS: Okay. We'll go to public comment for
34 nonagendized items only.

35
36 (Child speaking.)
37

38 CHAIRMAN MILLS: Persons are invited to submit comments in
39 writing and/or attend and make comment on -- on any nonagenda
40 item at the board meeting, if any, and discussion of those

1 comments at the discretion of the board. All public comment may
2 be limited to three minutes per person, again at the discretion
3 of the board. Reasonable restrictions may be placed on public
4 comment based upon time, place, and manner, but public comment
5 based upon viewpoint may not be restricted.
6

7 (Toy making sounds.)
8

9 CHAIRMAN MILLS: Do we have any public comment?
10

11 (Child speaking.)
12
13

14 **ADJOURNMENT**
15

16 CHAIRMAN MILLS: Okay. Motion to adjourn?
17

18 COMMISSIONER BAKKER: I'll make a motion to adjourn.
19

20 COMMISSIONER CLARK: Second.
21

22 CHAIRMAN MILLS: All in favor?
23


24 COMMISSIONER BAKKER: Aye.
25

26 CHAIRMAN MILLS: Aye.
27

28 COMMISSIONER WAITS: Aye.
29

30 COMMISSIONER CLARK: Aye.
31

32 (Meeting ended at 11:02 a.m.)
33
34

35 
36 _____
37 **CHAIRMAN OR VICE CHAIRMAN OF THE**
38 **BOARD OF LANDER COUNTY**
39 **COMMISSIONERS AND THE LANDER**
40 **COUNTY LIQUOR BOARD**

34
35 **ATTEST:**

36 
37 _____
38 **LANDER COUNTY CLERK**

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

1 STATE OF UTAH)
2) ss.
3 COUNTY OF DAVIS)
4
5
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"
10
11 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE
12
13 THE 12TH DAY OF APRIL, 2018, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO/VIDEO RECORDING ALLOWED.
20

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

25
26 _____
27 TIFFANY ELKINGTON, CCR #930
28
29
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<p>BERT RAMOS: [11] 11/23 11/26 24/30 24/34 24/36 24/38 71/5 71/13 71/17 71/23 71/27 BRADY GRIFFITHS: [23] 30/26 30/28 34/4 34/7 34/9 34/11 34/13 34/17 34/21 34/23 34/25 34/27 34/29 34/33 34/35 34/40 35/3 35/6 35/8 35/10 35/12 35/15 35/18 CARYNN CONDER: [24] 57/1 57/3 57/5 57/7 57/9 57/13 57/24 57/28 57/30 57/40 58/2 58/4 58/7 58/12 58/21 58/24 58/28 58/34 59/5 59/7 59/9 59/14 59/16 59/26 CHAIRMAN MILLS: [248] COMMISSIONER ALLAN: [174] COMMISSIONER BAKKER: [263] COMMISSIONER CLARK: [147] COMMISSIONER WAITS: [217] COUNTY CLERK SULLIVAN: [16] 56/19 56/21 56/24 56/26 56/29 56/32 66/9 66/12 66/26 66/28 66/30 66/38 67/1 67/3 69/5 69/7 DISTRICT ATTORNEY HERRERA: [165] JEANNE FALZONE: [2] 35/21 50/32 JOYCE TOSTE: [32] 35/39 36/3 36/15 36/32 36/36 36/38 37/3 38/27 39/6 39/40 40/2 40/9 40/25 40/27 40/31 40/33 40/35 41/18 42/6 42/8 42/25 42/27 42/36 43/1 43/22 43/27 43/36 43/38 43/40 44/2 44/7 44/26 KEITH PIAZZA: [15] 10/13 10/16 10/26 10/28 10/30 10/33 10/36 11/1 11/4 11/7 11/9 11/11 11/13 11/16 11/19 KEITH WESTENGARD: [114] TIM HOLLAND: [53] 35/38 36/1 36/4 36/12 36/20 36/23 36/28 36/31 36/35 37/13 38/28 39/27 40/1 40/3 40/10 40/22 40/26 40/32 40/34 40/36 41/17 41/22 42/7 42/9 42/33 42/35 42/37 42/39 43/3 43/21 43/23 43/28 43/37 43/39 44/1 44/3 44/17 44/21 44/23 44/25 44/33 44/36 44/39 45/15 45/26 45/30 46/10 46/13 46/15 47/11 47/15 47/21 47/37 UNDERSHERIFF ROBERT QUICK: [2] 65/27 66/33 UNIDENTIFIED PARTICIPANT: [6] 11/30 36/11 37/11 45/7 75/30 78/1</p>	<p>0 0 percent [1] 60/20 01 [3] 50/18 50/25 50/39 02 [2] 51/15 51/22 027 [3] 79/6 79/13 80/8 03 [3] 30/17 30/22 31/8 04 [1] 61/27</p>
<p>\$ \$1,118,000 [2] 60/9 60/20 \$1.1 [1] 38/24 \$1.1 million [1] 38/24 \$10 [1] 47/27 \$150 [1] 8/9 \$158,639 [4] 79/7 79/14 79/38 80/9 \$256,000 [2] 60/7 60/14 \$293,000 [1] 40/14 \$5 [1] 6/25 \$5 million [1] 6/25 \$500 [1] 47/26 \$505.13 [1] 38/1 \$6.5 [1] 5/39 \$6.5 million [1] 5/39 \$682.04 [1] 38/2 \$80,000 [1] 6/33 ' '18 [2] 6/38 37/30 '18/'19 [1] 6/38 '19 [1] 6/38 - -only [1] 78/6 -three [1] 79/28 . .org [1] 61/23</p>	<p>1 1.5 million [2] 6/29 6/32 1/31/17 [1] 37/30 10 [4] 4/3 12/14 61/1 61/5 10 billion [1] 4/3 104.9 percent [1] 38/5 10:00 [3] 68/23 68/27 68/32 10:00 a.m [1] 4/14 10:06 [1] 37/7 10th [1] 12/35 11 [4] 4/15 62/6 62/12 65/35 11:02 [1] 82/25 11th [1] 76/30 12 [7] 1/4 12/8 38/24 47/5 48/2 66/1 66/5 12-year-old [1] 33/17 125.5 percent [2] 38/14 38/19 12:00 p.m [1] 1/37 12th [13] 1/24 13/3 66/9 66/14 67/5 67/38 67/39 68/3 68/9 68/12 68/15 69/21 83/13 13 [2] 70/23 70/28 131 percent [1] 38/16 135 [1] 38/12 14 [4] 30/18 72/9 72/14 80/36 14th [2] 6/6 30/23 15 [4] 47/5 76/24 79/4 79/10 158 [1] 79/33 15th [1] 31/9 16 [1] 80/25 166.3 [1] 38/11 17 [3] 6/32 37/30 61/13 18-month [1] 37/27 19 [2] 12/11 41/3 1985 [1] 26/6 1996 [1] 47/4 19th [3] 12/21 12/36 12/37 1:15 p.m [1] 1/37 1st [1] 47/13</p> <p>2 2 billion [1] 4/4 20 [3] 12/12 33/1 41/8 201,373 [1] 39/31 2014 [1] 47/13 2017 [1] 80/34 2018 [19] 1/4 1/24 4/7 12/8 12/9 12/10 12/11 12/12 12/13 12/14 13/3 30/18 30/23 31/9 41/23 61/28 68/12 76/30 83/13 2018-01 [3] 50/18 50/25 50/39 2018-02 [2] 51/15 51/22 2018-03 [3] 30/17 30/22 31/8 2018-04 [1] 61/27 2018-2019 [2] 35/31 35/36 2019 [5] 35/31 35/36 48/21 48/28 50/1 20th [2] 7/11 12/34 21st [2] 4/13 67/10 22 [2] 12/9 12/13 229,000 [1] 40/14 22nd [2] 12/18 12/35 235,000 [1] 9/5</p>

<p>2</p> <p>23rd [1] 3/27 24 [1] 41/8 24th [2] 66/24 81/26 25 [5] 28/8 39/6 39/12 57/38 65/26 25 percent [1] 7/12 250 [1] 47/26 26th [2] 71/6 71/17 28th [2] 67/9 67/11 2nd [1] 4/8</p>	<p>9:00 [3] 1/4 68/20 68/40 9:00 a.m [2] 68/38 69/21 9:00 o'clock [1] 8/26 9:00's [1] 68/33 9:54 [1] 37/7</p>
<p>3</p> <p>3-32-0001-027 [3] 79/6 79/13 80/8 3.5 million [1] 6/27 3/31 [1] 37/30 30 [6] 17/4 27/10 27/17 29/13 48/21 50/1 300 feet [1] 58/14 300-and-some [1] 12/22 300-yard [1] 10/18 305 [1] 1/4 30th [1] 48/28 31 [1] 37/30 343.5 [1] 38/12 35.9 percent [1] 42/10 380,000 [1] 9/7 3:00 o'clock [1] 8/11</p>	<p>A</p> <p>A.I.P [3] 79/6 79/13 80/8 abolish [1] 62/33 abolishing [3] 62/7 62/13 63/34 absorb [1] 7/37 abundance [1] 20/39 access [2] 61/22 74/5 accident [1] 45/21 accused [1] 30/39 acetaminophen [1] 39/9 achieve [1] 77/11 Act [1] 47/14 acted [2] 12/1 12/4 action [39] 12/2 18/5 19/13 19/19 19/27 19/38 22/39 25/29 25/35 27/8 27/15 29/36 30/16 30/22 35/30 35/35 48/18 48/25 48/33 48/38 48/40 49/20 49/30 50/17 50/24 51/14 51/21 61/1 61/6 62/6 62/12 66/1 66/6 70/23 70/28 72/9 72/14 79/4 79/11 action's [1] 19/23 active [5] 41/17 42/1 42/2 42/6 42/8 activities [1] 33/25 add [4] 51/16 51/22 55/4 55/39 additional [1] 6/23 adjourn [2] 82/16 82/17 adjusted [1] 42/18 administration [3] 1/3 43/19 61/17 adopt [1] 57/20 adults [1] 77/13 advantages [1] 47/7 advisory [7] 48/19 48/26 49/40 62/8 62/14 63/9 63/35 Aetna [1] 46/24 Af [1] 17/4 affairs [1] 4/35 affect [3] 17/17 39/24 55/2 affected [1] 6/9 afford [1] 7/34 Affordable [1] 47/14 against [3] 5/30 74/20 75/15 age [2] 37/21 41/1 age-gender [2] 37/21 41/1 agencies [1] 7/9 agency [1] 74/28 agenda [26] 1/38 1/40 2/36 3/23 9/31 11/37 11/39 11/40 12/4 12/5 12/8 13/3 19/1 23/7 28/2 28/19 49/2 49/4 49/10 52/36 53/2 60/36 78/5 78/36 80/25 80/28 agendized [1] 49/37 aggressive [1] 43/8 aggrieved [1] 73/38 ago [7] 6/15 14/14 18/29 20/32 33/1 42/21 45/32 agree [3] 16/14 59/25 61/25 agreed [3] 6/9 14/32 15/15 agreement [8] 23/13 70/24 70/29 70/38 71/37 79/5 79/12 80/7 agreements [2] 47/25 47/29 air [3] 28/12 40/1 40/2 AirOne [1] 39/40 Airport [3] 79/7 79/14 80/9 alignment [1] 8/39 ALLAN [2] 1/11 23/23 Allegiance [2] 1/25 1/28 Allen [1] 71/11 allow [4] 54/5 55/7 72/21 75/14</p>
<p>4</p> <p>4,000 [1] 48/3 45 [2] 41/9 41/10 4:00 [1] 8/32</p>	
<p>5</p> <p>5.04 [3] 50/18 50/26 50/39 5.06 [3] 50/18 50/26 50/39 5.24 [3] 50/19 50/26 50/40 50 [5] 1/4 29/23 60/8 60/15 60/26 501 [11] 62/9 62/15 62/17 63/17 63/18 63/28 63/29 64/6 64/26 65/9 65/26 59 [1] 39/11</p>	
<p>6</p> <p>60 [2] 41/9 41/33 60-plus [1] 41/16 64 [2] 41/9 41/10 6:00 [1] 68/37</p>	
<p>7</p> <p>73 [1] 43/12 7:00 [2] 68/29 68/34</p>	
<p>8</p> <p>8.46 [4] 51/16 51/22 55/40 56/6 80 percent [1] 38/22 80,000 [2] 6/37 6/39 806 [2] 10/31 11/1 81 percent [1] 43/13 850,000 [1] 38/25 8:30 [1] 68/22 8th [3] 12/18 30/23 31/8</p>	
<p>9</p> <p>90-day [1] 41/34 93.75 percent [1] 79/31 930 [2] 1/5 83/27 95 [1] 45/18</p>	

<p>A</p> <p>allowable [1] 32/24 allowed [2] 57/37 83/19 Alsaker [1] 80/32 always [2] 31/37 32/4 amazed [1] 33/1 amazing [1] 47/1 ambulance [2] 40/1 40/2 amending [6] 50/18 50/25 50/39 51/15 51/22 55/38 amendment [5] 5/25 55/14 57/4 74/5 75/15 American [2] 4/12 28/6 Amodei [3] 13/30 13/34 17/7 amount [5] 41/29 43/9 79/7 79/14 80/9 analgesics [1] 38/40 analysis [2] 3/33 5/9 And just [1] 7/23 And we [1] 20/39 and/or [2] 9/38 81/39 animal [1] 2/31 animals [1] 2/33 answer [3] 32/1 66/16 75/6 antivirals [1] 38/40 appears [1] 60/27 applicants [1] 57/18 application [5] 27/9 27/16 28/28 28/28 29/12 applications [1] 57/17 applied [2] 64/25 64/26 appoin [1] 48/25 appoint [2] 48/18 48/25 appointments [2] 43/33 48/16 appreciate [6] 17/39 18/40 25/15 34/38 43/15 43/16 approach [1] 21/23 approval [15] 2/11 12/8 12/9 12/10 12/10 12/11 12/12 12/14 12/15 12/15 19/28 23/27 24/5 24/37 48/40 approve [27] 11/24 13/2 26/4 26/16 27/8 27/15 29/11 29/38 30/16 30/22 31/7 50/17 50/25 50/34 50/38 53/29 56/6 61/26 62/6 62/13 69/19 70/23 70/29 71/36 79/4 79/11 80/6 approve/disapprove [12] 27/8 27/15 30/16 30/22 50/17 50/25 62/6 62/13 70/23 70/29 79/4 79/11 approved [12] 5/16 12/19 19/29 19/32 19/35 24/17 24/18 52/14 54/8 54/10 54/11 54/19 approving [1] 53/32 April [23] 1/4 1/24 4/8 4/11 4/26 5/18 7/11 12/8 12/14 12/35 13/3 30/17 30/18 30/23 30/23 31/8 31/9 61/2 61/7 61/21 61/28 81/26 83/13 April 10 [1] 12/14 April 12 [1] 12/8 April 12th [2] 1/24 13/3 April 14th [1] 30/23 April 15th [1] 31/9 April 2018 [1] 61/28 April 24th [1] 81/26 April 2nd [1] 4/8 April 8th [2] 30/23 31/8 Arbor [1] 28/22 archery [1] 5/12 area [10] 13/32 25/31 25/37 26/6 26/18 40/38 41/10 72/30 75/21 78/6 areas [7] 28/25 47/17 51/32 72/11 72/17 72/35 72/37 aren't [1] 60/32 arguing [1] 74/20 argument [3] 63/21 74/17 74/40 ART [17] 1/9 1/26 5/36 13/6 26/22 29/18 29/19 33/31 40/8 46/19 46/39 50/4 51/4 68/1 77/22 78/14 80/12 Art's [1] 77/16 Arthur [2] 49/14 75/19</p>	<p>artifacts [7] 25/30 25/36 26/5 26/8 26/12 26/17 81/6 aspect [2] 7/29 53/8 Assemblywoman [1] 4/34 Assessor's [3] 50/21 50/28 51/2 assign [1] 40/17 assigned [1] 40/19 assisting [1] 15/4 association [6] 9/23 47/13 47/18 47/20 65/12 75/14 asthma [1] 38/40 att [1] 9/15 attach [2] 32/2 32/3 attend [4] 2/25 5/4 9/39 81/39 attended [7] 2/4 4/9 4/16 7/7 7/8 7/16 9/15 ATTORNEY [2] 1/14 10/1 attorneys [1] 61/18 AUDIO [2] 83/11 83/19 AUDIO/VIDEO [2] 83/11 83/19 Austin [25] 1/18 1/23 4/9 4/20 5/14 6/6 9/2 9/3 27/11 27/17 28/9 29/13 36/27 37/10 40/29 44/39 44/40 60/8 60/19 60/26 66/2 66/7 69/20 72/37 82/40 Authority [2] 5/10 40/5 authorize [9] 27/11 27/18 29/14 56/13 61/30 70/25 70/31 71/38 80/9 autonomous [1] 64/23 available [3] 12/5 12/6 65/11 avenues [1] 13/34 award [1] 57/22 aware [6] 14/7 17/40 19/24 22/2 23/8 44/16 away [2] 38/30 47/13 Aye [54] 13/10 13/11 13/12 13/13 13/14 29/27 29/28 29/29 29/30 29/30 29/30 29/31 33/35 33/36 33/37 33/38 33/39 50/8 50/9 50/10 50/11 50/12 51/8 51/9 51/10 51/11 51/12 59/37 59/38 60/2 60/3 61/39 61/40 62/1 62/2 62/3 62/4 70/17 70/18 70/19 70/20 70/21 72/4 72/5 72/6 80/16 80/17 80/18 80/19 80/20 82/20 82/21 82/22 82/23</p> <p>B</p> <p>background [5] 13/29 14/1 14/27 21/34 21/40 bad [8] 6/12 10/20 11/13 11/15 24/25 24/26 43/5 46/28 bag [1] 36/16 BAKKER [2] 1/8 8/34 balloons [1] 43/13 ballot [5] 34/4 34/6 34/19 73/20 78/20 band [1] 38/31 Banner [1] 39/38 bargaining [2] 47/25 47/28 base [4] 37/29 37/32 38/5 41/6 Basin [1] 15/33 bat [1] 12/17 battle [17] 1/3 1/22 2/28 4/21 5/13 5/15 33/4 39/32 62/7 62/8 62/13 62/14 63/34 79/7 79/13 80/8 82/40 beat [1] 80/39 because it's [1] 53/36 because opioids [1] 39/4 Bee [3] 40/9 40/14 40/24 believe [9] 9/7 10/21 31/39 34/18 40/29 57/38 62/20 62/32 66/19 belongs [1] 16/9 below [1] 39/37 benefit [4] 9/29 37/20 37/26 38/4 benefit-cost [3] 37/20 37/26 38/4 benefits [2] 28/10 28/23 Benitex [1] 4/34 Benitex-Thompson [1] 4/34 Bert [10] 9/21 11/27 24/22 24/30 25/5 25/6 45/25 70/35 71/3 71/29</p>
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<p>B</p> <p>best [3] 8/21 46/35 51/39 best-priced [1] 46/35 better [6] 20/8 22/25 31/36 31/37 47/9 59/23 BIA [1] 26/28 bid [8] 3/9 9/5 9/7 9/13 42/15 42/16 71/31 71/34 bids [1] 8/40 big [13] 2/30 3/29 4/6 4/9 6/15 38/32 40/13 40/13 43/17 48/11 54/34 59/7 77/14 bigger [1] 47/8 biggest [2] 28/11 43/32 bill [8] 3/30 3/33 3/36 4/27 4/37 13/31 13/32 17/28 billing [1] 40/38 billion [2] 4/3 4/4 billions [1] 4/6 bills [7] 3/39 4/36 5/1 12/15 13/3 13/35 43/19 bit [10] 3/9 3/10 8/4 22/8 27/39 35/6 35/10 37/16 39/34 42/11 BLM [12] 6/5 7/9 14/4 14/23 18/3 19/28 19/28 25/30 25/36 26/3 26/17 26/30 BLM's [1] 14/13 blood [2] 39/1 39/8 blue [1] 41/6 bo [1] 65/8 board [61] 1/1 1/22 1/23 9/11 9/39 10/5 10/9 12/1 12/3 17/40 18/4 19/5 19/7 19/22 19/31 19/37 20/8 20/10 20/12 20/13 20/14 20/21 23/15 23/27 23/29 23/29 23/32 24/1 24/5 24/8 24/10 24/15 24/16 24/18 24/29 26/4 27/25 48/16 48/19 48/20 48/27 48/27 49/40 50/1 62/8 62/14 63/9 63/35 65/7 66/2 66/6 69/19 72/20 78/35 81/40 82/1 82/3 82/30 82/32 82/39 82/39 bodies [3] 47/23 47/24 47/24 body [2] 1/39 34/20 Borden [1] 80/32 bought [2] 14/9 16/6 Brady [3] 30/29 34/2 34/40 Brainstorming [1] 8/38 break [8] 1/36 1/36 35/14 36/34 37/5 37/7 41/1 45/1 breakage [1] 38/29 breaking [1] 35/5 breath [1] 5/8 Brew [1] 8/34 Brick [1] 71/6 bring [9] 9/18 15/14 20/8 20/13 24/8 47/1 52/15 63/17 65/29 bringing [3] 17/39 22/18 22/34 broken [1] 41/26 broker [1] 41/37 bronchial [1] 38/39 brought [13] 2/10 2/15 14/3 18/6 18/20 19/21 23/25 23/27 23/31 23/31 24/1 24/4 78/35 budget [15] 3/9 5/16 9/6 9/8 11/24 11/28 11/30 12/11 12/12 17/17 17/22 17/25 81/17 81/18 81/22 build [1] 15/16 building [12] 1/3 2/9 2/31 6/18 14/39 23/39 50/20 50/27 51/1 71/33 72/27 76/23 built [3] 3/16 21/13 25/19 bumper [1] 78/19 bunch [3] 18/2 38/10 44/10 Bureau [2] 26/12 73/5 burros [1] 6/3 business [8] 2/19 2/22 2/25 50/19 50/27 50/40 55/39 78/34 businesses [1] 2/17 busted [1] 10/20 busy [1] 31/2 buying [3] 27/10 27/17 29/13</p>	<p>C.C.R [1] 1/5 calendar [1] 66/10 call [7] 1/21 5/25 8/11 37/9 40/15 40/17 43/34 called [1] 8/5 calling [1] 43/25 canceled [1] 6/4 candidate [2] 66/34 73/10 candidates [1] 78/32 cannabis [1] 5/27 capacity [1] 20/40 car [2] 4/10 75/30 care [8] 44/10 46/23 46/24 46/28 46/33 47/3 47/14 68/7 carrier [6] 42/14 45/38 45/40 46/1 46/7 46/12 carriers [8] 43/7 45/33 45/36 45/39 46/20 46/21 46/22 46/39 carry [2] 60/9 60/19 Carson [3] 26/31 26/33 47/40 cart [1] 18/39 carved [1] 6/29 Carynn [1] 57/8 case [3] 30/38 37/24 45/21 casino [5] 14/34 14/36 14/40 23/11 23/14 cat [1] 28/18 catch [2] 52/24 52/28 catch-all [2] 52/24 52/28 Category [3] 48/20 48/27 50/1 caught [1] 32/17 cause [2] 10/22 76/19 CCR [1] 83/27 cemet [1] 29/26 cemeteries [2] 30/5 30/14 cemetery [9] 27/11 27/18 27/38 28/9 28/26 29/14 29/32 30/4 30/7 center [8] 4/14 28/21 46/26 62/7 62/9 62/14 62/15 63/35 certain [1] 64/3 certainly [5] 31/22 32/22 61/16 71/1 73/40 certificate [1] 57/22 CERTIFIED [1] 83/7 CERTIFY [1] 83/9 chair [9] 27/11 27/18 29/14 56/13 61/30 70/25 70/31 71/38 80/9 chairman [3] 76/31 82/29 82/29 chairs [1] 4/35 challenge [1] 73/39 challenges [1] 61/14 challenging [2] 8/30 8/33 chamber [2] 4/8 28/7 Chambers [1] 1/2 chance [2] 35/1 47/11 change [6] 12/16 13/4 13/37 47/2 54/28 55/5 changed [2] 22/22 33/14 changes [4] 9/20 10/38 55/12 75/21 changing [4] 57/21 60/27 75/21 75/21 Channel [1] 32/15 chap [1] 55/38 Chapter [4] 51/16 51/22 55/40 56/6 Chapters [3] 50/18 50/26 50/39 charge [3] 12/7 43/37 44/4 check [2] 16/3 69/30 checked [1] 6/34 checking [1] 22/19 Child [17] 59/34 59/40 60/5 60/17 69/16 71/9 71/13 71/21 71/27 73/35 74/1 74/8 77/4 77/9 78/22 81/36 82/11 choose [1] 34/27 choosing [1] 58/27 chronic [1] 39/24 chunk's [1] 79/33</p>
<p>C</p> <p>C's [1] 79/18</p>	

<p>C</p> <p>Churchill [1] 39/38 Cigna [1] 46/27 Cindy [2] 6/34 9/15 citizen [1] 12/3 citizens [1] 23/8 City [1] 47/40 claim [3] 38/3 42/2 42/5 claimants [1] 38/22 claims [7] 36/6 37/20 37/29 41/32 41/38 41/40 43/8 clandestine [1] 24/24 clarification [4] 7/24 26/24 54/40 60/34 clarify [2] 24/31 25/4 CLARK [6] 1/9 9/21 30/3 34/39 46/5 47/39 class [1] 5/13 cleaner [1] 71/30 clear [1] 51/37 cleared [1] 43/17 clearly [2] 9/6 9/8 clerk [5] 1/13 32/2 56/35 82/36 83/17 Clerk's [1] 12/6 clinic [2] 40/11 40/28 clinics [1] 40/37 close [3] 58/25 58/29 59/4 closed [1] 7/32 closer [1] 59/23 closure [2] 7/20 7/24 club [3] 5/12 65/9 65/9 Code [7] 50/19 50/26 50/40 51/16 51/23 55/39 56/7 codes [1] 43/14 coffee [1] 8/36 cohesive [1] 2/18 cold [1] 38/8 collections [1] 43/20 collective [2] 47/25 47/28 Colorado [1] 6/9 Colt [10] 48/21 48/29 48/31 48/31 48/32 48/34 48/38 49/1 49/7 50/2 columns [1] 41/27 com [1] 53/5 combine [3] 47/4 47/6 47/23 combined [2] 1/38 41/28 comfortable [1] 63/38 comment [45] 4/17 4/23 9/34 9/36 9/38 10/5 10/10 10/11 10/12 11/23 11/33 11/34 13/7 13/8 17/38 25/23 25/25 26/23 29/22 32/38 33/32 33/33 50/5 50/6 51/5 51/6 57/1 59/26 59/30 59/31 61/36 61/37 63/32 69/28 72/1 72/2 80/13 80/14 81/31 81/33 81/39 82/1 82/4 82/4 82/9 comments [8] 4/17 4/24 7/13 9/39 10/5 27/33 81/38 82/1 commission [18] 1/2 1/22 2/11 9/27 18/6 18/7 19/36 22/7 22/18 22/38 23/3 23/25 23/40 24/20 24/35 41/37 65/30 81/17 commissioner [17] 1/7 1/8 1/9 1/10 1/11 2/1 5/5 9/21 20/7 21/9 21/27 23/23 27/33 30/3 34/38 53/9 64/12 Commissioner Mills [1] 21/27 commissioners [15] 1/1 1/18 1/24 1/36 12/1 13/17 19/7 23/16 35/2 50/15 66/2 66/7 69/20 82/31 82/39 Commissioners' [1] 2/3 commissions [1] 18/24 commit [1] 15/3 Committable [1] 17/32 committed [3] 17/31 17/34 33/21 committee [3] 4/26 5/20 42/23 common [2] 39/8 61/14 communicating [1] 4/29 communications [1] 39/23 community [9] 2/24 2/26 17/40 20/9 20/30 28/6 58/14 76/34</p>	<p>77/2 companies [2] 8/8 38/36 company [2] 75/40 76/11 competitive [3] 42/23 43/7 71/31 complaints [1] 43/32 complete [2] 48/20 48/27 completed [1] 37/37 completely [1] 53/6 complying [1] 39/16 comprehensive [1] 3/32 concern [8] 10/26 14/14 14/14 17/10 57/14 58/22 59/9 59/18 concerned [3] 4/15 6/8 73/18 concerns [3] 14/2 57/15 60/25 concurrent [1] 33/16 Conder [1] 57/8 conference [1] 36/28 conferences [2] 2/4 7/7 confused [1] 26/34 congratulations [1] 67/26 Congressman [1] 13/30 consecutive [2] 33/16 33/18 consent [5] 11/37 11/39 11/40 12/4 12/5 Conservation [1] 80/31 consider [3] 48/21 48/28 57/21 consideration [1] 1/39 considered [1] 11/40 constitutional [2] 74/5 75/13 construction [3] 70/24 70/30 71/37 contests [1] 75/2 continue [5] 7/14 8/14 9/9 9/19 39/19 continuing [1] 8/40 contract [6] 9/16 46/36 70/24 70/30 71/30 71/37 contractor [2] 14/28 14/39 contractor's [1] 9/11 contracts [1] 75/20 control [2] 63/36 64/8 Convention [1] 5/10 conversation [6] 7/17 7/19 10/1 15/5 26/14 40/8 cool [3] 19/8 26/1 44/7 cooperating [2] 7/9 7/14 cooperative [5] 5/12 27/31 70/24 70/29 71/36 copay [2] 44/6 47/27 copies [1] 12/6 Corporation [1] 80/32 Correct [5] 17/13 34/26 56/33 79/35 83/17 correspondence [6] 80/23 80/25 80/27 80/27 80/30 81/3 corridor [1] 4/15 cost [13] 5/32 9/18 37/20 37/20 37/26 37/37 37/37 37/38 38/2 38/4 38/22 60/32 71/34 costs [6] 7/37 37/21 38/1 38/35 40/13 40/39 couldn't [2] 12/25 27/31 couldn't finish [1] 12/25 council [2] 4/32 73/5 Counselor [3] 19/11 31/13 48/34 counties [14] 4/38 6/24 6/26 6/27 6/32 8/25 45/35 47/5 47/6 47/11 53/11 61/12 61/13 61/21 country [1] 33/13 county [106] county's [2] 38/14 39/5 county-only [5] 72/11 72/17 72/23 72/26 72/36 couple [11] 2/7 2/16 3/31 4/1 5/11 23/16 39/13 44/17 44/17 45/35 50/30 course [14] 3/29 4/2 4/6 4/10 4/18 5/2 5/16 13/39 15/2 28/6 28/10 34/1 39/7 66/13 court [7] 33/1 33/3 33/6 56/35 69/30 69/38 83/7 Courthouse [1] 1/3</p>
--	---

<p>C</p> <p>courts [1] 61/17 cover [2] 21/19 39/5 coverage [3] 42/22 43/18 47/9 covers [2] 37/19 55/18 covert [1] 24/24 create [1] 62/17 Creek [14] 7/18 13/19 13/23 13/32 13/40 14/36 15/26 16/8 18/4 20/29 25/31 25/37 26/6 26/18 crime [8] 30/18 30/24 30/33 30/34 31/3 31/9 33/7 34/30 crimes [1] 33/21 critical [2] 46/33 61/19 cross [2] 20/20 39/28 crosswind [2] 7/20 7/24 crow [3] 58/38 58/40 59/2 crying [4] 59/34 59/40 60/5 60/17 Cub [1] 29/1 cultivation [7] 51/17 51/24 52/25 55/19 55/20 56/1 56/3 current [4] 37/31 38/6 38/18 41/7 currently [1] 47/16 cut [4] 11/28 11/29 45/17 79/39 cutting [1] 7/25</p>	<p>digging [2] 27/39 60/30 DIGITAL [1] 83/11 dire [1] 7/38 direct [2] 56/15 56/19 directed [1] 6/26 directing [1] 64/15 direction [4] 2/14 4/25 64/7 73/28 directions [1] 44/28 directly [2] 6/27 51/32 director [5] 1/12 4/31 8/31 23/16 30/30 directory [1] 2/31 disapprove [12] 27/8 27/15 30/16 30/22 50/17 50/25 62/6 62/13 70/23 70/29 79/4 79/11 disaster [1] 4/5 discretion [5] 10/5 10/9 63/10 82/1 82/2 discuss [8] 6/22 7/10 17/12 18/6 23/17 24/29 36/14 36/22 discussed [9] 2/8 3/9 12/4 14/37 15/14 18/4 23/15 38/34 53/30 discussing [1] 19/3 discussion [38] 3/16 10/4 12/2 13/19 13/22 22/9 25/29 25/35 27/8 27/14 29/34 30/16 30/21 35/30 35/34 48/18 48/24 50/17 50/24 51/14 51/20 53/28 60/7 60/13 61/1 61/6 62/6 62/12 65/24 66/1 66/5 70/23 70/28 72/9 72/14 79/4 79/11 81/40 discussions [3] 16/13 20/3 81/13 disease [2] 38/26 38/30 dispensaries [3] 6/28 53/28 55/9 dispensary [3] 6/36 54/15 55/2 display [3] 25/31 25/37 26/20 dissolve [1] 64/30 district [5] 1/14 10/1 13/37 61/17 61/18 divided [1] 6/32 Do we [1] 14/35 doctor [2] 43/33 43/35 doctors [2] 39/25 48/3 donuts [1] 8/36 door [1] 36/11 DOUG [2] 1/10 7/16 Douglas [1] 47/40 downstream [4] 15/8 15/21 15/23 16/18 draft [1] 14/38 drawn [1] 14/31 dreamt [1] 28/23 drilled [1] 6/13 drive [2] 8/32 36/9 driver [1] 8/17 driving [2] 58/38 58/40 drought [3] 16/15 20/38 21/12 drug [2] 39/11 81/22 drugs [1] 39/26 dual [1] 64/22 dues [1] 43/10 dug [1] 21/18 duration [2] 60/10 60/21 during [6] 12/4 16/15 30/39 38/2 38/18 44/18</p>
<p>D</p> <p>DA [1] 70/36 dam [10] 7/18 13/19 13/23 13/40 15/16 15/23 25/19 25/31 25/37 26/18 damage [1] 10/22 Damon [1] 80/32 data [1] 36/13 date [3] 66/1 66/6 67/18 DATED [1] 83/22 DAVIS [1] 83/3 days [3] 39/19 43/20 60/25 dead [1] 20/23 deal [6] 9/28 23/17 24/33 26/14 27/21 77/14 deals [4] 23/11 23/12 23/28 24/32 decide [1] 54/2 decided [1] 55/1 decision [1] 25/17 decisions [1] 6/12 declaring [4] 30/17 30/22 31/8 61/21 decree [2] 15/35 15/39 dedication [1] 4/12 deductible [1] 47/26 defenders [1] 61/18 defer [1] 60/24 definitely [1] 47/29 definition [3] 53/37 54/22 54/30 definitions [4] 51/34 51/35 51/36 52/5 delay [1] 36/7 dental [1] 42/21 department [6] 3/13 50/20 50/28 51/1 63/37 80/31 dependents [2] 37/35 41/4 depressing [1] 41/12 desk [2] 7/11 47/17 di [1] 4/5 diabetic [1] 38/39 died [3] 20/32 20/34 20/34 dies [1] 27/5 difference [1] 65/15 different [10] 5/21 6/26 7/27 23/34 24/3 24/9 36/21 46/23 57/32 59/11 difficult [2] 46/17 47/23 difficulty [1] 63/10 dig [2] 60/31 60/33</p>	<p>E</p> <p>each [1] 37/40 Eagle [2] 28/37 29/8 earlier [1] 36/8 early [2] 36/10 66/32 Earth [1] 28/22 easement [2] 14/26 17/12 easier [1] 3/38 easy [1] 45/24 educational [1] 28/14 effectively [1] 4/30</p>

<p>E</p> <p>effects [1] 28/15 eight [2] 12/14 23/33 eighth [2] 67/10 67/11 EIS [1] 7/13 Eisenhood [4] 10/19 10/38 10/38 11/1 either [7] 3/23 21/2 42/3 42/15 43/36 62/31 66/26 elaborate [1] 13/28 elected [1] 3/8 election [4] 34/6 76/33 76/34 76/38 elections [2] 61/17 78/18 electricity [1] 12/24 elk [1] 6/6 Elkington [3] 1/5 83/7 83/27 Elko [5] 8/8 8/12 9/15 39/33 46/25 Ely [2] 40/26 40/27 emergency [2] 2/19 40/4 emeritus [1] 4/26 emotion [2] 33/5 33/5 employee [6] 37/40 38/2 73/33 74/12 78/27 78/31 employee-only [1] 73/33 employees [8] 41/3 44/15 47/3 72/10 72/15 72/22 78/28 78/28 employer [1] 46/18 employer-sponsored [1] 46/18 employment [2] 75/18 75/20 en [1] 8/23 encouraged [1] 33/24 end [7] 4/10 5/6 7/32 42/31 66/36 66/39 67/2 ended [1] 82/25 ending [3] 48/21 48/28 50/1 endorse [2] 34/18 34/19 endorsement [2] 34/15 34/16 endorsements [4] 34/1 34/23 34/24 34/36 enforcement [3] 58/26 58/29 59/23 enforcing [1] 5/31 engineers [4] 15/38 79/5 79/12 80/7 enormous [1] 45/34 enrollment [1] 44/19 ensure [1] 30/36 entire [2] 20/14 20/21 entities [4] 24/3 24/7 24/9 63/3 entitled [1] 55/39 entity [2] 64/1 78/16 epidemic [1] 4/4 equal [2] 30/32 34/12 equipment [4] 15/16 63/40 64/4 64/8 especially [1] 46/38 establish [1] 52/13 establishing [1] 56/3 establishment [2] 51/33 52/1 establishments [1] 6/28 esthetics [1] 28/12 Eureka [1] 40/34 ev [1] 23/39 evacu [1] 2/21 evacuating [1] 2/33 evacuation [3] 2/18 2/21 2/31 evaluate [1] 4/38 evaporating [1] 21/3 event [1] 2/19 events [8] 4/9 62/7 62/9 62/14 62/15 63/5 63/35 65/6 eventually [1] 7/31 everyone's [1] 39/25 Ex [1] 77/28 exceed [2] 60/7 60/14 excellent [2] 4/33 5/9</p>	<p>excelling [1] 28/25 except [1] 30/7 exchange [1] 45/32 excited [1] 25/18 exciting [2] 28/29 34/10 excusing [1] 77/33 executive [2] 1/12 8/31 existing [2] 6/14 6/17 expensive [1] 41/15 explain [1] 62/39 explaining [2] 39/17 63/26 expression [2] 75/14 76/3 extended [1] 5/29 extends [1] 5/24 extension [4] 5/13 5/24 27/31 71/17 extensive [1] 12/2 external [2] 37/15 37/19 extra [2] 3/34 5/40</p> <p>F</p> <p>FAA [3] 7/19 79/4 79/11 FAA's [1] 79/25 face [1] 76/21 facilities [13] 40/20 40/39 40/40 51/17 51/24 51/38 52/25 53/28 53/30 54/6 54/30 56/1 56/3 facility [9] 21/18 39/36 44/13 57/15 57/16 57/23 57/24 58/15 59/18 fact [3] 25/21 28/12 28/14 factor [1] 48/2 factored [1] 37/23 factors [2] 37/22 41/24 failure [3] 38/27 38/28 38/29 faith [1] 17/25 fall [1] 63/36 Fallon [2] 4/19 39/38 family [2] 46/29 77/1 fantastic [1] 38/8 far [7] 15/33 24/31 43/33 49/32 57/24 59/3 65/5 Farr [1] 5/25 fast [1] 5/7 favor [12] 5/1 13/9 29/25 33/34 50/7 51/7 59/36 61/38 70/16 72/3 80/15 82/19 favorable [2] 4/19 22/30 fax [5] 36/27 36/33 36/34 36/36 44/38 faxed [1] 45/3 faxing [1] 36/29 feasible [3] 22/20 22/29 23/25 features [1] 3/14 February [3] 12/9 12/18 41/36 February 22 [1] 12/9 February 22nd [1] 12/18 federal [5] 5/26 5/30 6/2 17/35 73/3 feds [1] 6/12 fee [1] 41/28 feedback [1] 8/8 feel [4] 17/9 40/37 42/17 59/22 fees [2] 41/25 56/3 feet [2] 58/14 58/14 felt [3] 15/5 15/5 23/7 females [2] 41/8 41/8 fenced [2] 72/28 72/35 fenced-in [1] 72/28 Fernley [1] 45/18 few [3] 42/6 60/25 81/21 FFA [1] 80/6 field [1] 30/30</p>
---	---

F	G
<p>fifth [1] 5/18 fight [3] 22/15 75/12 75/12 fighting [1] 30/32 figure [1] 8/21 file [3] 17/27 56/16 56/32 filing [1] 56/35 fill [7] 15/15 48/19 48/25 48/26 49/39 62/27 76/35 filter [1] 28/12 final [4] 24/5 42/22 81/18 81/22 finalize [2] 15/1 25/3 finally [2] 38/10 79/25 find [1] 26/7 finding [3] 11/18 22/21 22/30 fine [8] 12/30 21/2 32/11 32/12 53/22 53/25 68/9 68/39 finish [2] 12/25 78/17 fire [2] 9/16 61/16 firm [1] 58/30 first [15] 18/3 22/5 23/25 28/1 36/11 38/1 38/36 55/37 66/33 66/40 67/3 67/6 74/5 75/12 75/15 fiscal [1] 35/36 fit [1] 9/6 five [11] 1/17 3/35 12/11 19/7 30/5 36/34 42/7 42/8 42/9 43/8 45/12 five-minute [1] 36/34 fix [2] 4/37 11/4 fixed [2] 4/37 41/15 flashes [1] 5/7 flies [2] 58/38 59/2 Floating [1] 47/17 flowed [1] 20/40 flows [1] 16/8 flying [1] 69/9 folder [1] 37/16 folks [1] 4/20 follow [4] 41/30 52/3 57/27 57/29 following [5] 8/26 39/20 48/21 48/28 80/30 foot [1] 44/13 FOREGOING [1] 83/9 forerun [1] 44/1 Forgeron [1] 17/11 forgot [2] 3/4 3/6 form [1] 64/6 forth [6] 5/8 18/20 23/2 56/1 56/4 61/24 forward [8] 18/7 23/26 24/6 24/10 24/16 26/5 65/26 65/29 found [6] 5/38 25/31 25/36 26/6 26/14 26/18 four [7] 3/35 12/10 43/20 48/1 73/16 73/16 79/27 fourth [2] 66/23 80/33 Frank [1] 4/16 free [2] 8/36 30/38 freedom [6] 73/18 74/14 74/28 75/14 75/14 76/3 friends [1] 76/40 Frivolity [2] 81/4 81/4 front [5] 14/40 24/33 41/11 53/6 53/9 fuel [1] 3/11 full [2] 31/1 83/17 fully [1] 4/7 fund [2] 4/3 20/22 funded [2] 4/7 5/5 funding [10] 3/34 4/4 4/5 4/6 7/25 18/3 27/10 27/16 29/12 79/40 funds [2] 5/26 6/23 Funny [1] 20/4 further [2] 22/17 39/13 future [4] 3/16 6/18 15/6 30/35 FY [1] 35/31</p>	<p>gastric [1] 38/31 gave [1] 20/35 gender [2] 37/21 41/1 general [2] 15/5 39/32 Generally [1] 39/19 generic [1] 38/36 getting an [1] 37/17 given [3] 14/26 33/15 42/15 gives [2] 37/16 42/29 giving [2] 4/36 21/34 God [2] 77/27 77/29 goes [7] 6/33 10/31 10/34 23/32 23/40 24/11 74/17 Gold [1] 6/5 golf [1] 13/39 gone [4] 28/5 47/34 50/37 64/30 government [8] 4/35 5/26 17/35 61/2 61/7 61/22 61/27 73/4 GPS [1] 10/38 grade [1] 71/23 grandchild [1] 67/24 Grandparent [1] 67/37 grant [8] 5/11 5/12 8/5 8/6 27/9 27/16 29/12 63/23 Granted [1] 77/19 grants [1] 5/11 great [4] 25/12 28/37 44/13 47/23 greater [1] 47/29 Green [1] 41/6 greens [1] 45/36 Griffiths [1] 30/29 ground [2] 21/2 21/18 grounds [3] 63/36 64/3 65/10 Groundwater [1] 80/33 group [5] 7/14 33/23 35/31 35/35 40/19 grouse [3] 6/1 7/10 7/12 grow [3] 53/28 53/29 57/24 guess [5] 25/40 31/12 53/27 58/30 64/21 gun [2] 33/19 64/40 GYN [1] 46/36</p>
	<p>H</p> <p>hadn't [1] 3/18 half [2] 42/13 59/2 hall [1] 6/6 hand [3] 13/36 37/15 37/33 handle [1] 30/8 hands [1] 36/8 happen [3] 4/24 39/23 63/36 happening [3] 28/26 43/34 43/34 happens [2] 46/29 64/29 happy [3] 34/31 35/13 38/15 harassment [1] 30/38 hard [2] 43/31 44/18 hasn't [2] 18/19 53/39 hate [3] 74/23 76/16 76/26 haven't [8] 12/35 32/34 52/17 52/22 53/39 64/25 64/26 73/12 having [5] 47/20 63/10 63/15 64/21 67/24 Hawthorne [1] 45/17 hazard [1] 10/21 Health [8] 36/4 40/19 46/3 46/4 46/27 46/30 46/30 46/34 Healthcare [2] 39/30 46/31 healthy [1] 47/24 hear [1] 39/4 heard [1] 28/3 hearing [1] 81/18 hearings [1] 30/37 hearsay [1] 26/9</p>

<p>H</p> <p>heart [3] 38/26 38/27 38/30 held [3] 66/2 66/7 69/20 Heller [3] 13/31 13/34 14/1 Heller's [3] 7/16 8/3 13/27 Hello [1] 36/2 help [10] 2/29 2/32 3/14 4/20 7/21 9/10 11/19 15/16 27/39 42/32 helpful [1] 9/11 HERRERA [2] 1/14 10/2 hid [1] 25/1 high [6] 37/20 38/22 58/23 59/22 64/2 65/12 high-cost [2] 37/20 38/22 higher [2] 38/17 42/16 highlight [2] 3/32 4/2 highway [6] 1/23 1/23 60/8 60/14 60/26 78/27 historic [3] 27/11 27/17 29/13 history [1] 17/33 hit [1] 22/10 hitting [1] 4/21 HMO [1] 40/16 hold [2] 6/5 8/16 holders [4] 15/8 16/17 16/32 16/38 holes [1] 27/39 Holland [1] 36/2 home [1] 78/34 Hometown [1] 46/27 homework [3] 23/40 24/11 65/25 Honorable [1] 1/1 honoring [2] 61/2 61/7 hopefully [4] 7/21 14/26 14/31 25/16 horse [1] 18/40 horses [1] 6/3 hospital [5] 39/37 40/11 40/24 47/34 47/35 hospital rural [1] 40/24 hospitals [3] 39/35 47/37 48/3 hosted [1] 4/27 hot [1] 38/7 hours [4] 23/33 23/33 28/11 28/11 however [1] 58/33 Humana [1] 46/31 Humboldt [7] 15/27 15/32 15/35 16/8 21/1 21/1 21/14 hundred [2] 12/24 46/36 hut [1] 21/13 Hy [2] 14/27 14/37 Hydrocodone [1] 39/9</p>	<p>incident [1] 2/28 inclined [1] 4/23 included [2] 15/32 16/5 includes [1] 3/37 Incorporated [1] 80/8 increase [5] 4/4 5/39 36/11 37/17 41/26 increases [1] 41/24 incurred [1] 41/32 indeed [1] 4/19 Indian [5] 14/40 25/30 25/36 26/17 30/7 Indians [3] 20/34 22/15 22/23 indicated [1] 38/16 indicating [1] 46/8 indigent [1] 8/3 indiscernible [34] 2/39 10/1 11/31 16/9 16/12 17/2 27/22 29/33 32/17 37/2 37/4 41/19 41/25 41/28 42/7 44/27 45/2 45/11 45/15 45/16 52/32 52/35 56/11 58/28 64/35 66/34 68/24 69/8 69/18 70/10 70/13 72/7 81/12 81/14 individual [11] 3/38 3/39 34/22 34/23 45/32 46/17 48/18 48/25 48/26 78/24 78/33 individually [1] 5/1 individuals [2] 2/32 34/16 infant [1] 41/8 infection [1] 44/11 influence [1] 76/25 information [9] 15/7 36/10 42/13 42/15 43/15 44/31 52/1 52/19 83/13 informative [1] 9/26 informed [1] 27/37 infrastructure [2] 4/3 61/19 infrastructures [1] 45/21 instead [3] 50/20 50/28 51/1 insurance [9] 9/21 9/29 35/31 35/31 35/35 35/36 36/2 43/19 47/6 intent [1] 53/21 interest [6] 23/26 51/38 51/39 52/7 60/9 60/20 interested [3] 24/8 24/10 24/16 interesting [3] 44/36 52/11 60/40 interfere [1] 5/27 interim [3] 60/9 60/20 64/29 interject [1] 21/25 invited [2] 9/38 81/38 involved [3] 24/40 28/40 43/26 irrelative [1] 49/22 irrelevant [2] 49/23 49/31 issuance [1] 56/2 issue [6] 6/2 20/23 21/11 24/24 59/10 63/6 issues [4] 16/5 38/31 43/18 58/32 item [24] 1/38 4/6 9/39 12/3 13/22 25/24 25/34 27/14 29/34 30/21 35/34 48/24 49/34 50/24 51/20 60/13 61/5 62/12 65/35 66/5 70/28 72/14 79/10 81/40 items [7] 1/39 3/14 9/37 78/20 80/25 80/28 81/34</p>
<p>I</p> <p>I-11 [1] 4/15 IBNRs [1] 41/32 idea [3] 2/18 15/6 24/7 ideas [2] 4/36 8/5 identify [1] 72/37 II [3] 48/20 48/27 50/1 III [1] 1/9 Imagine [1] 80/3 imagining [1] 53/10 immediately [1] 43/35 impact [2] 4/38 30/40 implementation [1] 5/27 importance [1] 46/20 important [5] 5/32 21/5 28/20 46/18 61/15 impropriety [1] 19/11 in this [1] 78/3 inactive [1] 42/2 Inc [2] 79/6 79/12</p>	<p>J</p> <p>J-U-B [3] 79/5 79/12 80/7 James [1] 39/39 January [3] 47/13 76/30 76/30 January 11th [1] 76/30 January 1st [1] 47/13 JAVS [1] 83/9 Jay [3] 70/25 70/30 71/37 Jet [2] 9/2 9/3 job [4] 20/7 20/10 42/32 71/3 jobs [1] 20/9 John [1] 13/36 join [2] 1/25 61/21</p>

<p>J</p> <p>Joyce [4] 36/4 36/9 39/3 42/13 JPS [1] 5/18 judge [3] 69/36 70/2 70/9 JUDIE [14] 1/11 2/5 5/5 19/23 20/2 24/19 24/24 32/9 32/36 56/40 61/34 71/40 78/13 78/15 July [14] 66/39 66/40 67/1 67/4 67/5 67/19 67/20 67/38 67/39 68/3 68/9 68/12 68/13 69/21 July 12th [2] 67/38 69/21 jumping [1] 64/38 June [13] 38/9 48/21 48/28 50/1 66/9 66/12 66/14 66/36 66/39 67/4 67/5 67/7 67/11 June 30th [1] 48/28 justice [2] 5/19 61/17 Juvenile [1] 33/15 juveniles [2] 33/14 33/20</p>	<p>Legion [2] 4/12 28/6 legislative [3] 4/32 9/20 73/5 legislature [2] 4/30 34/3 legislatures [1] 3/36 LEPC [1] 2/6 LEPC's [2] 2/20 2/26 less [2] 6/1 57/34 letter [15] 13/36 18/3 19/27 19/28 25/29 25/35 26/7 26/11 26/16 27/8 27/15 28/4 28/27 29/11 48/32 letters [2] 28/5 39/16 level [1] 6/2 leveled [1] 38/10 license [5] 50/40 52/13 52/14 53/29 58/33 licenses [8] 50/20 50/27 51/33 52/1 55/39 56/2 56/4 56/5 licensing [4] 52/8 52/16 52/31 53/3 lieu [1] 4/7 life [4] 33/18 46/4 46/30 46/34 LifeCare [1] 39/35 lifestyle [1] 33/23 likelihood [1] 22/25 limbo [1] 6/1 limited [2] 10/6 82/2 line [5] 14/33 24/18 38/1 49/34 80/39 lines [3] 42/22 60/31 60/32 LIQUOR [1] 82/32 Lisa [2] 27/31 28/36 Lisinopril [1] 39/7 listed [1] 11/40 literally [1] 76/6 little [14] 3/9 3/10 3/16 5/39 8/4 9/18 22/8 27/39 35/6 35/8 37/16 39/34 45/1 47/22 live [1] 58/39 livestock [6] 62/7 62/8 62/13 62/15 63/34 65/6 LNAPL [1] 80/33 loan [5] 25/30 25/36 26/17 60/9 60/20 lobbying [1] 6/30 local [1] 28/6 location [1] 57/15 logistics [1] 58/37 long [10] 3/7 20/30 20/31 29/4 31/34 32/12 34/2 34/37 45/38 81/23 long-term [1] 20/31 lose [2] 75/2 75/10 loss [3] 38/14 38/19 43/13 lost [1] 28/8 lot [39] 3/40 4/29 5/21 6/7 6/18 8/1 22/21 22/22 23/24 23/37 24/11 32/18 32/40 36/13 38/35 38/35 38/39 38/39 38/39 39/1 40/39 41/3 43/29 44/15 46/21 46/39 47/16 47/23 61/14 72/23 72/23 72/27 74/12 74/27 76/15 76/33 76/34 78/15 78/31 lots [3] 45/36 45/36 53/27 love [1] 31/3 low [1] 9/5 lower [1] 42/17 lowest [2] 41/16 46/35 LP [3] 35/30 35/35 36/2 Lucky [1] 42/35 lunch [2] 1/36 1/37 Lynch [1] 39/39</p>
<p>K</p> <p>keep [5] 5/2 8/25 17/18 41/14 78/33 KEITH [10] 1/12 10/2 10/14 11/22 23/21 33/27 61/10 78/40 81/2 81/2 Keith's [1] 75/40 kept [1] 70/40 kicked [1] 33/6 kid [1] 33/17 kills [1] 33/17 kindly [2] 38/20 38/33 kinds [2] 8/37 61/19 Kingston [2] 40/31 68/36 Klondex [4] 14/4 14/9 14/14 14/23 Klondike [1] 6/5 knee [1] 38/30 knows [3] 2/28 23/20 76/23</p>	<p>LifeCare [1] 39/35 lifestyle [1] 33/23 likelihood [1] 22/25 limbo [1] 6/1 limited [2] 10/6 82/2 line [5] 14/33 24/18 38/1 49/34 80/39 lines [3] 42/22 60/31 60/32 LIQUOR [1] 82/32 Lisa [2] 27/31 28/36 Lisinopril [1] 39/7 listed [1] 11/40 literally [1] 76/6 little [14] 3/9 3/10 3/16 5/39 8/4 9/18 22/8 27/39 35/6 35/8 37/16 39/34 45/1 47/22 live [1] 58/39 livestock [6] 62/7 62/8 62/13 62/15 63/34 65/6 LNAPL [1] 80/33 loan [5] 25/30 25/36 26/17 60/9 60/20 lobbying [1] 6/30 local [1] 28/6 location [1] 57/15 logistics [1] 58/37 long [10] 3/7 20/30 20/31 29/4 31/34 32/12 34/2 34/37 45/38 81/23 long-term [1] 20/31 lose [2] 75/2 75/10 loss [3] 38/14 38/19 43/13 lost [1] 28/8 lot [39] 3/40 4/29 5/21 6/7 6/18 8/1 22/21 22/22 23/24 23/37 24/11 32/18 32/40 36/13 38/35 38/35 38/39 38/39 38/39 39/1 40/39 41/3 43/29 44/15 46/21 46/39 47/16 47/23 61/14 72/23 72/23 72/27 74/12 74/27 76/15 76/33 76/34 78/15 78/31 lots [3] 45/36 45/36 53/27 love [1] 31/3 low [1] 9/5 lower [1] 42/17 lowest [2] 41/16 46/35 LP [3] 35/30 35/35 36/2 Lucky [1] 42/35 lunch [2] 1/36 1/37 Lynch [1] 39/39</p>
<p>L</p> <p>LA [1] 47/35 lack [1] 75/19 lag [1] 41/34 Lake [2] 6/7 6/9 land [8] 14/3 14/7 14/20 14/22 14/25 14/29 14/35 26/12 Lander [50] 1/1 1/2 1/22 1/36 4/19 10/15 12/5 13/37 25/30 25/36 26/17 31/4 33/25 36/13 37/36 37/40 38/2 38/13 38/23 41/23 48/19 48/26 49/40 50/19 50/21 50/26 50/28 50/40 51/1 51/16 51/23 51/38 52/6 52/7 55/38 56/7 61/26 64/7 66/1 66/6 69/19 70/25 70/30 71/37 78/28 82/30 82/31 82/36 82/39 83/15 landowner [2] 14/15 71/31 landowners [3] 17/10 17/12 19/10 lands [6] 5/37 13/31 13/32 13/32 13/39 17/28 large [1] 37/22 Las [1] 48/2 late [1] 36/9 laughing [1] 71/27 law [12] 4/28 5/30 30/30 30/32 30/36 31/2 33/20 58/25 58/29 59/23 74/29 75/19 laws [3] 5/28 73/4 73/6 layer [1] 5/28 lead [1] 1/26 learned [1] 32/40 lease [3] 62/8 62/14 64/10 leasing [2] 63/20 63/38 least [2] 58/6 61/20 leave [6] 67/34 67/35 67/37 68/10 68/36 76/6 left [6] 12/24 29/32 37/33 41/13 41/27 76/7 left-hand [1] 37/33 legal [1] 73/28</p>	<p>live [1] 58/39 livestock [6] 62/7 62/8 62/13 62/15 63/34 65/6 LNAPL [1] 80/33 loan [5] 25/30 25/36 26/17 60/9 60/20 lobbying [1] 6/30 local [1] 28/6 location [1] 57/15 logistics [1] 58/37 long [10] 3/7 20/30 20/31 29/4 31/34 32/12 34/2 34/37 45/38 81/23 long-term [1] 20/31 lose [2] 75/2 75/10 loss [3] 38/14 38/19 43/13 lost [1] 28/8 lot [39] 3/40 4/29 5/21 6/7 6/18 8/1 22/21 22/22 23/24 23/37 24/11 32/18 32/40 36/13 38/35 38/35 38/39 38/39 38/39 39/1 40/39 41/3 43/29 44/15 46/21 46/39 47/16 47/23 61/14 72/23 72/23 72/27 74/12 74/27 76/15 76/33 76/34 78/15 78/31 lots [3] 45/36 45/36 53/27 love [1] 31/3 low [1] 9/5 lower [1] 42/17 lowest [2] 41/16 46/35 LP [3] 35/30 35/35 36/2 Lucky [1] 42/35 lunch [2] 1/36 1/37 Lynch [1] 39/39</p> <p>M</p> <p>made [12] 13/6 26/22 27/21 29/19 32/36 50/4 51/4 56/40 61/34 69/26 71/40 80/12 mailbox [1] 44/25 main [4] 4/30 4/39 39/37 60/33 maintain [3] 7/36 63/40 64/4 maintenance [2] 61/18 64/9</p>

<p>M</p> <p>males [2] 41/8 41/9 Manage [3] 48/20 48/27 49/40 Management [1] 26/12 mandate [2] 39/16 39/21 mandated [1] 7/11 mandates [1] 57/37 manifested [1] 6/16 manner [2] 10/10 82/4 many [7] 20/32 24/32 28/8 33/13 39/15 61/12 61/15 map [2] 30/6 37/17 March [9] 3/27 6/3 12/10 12/11 12/12 12/13 12/18 12/21 38/9 March 19th [1] 12/21 March 20 [1] 12/12 March 8 [1] 12/10 March 8th [1] 12/18 marijuana [8] 5/24 6/25 6/37 51/17 51/24 51/32 55/40 56/2 market [6] 42/12 42/12 43/10 43/11 45/32 47/1 market's [1] 46/17 marking [1] 42/20 Marsy's [4] 30/30 30/32 30/36 31/2 Martin [1] 17/9 Mary's [2] 39/30 40/19 materials [1] 12/5 maternity [3] 67/33 67/35 67/37 matter [3] 19/9 19/9 19/10 mature [1] 29/7 May 14th [1] 6/6 Mead [2] 6/7 6/9 means [4] 5/31 37/39 40/15 40/17 meant [1] 6/22 mediator [1] 42/33 medical [12] 5/24 5/27 6/28 37/37 39/28 40/4 42/21 46/26 51/17 51/23 55/7 55/40 medication [2] 39/8 39/25 MedX [1] 39/40 meeting [43] 1/21 1/22 2/7 3/8 3/18 3/27 4/8 5/4 5/11 5/18 5/37 6/3 6/23 7/9 7/16 7/22 9/15 9/25 9/26 9/40 12/5 12/9 12/10 12/13 12/14 12/18 12/20 13/27 24/20 37/9 43/16 66/2 66/7 66/18 66/21 67/6 67/40 69/20 81/18 81/26 81/40 82/25 83/11 meeting's [1] 27/37 meetings [6] 2/3 4/16 7/7 23/33 24/4 36/22 member [5] 12/2 37/39 40/17 42/2 49/1 members [5] 2/16 37/34 39/17 39/23 41/32 memo [1] 75/40 memorandum [1] 14/30 mentioned [2] 6/15 26/25 mess [2] 10/28 43/17 met [3] 1/1 9/21 36/5 methods [1] 46/23 Michael [1] 4/31 middle [2] 76/16 76/26 midst [1] 43/6 Midwest [2] 45/40 46/12 mile [4] 57/40 58/6 59/2 59/3 miles [4] 46/36 57/38 58/38 58/40 million [8] 4/3 5/38 5/39 6/25 6/27 6/29 6/32 38/24 MILLS [3] 1/10 21/9 21/27 mind [2] 5/2 46/14 mine [2] 14/4 20/27 minimum [1] 8/9 minute [4] 12/9 36/34 52/12 64/23 minutes [10] 3/31 10/8 12/9 12/10 12/11 12/12 12/13 12/14 12/18 82/2 minutes per [1] 10/8</p>	<p>minutia [1] 47/27 missing [1] 68/1 mix [1] 37/21 Moak [1] 15/1 moment [2] 1/30 1/33 Monday [1] 3/8 money [11] 3/10 3/11 3/11 5/32 5/40 17/20 17/24 24/5 28/29 47/10 63/12 monitor [1] 5/5 Monitoring [1] 80/33 month [11] 36/6 37/27 37/39 38/1 38/15 42/13 61/2 61/7 61/11 61/22 61/27 month because [1] 36/6 months [4] 38/8 38/11 38/24 41/31 moot [1] 20/23 morning [12] 8/11 8/26 8/32 30/26 30/27 30/28 35/38 35/39 35/40 36/1 36/10 42/14 motion [31] 13/2 13/6 26/16 26/22 27/5 29/11 29/19 31/7 32/36 49/39 50/4 50/38 51/4 52/23 53/29 55/34 56/40 61/26 61/32 61/34 69/10 69/13 69/19 69/24 69/26 71/36 71/40 80/6 80/12 82/16 82/17 MOU [5] 14/26 14/28 14/30 14/33 14/35 Mountain [16] 1/3 1/23 2/28 4/21 5/13 5/15 39/32 62/7 62/8 62/13 62/14 63/34 79/7 79/13 80/9 82/40 move [15] 7/6 8/12 9/36 11/39 24/5 24/29 25/14 25/34 26/5 35/34 41/12 65/26 66/5 79/10 80/27 moves [2] 23/26 42/24 moving [6] 24/10 24/16 27/3 47/19 48/24 61/5 Mr. [1] 17/11 Mr. Forgeron [1] 17/11 multiple [1] 40/40 murder [2] 32/40 33/19 murdered [1] 33/2 museum [5] 26/3 26/11 26/29 26/30 81/6 must [1] 33/16 myself [4] 9/21 11/4 42/11 44/8</p> <hr/> <p>N</p> <p>N-A-C-O [1] 61/23 NACO [10] 3/27 3/32 4/26 4/40 5/20 6/22 6/29 47/30 61/13 61/22 NACO's [1] 47/19 name [5] 10/13 11/26 30/29 46/13 57/5 NAMES [1] 83/15 narcotics [1] 39/10 national [9] 5/20 30/18 30/24 31/3 31/9 61/2 61/7 61/11 61/27 Natural [1] 80/31 NDF [1] 9/16 NDOT [1] 60/27 necessarily [3] 31/17 41/21 42/31 need [28] 2/32 4/23 4/36 7/38 12/34 16/17 17/19 17/24 26/24 26/37 27/39 31/15 31/17 34/17 36/27 39/19 39/24 42/22 42/25 42/30 44/31 44/38 55/26 63/40 64/37 66/35 69/29 72/37 needed [7] 3/15 8/24 15/4 23/1 23/7 34/38 42/13 needs [7] 2/27 2/28 4/37 7/40 26/26 51/26 61/14 negotiate [1] 42/32 negotiated [1] 23/10 negotiations [4] 18/2 23/9 23/28 24/40 neighbors [1] 77/1 Nelson [3] 48/31 48/34 49/1 NEPA [1] 13/38 network [1] 46/12 Nevada [31] 1/4 6/16 21/5 26/2 26/11 26/29 27/11 27/17 29/13 30/30 30/31 39/35 39/39 40/38 45/33 45/34 45/38 46/2 46/3 46/4 46/7 46/21 46/31 46/40 47/30 66/3 66/7 69/20</p>
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<p>N</p> <p>Nevada... [3] 80/31 81/6 82/40 Nevada c [1] 47/30 never [8] 4/24 18/5 24/32 28/23 44/12 52/11 53/30 63/40 Newmont [4] 15/13 15/14 15/15 19/9 news [2] 32/15 32/17 nice [2] 3/18 77/6 night [4] 2/6 12/25 36/9 42/14 nine [1] 12/15 ninety [4] 45/12 79/26 79/27 79/31 Ninety-five [1] 45/12 Ninety-four [1] 79/27 ninth [2] 5/4 5/10 no [74] 6/13 6/16 11/34 13/8 16/31 16/33 16/33 16/33 19/13 21/8 22/13 22/13 22/16 23/30 23/34 25/25 26/14 26/36 27/2 32/12 33/5 33/28 33/30 33/33 35/22 40/19 43/37 44/2 45/3 45/18 45/18 45/20 45/39 50/6 51/6 51/15 51/38 52/15 54/3 54/4 54/5 57/6 57/18 57/39 59/20 59/31 61/37 62/26 64/31 65/8 65/28 66/13 66/16 66/17 68/33 69/30 69/34 70/9 71/24 72/2 72/38 74/6 74/13 74/17 74/35 74/37 75/33 75/34 77/33 77/33 78/34 79/39 80/14 81/1 Nobody [2] 23/18 77/21 nobody's [1] 43/36 noes [1] 44/17 nominal [1] 12/7 nonagenda [2] 9/39 81/39 nonagendized [2] 9/37 81/34 none [2] 19/15 19/40 nonpolitical [1] 73/5 Nope [1] 12/31 norm [1] 3/35 north [1] 47/33 northern [5] 30/31 39/35 46/1 46/21 46/40 Northwest [1] 45/35 Note [1] 82/39 nothing [4] 23/26 25/1 69/30 77/35 nothing's [1] 23/28 notice [2] 12/8 13/3 notification [1] 30/37 November [1] 75/27 NRA [8] 73/25 77/16 77/20 77/21 77/27 77/35 78/10 78/16 NSEA [2] 47/4 47/32 number [25] 12/17 12/18 13/22 25/34 27/14 31/35 34/5 35/34 39/7 39/8 39/11 42/17 44/30 47/39 47/39 47/40 48/24 51/20 51/22 60/13 61/5 66/5 73/20 79/10 80/36 numbers [2] 36/14 36/22 NVNACO [1] 61/23 Nye [1] 46/4</p>	<p>officials [1] 6/7 Ohio [2] 45/34 45/35 old [1] 33/17 older [1] 41/15 omnibus [4] 3/30 3/36 5/22 5/24 once [4] 14/26 14/30 14/32 15/15 one [72] 2/16 3/18 3/29 4/6 4/9 4/16 4/18 4/30 5/8 5/14 5/23 6/21 7/38 7/38 8/2 8/2 8/24 11/5 12/2 12/8 15/9 15/10 15/38 18/1 25/39 26/8 27/1 29/35 33/19 33/19 34/2 34/5 35/1 36/5 38/15 38/34 39/8 40/38 43/24 43/32 44/23 44/32 45/11 45/31 45/38 45/39 46/5 46/6 46/6 46/19 47/6 47/33 47/34 47/39 48/11 48/19 48/25 48/26 52/40 55/29 57/39 57/40 58/6 63/22 66/29 71/7 73/10 73/20 75/11 75/22 76/25 79/18 one-sheet-of-paper [1] 44/23 ones [2] 12/21 16/22 ongoing [5] 2/23 39/25 41/40 42/9 43/8 open [4] 44/18 57/2 60/33 76/33 opening [1] 8/40 operate [1] 56/2 operating [1] 40/28 opinion [3] 20/28 21/37 74/3 opioid [3] 4/4 39/9 39/18 opioid-type [1] 39/9 opioids [1] 39/4 opposing [1] 21/31 option [1] 44/16 order [3] 1/21 1/38 37/9 ordinance [21] 50/18 50/25 50/39 51/15 51/21 52/13 52/24 53/37 54/1 54/22 55/3 55/6 55/6 55/12 55/13 55/18 55/38 57/2 57/13 57/18 57/32 organization [2] 63/39 64/3 organize [2] 33/22 47/33 others [2] 47/40 48/3 ought [1] 8/31 ours [1] 6/35 outreach [1] 30/30 overall [2] 4/5 41/26 overnight [1] 8/25 own [6] 17/31 30/8 33/23 63/40 64/23 73/7 owner [3] 70/24 70/29 71/36 owners [2] 2/19 2/25 owns [2] 10/30 28/27</p>
<p>O</p> <p>o'clock [4] 8/11 8/26 68/31 68/34 OB [1] 46/36 OB-GYN [1] 46/36 Obama [1] 73/19 obtain [3] 50/19 50/27 50/40 odor [1] 59/20 of shows [1] 36/14 offenders [2] 33/15 33/15 offer [1] 46/1 offers [1] 42/23 office [12] 3/10 7/9 12/6 13/28 13/37 40/18 50/21 50/29 51/2 56/32 59/4 77/25 officers [1] 3/9 offices [2] 76/33 77/12 official [2] 22/18 24/33 officially [1] 28/1</p>	<p>P</p> <p>Pacific [1] 45/35 pack [2] 46/29 46/29 package [4] 5/22 9/29 37/15 37/19 packet [3] 41/25 49/24 49/27 page [14] 36/26 37/25 38/20 38/33 39/3 39/6 39/28 39/29 40/7 41/1 41/12 41/24 41/38 58/5 pages [2] 12/22 41/30 Pahrump [2] 6/14 6/18 paid [3] 37/30 37/36 38/23 pain [1] 39/24 Paiute [1] 40/12 paper [1] 44/23 paperwork [3] 15/15 34/1 47/17 par [1] 14/3 paragraph [1] 55/30 paragraphs [2] 51/37 54/34 Pardon [1] 31/14 park [6] 72/17 72/22 76/6 77/13 77/15 78/29 parked [1] 72/16 parking [14] 72/11 72/11 72/17 72/23 72/23 72/26 72/34 72/36 73/33 74/4 78/6 78/27 78/30 78/31 parks [5] 63/37 64/7 65/10 65/13 75/29</p>

<p>P</p> <p>part [14] 10/40 11/15 14/33 15/39 17/30 28/7 33/9 37/29 43/4 52/16 53/37 66/33 66/40 71/16</p> <p>parti [1] 2/22</p> <p>PARTICIPANT [1] 83/15</p> <p>participation [1] 2/24</p> <p>particular [4] 2/22 36/26 57/15 63/38</p> <p>Particularly [1] 75/24</p> <p>parties [1] 43/13</p> <p>parties-and-balloons-type [1] 43/13</p> <p>Partly [1] 15/26</p> <p>partnered [1] 71/31</p> <p>parts [2] 11/6 46/4</p> <p>pass [1] 75/1</p> <p>passage [7] 3/29 50/18 50/25 50/39 56/20 56/23 56/25</p> <p>passed [1] 73/4</p> <p>passing [2] 3/36 3/39</p> <p>past [5] 3/17 11/14 22/24 22/26 39/20</p> <p>Patch [1] 20/40</p> <p>path [1] 47/20</p> <p>patrol [1] 78/27</p> <p>PATSY [12] 1/7 3/24 3/25 6/20 29/19 32/36 52/9 68/26 68/36 69/26 74/18 78/18</p> <p>pay [3] 7/31 60/32 63/13</p> <p>paying [4] 41/35 63/10 71/24 79/26</p> <p>payment [5] 4/7 12/15 13/3 60/7 60/14</p> <p>payroll [2] 12/15 13/4</p> <p>PCP [3] 40/7 40/15 40/19</p> <p>PCPs [1] 37/21</p> <p>peak [1] 21/12</p> <p>per [6] 10/8 37/39 37/39 38/1 38/2 82/2</p> <p>percent [12] 7/12 33/10 38/5 38/14 38/16 38/19 38/22 42/10 43/13 60/20 79/28 79/31</p> <p>Perfect [1] 68/17</p> <p>perfectly [1] 74/11</p> <p>period [10] 37/29 37/31 37/32 37/34 38/2 38/5 38/6 38/13 38/18 42/3</p> <p>permits [1] 6/5</p> <p>perpetrators [1] 33/7</p> <p>Pershing [2] 16/5 16/13</p> <p>person [3] 4/16 10/8 82/2</p> <p>person's [1] 78/24</p> <p>personal [6] 34/36 72/10 72/16 73/15 73/17 74/26</p> <p>personally [1] 73/2</p> <p>Persons [2] 9/38 81/38</p> <p>pertaining [5] 44/14 51/16 51/23 55/40 83/15</p> <p>pertinent [1] 30/37</p> <p>petition [1] 77/2</p> <p>pharmacy [1] 44/12</p> <p>phone [2] 43/35 44/30</p> <p>photo [1] 5/13</p> <p>physician [1] 40/18</p> <p>physician's [1] 40/18</p> <p>physicians [1] 40/21</p> <p>Piazza [1] 10/14</p> <p>pick [3] 8/11 8/32 67/16</p> <p>picking [1] 53/11</p> <p>picks [1] 10/37</p> <p>pickups [1] 77/17</p> <p>picture [1] 35/2</p> <p>piece [3] 30/40 42/22 79/34</p> <p>pieces [1] 25/2</p> <p>PILT [2] 4/7 5/39</p> <p>pl [1] 7/10</p> <p>place [9] 10/10 18/5 40/16 55/6 62/36 72/21 74/4 82/4 83/11</p> <p>placed [2] 10/9 82/3</p>	<p>plan [18] 6/6 7/10 36/4 40/15 41/2 42/4 43/27 46/1 46/3 46/6 46/18 46/30 46/35 47/6 47/8 47/30 47/32 47/35</p> <p>planning [4] 50/20 50/27 50/28 51/1</p> <p>plans [7] 2/18 2/21 8/37 45/9 47/13 47/18 47/20</p> <p>planting [3] 27/10 27/17 29/13</p> <p>please [7] 1/25 1/31 37/25 38/33 60/38 69/12 78/38</p> <p>Pledge [2] 1/25 1/28</p> <p>plenty [1] 2/14</p> <p>plowing [1] 12/23</p> <p>plus [4] 37/35 41/9 41/16 41/24</p> <p>PMPM [1] 37/39</p> <p>po [1] 3/17</p> <p>point [22] 5/38 10/21 10/35 18/38 20/23 21/12 22/6 22/39 24/13 24/25 33/7 51/37 52/6 54/20 54/35 57/11 57/13 62/19 65/11 73/28 79/29 81/22</p> <p>point million [1] 5/38</p> <p>points [1] 75/19</p> <p>pol [1] 77/38</p> <p>police [1] 61/16</p> <p>policy [12] 5/21 72/9 72/15 72/20 73/14 73/26 74/23 75/1 75/29 76/16 76/28 78/26</p> <p>policyholders [1] 41/32</p> <p>political [9] 6/11 72/10 72/16 72/22 78/8 78/12 78/13 78/16 78/31</p> <p>politicking [3] 75/40 76/4 76/10</p> <p>politics [5] 77/20 77/39 77/40 78/1 78/9</p> <p>pollutants [1] 28/13</p> <p>popular [1] 6/1</p> <p>portion [1] 79/24</p> <p>POS [1] 40/15</p> <p>position [4] 40/6 48/31 50/2 73/13</p> <p>positions [2] 76/35 76/40</p> <p>possibility [2] 22/19 67/21</p> <p>possibly [1] 2/24</p> <p>potential [2] 80/25 80/28</p> <p>power [1] 16/36</p> <p>PP [3] 13/38 17/27 17/30</p> <p>PPO [1] 40/16</p> <p>predict [1] 30/34</p> <p>preliminary [3] 22/19 22/28 22/28</p> <p>premium [7] 37/36 37/39 38/23 38/24 41/32 41/37 43/9</p> <p>preparing [1] 48/10</p> <p>prescription [9] 37/20 37/37 38/34 38/38 39/2 39/18 39/18 39/20 44/12</p> <p>prescriptions [1] 37/21</p> <p>presence [2] 1/17 1/18</p> <p>PRESENT [1] 1/7</p> <p>president [2] 47/16 78/19</p> <p>pressure [1] 39/8</p> <p>pretty [24] 2/7 6/17 7/22 8/28 8/33 8/40 10/20 15/31 17/1 17/15 22/30 26/1 26/9 29/7 36/6 38/32 39/1 40/13 41/30 42/37 43/6 44/18 44/36 78/2</p> <p>previous [2] 18/24 36/22</p> <p>priced [1] 46/35</p> <p>pricing [1] 48/2</p> <p>primary's [1] 66/37</p> <p>Prime [2] 39/30 39/30</p> <p>prior [3] 23/24 78/18 81/18</p> <p>priority [2] 16/19 16/22</p> <p>prison [1] 33/21</p> <p>privacy [3] 30/38 75/20 78/34</p> <p>private [6] 14/3 70/24 70/29 71/36 73/31 77/15</p> <p>private par [1] 14/3</p> <p>prizes [1] 63/10</p> <p>problem [7] 14/19 45/34 64/5 64/21 73/3 74/12 78/33</p> <p>problematic [1] 63/13</p>
---	---

P	Q
<p>problems [5] 6/7 6/16 9/2 9/6 76/19 procedure [1] 49/36 procedures [1] 56/1 proceed [6] 22/14 22/16 23/1 33/23 56/34 65/11 process [13] 2/23 13/38 18/11 22/2 24/38 30/39 42/20 42/28 52/9 53/3 56/34 56/37 76/39 proclamation [14] 30/17 30/22 31/8 31/10 31/13 31/15 31/18 31/35 32/3 35/2 61/1 61/6 61/24 61/26 produced [1] 1/5 productive [2] 7/22 7/22 products [1] 45/32 professional [3] 79/5 79/12 80/7 progress [1] 57/10 prohibit [3] 6/18 72/9 72/15 prohibited [1] 5/31 prohibits [1] 5/26 project [34] 7/18 8/39 13/19 13/23 13/40 20/30 20/31 20/33 20/36 21/33 22/7 22/11 22/14 22/16 22/19 22/22 22/23 22/29 23/1 23/2 23/26 23/35 24/6 25/13 25/22 25/31 25/37 26/18 28/37 46/32 60/8 60/10 60/15 60/21 projects [3] 3/12 3/16 3/17 Prominence [6] 36/4 42/11 42/23 42/33 44/5 46/24 promote [1] 73/7 proofs [1] 40/7 proper [1] 15/15 properly [31] 13/20 13/24 25/32 25/38 27/12 27/19 30/19 30/25 35/32 35/37 48/22 48/29 50/22 50/29 51/18 51/24 56/5 60/11 60/21 61/3 61/8 62/9 62/16 66/3 66/8 70/26 70/31 72/12 72/18 79/8 79/14 property [10] 57/23 58/27 59/11 63/21 72/33 73/15 73/17 73/31 77/15 77/16 proposal [5] 51/14 51/21 56/30 56/31 64/11 proposed [3] 57/16 57/23 58/27 proposing [1] 21/13 prosthetic [1] 38/30 protection [1] 5/28 protections [1] 5/24 protest [1] 14/17 provide [1] 61/15 PROVIDED [1] 83/15 provider [1] 46/11 providers [1] 39/28 provisions [1] 56/4 prudent [1] 21/21 public [50] 1/39 5/19 5/19 5/37 9/34 9/36 10/5 10/10 10/10 10/12 11/23 11/33 13/7 13/31 23/16 23/38 24/32 24/39 24/40 25/1 25/23 25/32 25/37 26/20 26/23 29/20 32/38 33/32 50/5 51/5 57/1 59/20 59/21 59/30 61/18 61/36 69/28 70/37 72/1 72/34 74/4 74/28 76/32 80/13 81/31 81/33 82/1 82/3 82/4 82/9 Publica [1] 56/23 publication [1] 56/35 publish [5] 56/13 56/17 56/23 56/32 69/14 published [2] 50/32 50/35 pull [1] 12/34 pulled [1] 1/39 pulling [1] 66/10 punch [1] 80/39 pure [1] 54/30 pursue [1] 34/20 push [1] 43/25 pushed [2] 43/30 44/18 pushing [1] 38/36 putting [4] 47/24 72/10 72/15 78/8 puzzle [1] 25/2</p>	<p>Quarter [1] 80/34 question [15] 8/15 23/9 31/12 33/40 34/4 34/5 34/19 44/14 47/12 51/29 53/33 55/1 58/30 73/20 75/4 questioning [1] 30/4 questions [5] 17/16 17/37 25/11 39/27 41/11 quick [1] 66/11 quickly [1] 3/32 quite [3] 8/4 42/6 79/19 Quonset [1] 21/13 quorum [1] 1/17 quote [1] 42/16</p> <hr/> <p>R</p> <p>racetrack [3] 63/3 63/39 63/40 railroad [1] 10/20 Ramos [2] 11/27 71/29 ran [2] 38/5 38/8 rate [1] 35/36 rates [3] 35/31 43/7 46/35 rather [1] 5/7 ratings [1] 47/38 ratio [6] 37/20 37/26 38/4 38/14 38/19 43/13 re [4] 37/15 49/26 56/4 67/37 reach [1] 34/31 read [15] 12/29 31/10 31/13 31/15 31/18 31/38 32/9 32/16 32/19 32/32 51/26 54/39 55/27 55/36 76/29 reading [5] 12/27 32/17 51/15 51/21 70/39 ready [3] 8/26 65/23 65/26 reagendize [2] 26/37 80/36 real [10] 4/15 4/35 7/19 11/15 22/39 64/21 66/10 73/2 73/18 74/11 realign [3] 79/6 79/13 80/8 realize [1] 5/39 realizing [1] 28/23 reapply [1] 59/11 reason [3] 22/13 22/16 70/40 Reasonable [2] 10/9 82/3 reauthorized [1] 4/2 rebid [1] 9/4 rebuilding [1] 7/39 rec [3] 31/10 63/37 65/13 recap [1] 5/22 receive [1] 47/3 received [5] 6/34 12/21 12/35 62/18 80/30 recently [4] 18/8 18/12 18/15 18/16 recognize [1] 34/30 Recom [1] 48/36 recommend [2] 76/36 76/37 recommendation [1] 49/21 recommendation's [1] 49/31 recommended [6] 48/33 48/38 48/40 49/5 49/17 49/28 recommit [1] 17/34 record [17] 1/17 1/18 10/13 11/26 11/30 30/3 30/13 31/10 31/37 32/21 51/27 55/27 56/23 57/7 71/5 71/29 76/32 RECORDING [3] 83/11 83/13 83/19 Recovery [1] 80/33 recreation [1] 64/7 recreational [5] 6/28 15/7 51/17 51/23 55/40 recs [1] 65/10 reduced [1] 44/5 reduces [1] 28/17 refer [1] 51/32 referred [1] 40/18 reflect [2] 1/17 1/18 regardless [1] 6/36</p>

<p>R</p> <p>Regional [2] 40/4 40/4 regular [1] 1/2 regulations [2] 55/39 56/1 reimbursing [2] 71/32 71/34 reinstate [1] 47/18 relationship [1] 46/20 release [1] 16/15 releases [1] 30/37 relief [1] 4/5 Reme [1] 49/28 reminder [1] 44/23 removed [1] 1/40 REMSA [1] 40/5 renewal [5] 36/7 36/9 38/17 41/23 56/4 Reno [2] 7/10 39/39 Reno's [1] 47/39 Renown [4] 39/36 39/37 46/1 46/11 repair [1] 7/39 repaired [2] 10/18 10/24 repairs [1] 7/40 replacements [1] 38/31 report [4] 3/22 39/33 41/11 80/33 REPORTER [1] 83/7 reporting [2] 37/15 37/19 reports [6] 2/1 2/3 7/4 7/6 80/25 80/28 request [10] 10/17 10/23 12/3 18/2 26/12 26/13 27/26 27/30 35/1 78/37 requesting [3] 25/29 25/35 26/17 requests [2] 12/16 13/4 required [1] 56/3 requirement [1] 58/13 requirements [5] 56/2 57/21 57/31 58/23 59/22 requires [1] 59/19 requiring [2] 58/5 58/18 research [2] 4/31 22/28 Reservoir [1] 20/40 resident [1] 10/14 resistance [2] 20/35 22/10 resources [4] 2/20 2/20 2/26 80/32 respect [2] 23/23 23/37 respectfully [1] 78/36 respiratory [2] 38/28 38/29 response [1] 4/4 responsibility [1] 71/33 responsible [1] 11/4 rest [6] 28/13 46/5 52/27 61/21 73/12 73/17 restitution [1] 31/1 restrict [3] 73/29 73/32 74/4 restricted [2] 10/11 82/5 restricting [1] 74/14 restrictions [2] 10/9 82/3 retirees [2] 41/20 41/21 revamping [1] 9/17 reviewed [2] 7/12 70/36 revive [2] 22/7 22/10 reviving [1] 22/9 revocation [1] 56/5 riders [1] 5/21 ridiculous [3] 77/27 77/34 78/31 right-hand [1] 37/15 rights [16] 6/14 6/17 15/8 15/17 17/1 17/31 29/2 30/18 30/24 30/32 31/3 31/9 33/8 34/14 34/31 75/16 Ririe [3] 40/10 40/11 40/24 River [4] 6/9 15/27 15/33 21/14 road [8] 10/18 10/19 11/1 37/16 43/21 70/33 71/4 71/33</p>	<p>roads [1] 61/18 Rock [15] 7/18 13/19 13/23 13/32 13/40 14/35 15/26 16/8 18/4 20/29 20/29 25/31 25/37 26/6 26/18 rodeo [12] 63/8 63/13 63/36 64/2 64/3 65/9 65/9 65/10 65/10 65/11 65/12 65/14 rodeos [2] 64/6 65/13 Rohrabacher [1] 5/25 Rohrabacher-Farr [1] 5/25 role [1] 64/22 roughly [1] 38/25 Route [1] 1/4 routine [1] 12/1 RTC [3] 3/8 3/11 5/4 Ruhs [1] 13/37 rules [1] 33/14 run [2] 7/20 9/2 running [4] 38/14 76/24 76/24 77/21 runway [5] 7/20 7/25 7/38 7/38 80/3 rural [5] 30/30 40/11 40/24 46/7 47/5 Rye [1] 20/40</p> <p>S</p> <p>SADIE [5] 1/13 56/18 56/22 66/9 69/5 safe [1] 73/39 safety [3] 3/12 3/13 5/19 sage [3] 6/1 7/10 7/12 same [6] 5/21 17/9 40/20 41/22 52/3 83/17 Saturday [5] 4/13 7/14 30/18 30/23 31/9 save [2] 3/39 21/5 sche [1] 6/3 schedule [1] 8/10 scheduled [2] 6/4 33/26 school [4] 28/15 58/14 64/2 65/12 schooled [1] 33/22 scope [2] 60/25 60/27 Scout [1] 28/37 scouts [4] 28/38 29/1 29/2 29/8 scrambled [1] 43/26 scripts [3] 39/6 39/11 39/15 SEAN [15] 1/8 2/38 3/21 13/6 17/39 20/10 23/5 26/22 50/4 51/4 56/40 61/34 69/26 71/40 80/12 second [21] 10/19 13/5 16/37 26/21 27/2 29/16 29/17 32/31 32/34 32/35 37/25 50/3 51/3 56/10 56/38 61/29 61/32 69/22 71/39 80/11 82/18 seconded [11] 13/6 26/22 29/19 32/37 50/4 51/4 56/40 61/35 69/27 71/40 80/12 secretary [3] 4/32 7/10 32/3 section [2] 10/17 10/18 secure [3] 27/9 27/16 29/12 security [2] 58/23 59/22 seeing [1] 40/39 seek [1] 77/11 seeking [1] 76/40 seemed [1] 15/6 seems [4] 3/35 3/38 3/39 22/30 seen [2] 28/1 41/39 select [2] 66/1 66/6 selected [1] 58/29 selection [1] 42/24 self [1] 40/18 self-referred [1] 40/18 seminars [3] 2/4 7/7 28/14 Senator [3] 7/16 8/3 13/31 send [4] 19/27 26/7 26/11 44/12 sending [1] 39/22 senior [2] 16/37 28/21</p>
---	--

<p>S</p> <p>seniors [3] 41/17 41/22 61/16 sense [1] 47/31 sent [3] 5/16 13/36 37/10 sentence [1] 33/18 separate [3] 13/35 41/27 42/11 separately [1] 12/4 serious [1] 36/6 serves [1] 82/39 service [3] 5/19 8/27 9/19 services [8] 36/3 40/5 43/31 61/15 63/15 79/5 79/12 80/7 serving [1] 61/28 session [1] 1/2 set [7] 8/27 10/20 23/29 57/11 73/14 73/24 74/23 setting [2] 56/1 56/4 seven [4] 12/13 38/25 38/25 39/19 several [2] 3/28 7/8 sewer [2] 60/26 60/31 sh [1] 10/18 share [4] 5/23 6/22 6/31 10/26 sheet [1] 44/23 sheriff's [4] 3/10 3/13 9/22 59/4 short [4] 2/7 3/18 32/29 33/21 shorter [1] 71/1 Shoshone [2] 40/12 40/14 Shoshone/Paiute [1] 40/12 shot [1] 45/24 shout [1] 36/11 show [6] 4/10 17/25 17/33 33/5 39/15 73/7 showed [1] 33/5 showing [1] 41/35 shows [1] 36/14 shut [2] 22/11 22/15 sick [2] 44/10 47/24 side [4] 10/1 24/39 37/16 37/33 Sierra [3] 46/4 46/30 46/34 sign [16] 14/31 27/12 27/18 29/14 61/30 70/26 70/31 71/38 73/19 73/19 75/29 77/35 78/12 78/13 78/37 80/10 signed [1] 14/32 significant [1] 47/2 signs [7] 72/10 72/16 72/22 76/24 77/17 78/8 78/31 silence [2] 1/31 1/33 similar [1] 63/3 simple [3] 70/38 70/39 70/40 since [1] 63/9 sincerely [1] 34/38 single [3] 6/33 45/39 46/1 single-carrier [1] 46/1 Sink [1] 21/1 sinking [1] 21/2 sinus [1] 44/11 sit [2] 5/20 24/33 site [3] 15/7 15/16 15/23 sitting [1] 28/16 situation [2] 33/10 46/37 six [2] 12/12 23/33 sixth [1] 4/26 sleeping [1] 28/18 slid [1] 33/2 slipped [1] 46/14 small [1] 76/21 smartphone [1] 43/35 snapshot [1] 45/31 society [1] 75/21 sold [1] 6/14 some big [1] 40/13</p>	<p>somebody [7] 8/12 33/17 40/16 63/11 73/29 75/1 75/29 somebody's [1] 62/27 son [1] 33/1 soon [1] 9/1 sorry [6] 21/24 40/36 57/8 61/31 80/38 80/40 sort [1] 3/37 sounds [2] 81/24 82/7 south [2] 47/34 47/35 southeast [1] 45/37 southern [3] 5/6 6/16 46/3 southernmost [1] 10/19 southwest [1] 45/37 speak [1] 30/40 speakers [1] 4/30 speaking [12] 69/16 71/9 71/13 71/21 73/35 74/1 74/8 77/4 77/9 78/22 81/36 82/11 Spealman [7] 48/22 48/29 48/31 48/32 48/39 49/9 50/2 special [1] 12/14 specific [4] 40/6 40/17 40/20 57/22 specifically [3] 16/4 52/25 78/1 specifics [1] 14/8 speech [3] 73/18 74/14 74/28 speed [1] 5/5 spend [2] 3/10 24/5 spending [2] 5/22 5/26 spine [2] 38/30 39/39 spoke [1] 23/4 sponsored [1] 46/18 SRS [1] 4/2 ss [1] 83/2 St. [2] 39/30 40/19 St. Mary's [2] 39/30 40/19 staff [4] 7/4 7/6 7/16 8/3 stakeholder [1] 19/9 standard [1] 71/33 standing [1] 16/40 Stanford [2] 46/28 46/29 start [11] 13/26 13/38 13/40 25/39 28/35 37/14 47/24 47/28 66/31 68/18 68/30 started [5] 12/23 18/12 18/13 22/5 42/20 starts [1] 47/27 state's [1] 57/32 stated [2] 25/21 78/18 statement [2] 30/40 64/19 states [3] 6/8 45/38 58/3 stating [1] 78/26 statue [1] 4/13 stay [1] 64/22 step [4] 38/36 44/13 56/26 56/29 steps [1] 47/19 Stewart [1] 4/31 stickers [1] 78/19 stock [1] 63/14 stone [2] 23/29 57/11 stop [1] 42/5 storage [4] 15/6 21/11 21/11 21/16 store [2] 16/14 21/6 straightened [1] 9/10 Street [1] 71/17 stress [1] 28/17 strict [2] 73/6 73/11 strike [1] 24/32 strong [1] 75/15 struck [1] 26/14 stuff [3] 36/35 37/10 75/20 submit [2] 9/38 81/38</p>
--	--

<p>S</p> <p>submitted [4] 27/9 27/16 29/12 57/17 subscribers [2] 37/34 37/35 substantial [2] 38/38 43/9 succ [1] 63/7 success [1] 22/25 successful [3] 5/14 31/2 63/8 successfully [1] 33/20 such [3] 28/7 56/4 56/5 suffice [1] 56/8 suggest [1] 65/16 SULLIVAN [3] 1/13 56/22 83/17 summary [1] 37/20 Sunday [3] 30/17 30/23 31/8 supply [1] 15/16 support [22] 20/22 22/21 22/22 22/23 23/6 25/22 27/9 27/15 28/5 28/27 29/11 31/4 33/9 61/27 63/34 75/40 76/36 76/37 76/38 77/7 77/7 78/32 supports [1] 20/14 sustainable [1] 6/10 system [1] 21/1 systems [1] 61/19</p>	<p>thinners [1] 39/1 third [1] 4/27 Thirteen [1] 36/39 Thompson [1] 4/34 though [8] 14/15 16/3 18/1 51/29 54/22 59/5 60/33 73/3 thought [2] 5/32 16/4 thousand [1] 58/14 three [11] 4/39 6/15 10/6 12/9 20/40 24/19 24/20 43/20 47/40 79/28 82/2 throughout [2] 2/10 40/40 throw [1] 20/28 Thursday [2] 69/33 70/6 Tiffany [3] 1/5 83/7 83/27 TIGER [1] 8/5 till [3] 19/21 35/10 75/26 Tim [8] 36/2 36/23 36/25 40/22 42/32 45/26 48/6 48/7 Tim's [1] 9/23 timely [1] 31/1 times [5] 20/40 24/19 24/20 39/14 50/31 tiny [1] 42/11 tip [1] 10/19 tips [1] 4/29 tires [2] 73/16 73/16 title [10] 51/15 51/15 51/21 51/22 51/26 55/28 55/29 55/36 55/38 56/6 to appoin [1] 48/25 today [4] 20/23 27/32 44/33 47/37 together [2] 25/2 47/28 told [2] 28/36 30/37 tomorrow [1] 4/18 TOOK [1] 83/11 top [11] 34/6 37/20 37/21 37/21 37/29 38/1 39/6 39/12 39/28 39/33 40/7 topics [1] 2/16 Toste [1] 36/4 total [4] 37/36 37/38 38/22 38/24 touch [1] 39/3 touching [1] 73/16 tough [4] 42/38 43/6 43/11 66/27 Tourism [1] 5/10 towards [7] 3/12 36/11 36/26 38/36 60/8 60/14 73/10 towns [1] 82/39 Toy [1] 82/7 tracks [3] 10/20 11/3 11/12 trade [1] 14/3 traded [1] 14/23 tradeoff [2] 14/34 23/12 tradeoffs [1] 23/11 tragedy [1] 33/10 trailer [1] 5/6 TRANSCRIBED [1] 83/9 Transcript [1] 1/5 transfer [3] 13/32 13/39 14/7 transparency [2] 24/27 24/28 transparent [1] 25/1 transport [1] 8/13 transportation [1] 8/6 transporting [1] 8/24 transports [1] 8/3 traveling [1] 5/7 tree [1] 28/16 trees [12] 27/10 27/17 27/40 28/8 28/8 28/10 28/15 28/24 29/5 29/13 29/37 30/13 tribal [1] 14/20 tribe [10] 14/21 14/22 14/25 14/28 14/31 15/1 19/8 23/10 24/2 26/13</p>
<p>T</p> <p>table [7] 27/1 60/37 65/32 65/33 65/33 65/36 75/26 tabled [1] 65/17 tablet [1] 43/35 taken [7] 1/38 12/3 19/14 19/19 19/24 37/7 73/12 talk [7] 2/17 17/7 24/2 24/3 28/36 44/35 60/35 talked [18] 2/13 2/30 8/2 8/4 14/27 14/39 15/34 15/36 17/11 21/12 22/27 24/9 40/35 41/31 41/33 46/19 50/30 53/13 talking [17] 2/9 13/30 14/27 17/9 20/22 22/8 24/27 26/2 36/30 52/8 52/25 54/29 72/27 72/29 76/10 77/26 77/40 talks [1] 20/5 tax [4] 3/11 6/25 6/37 41/37 taxes [4] 4/7 41/28 56/3 66/30 taxi [2] 8/8 8/27 taxiway [6] 8/39 79/6 79/13 79/18 80/1 80/8 Taylor [1] 27/31 Te [1] 15/1 Te-Moak [1] 15/1 team [1] 47/11 technically [1] 73/32 Ted [1] 62/23 Ted's [1] 9/10 Teladoc [2] 43/31 44/6 teleconference [1] 1/19 telemedicine [2] 43/30 44/16 tell [4] 37/40 38/7 38/20 41/17 telling [2] 41/14 46/38 tells [1] 37/40 ten [2] 58/8 58/9 tentative [2] 5/16 81/17 Teresa [1] 4/34 term [6] 20/31 41/19 42/3 48/20 48/28 50/1 terms [1] 33/16 territory [1] 47/38 testify [1] 4/40 that on [1] 69/32 that's not [1] 42/30 the commissioners [1] 35/2 the wa [1] 16/16 themselves [1] 63/4 THEODORE [1] 1/14 therapy [1] 38/37 therapy-type [1] 38/37</p>	

<p>T</p> <p>tributary [1] 15/27 tried [2] 47/4 47/6 trouble [3] 31/38 75/31 75/32 troubling [1] 41/40 true [3] 18/21 26/3 83/17 truly [1] 74/16 Trump [2] 47/16 73/19 try [2] 9/18 47/30 trying [9] 2/17 8/20 24/25 25/2 37/28 47/33 79/17 79/21 79/39 TS [1] 15/17 Tuesday [2] 2/6 12/22 turn [2] 38/20 38/33 Twenty [4] 18/25 66/23 67/10 67/11 Twenty-eighth [2] 67/10 67/11 Twenty-fourth [1] 66/23 twice [3] 23/33 34/3 60/33 twitter [1] 61/23 two [14] 8/23 8/24 8/24 12/8 13/34 15/11 17/10 17/23 42/5 47/40 51/37 54/34 58/38 58/40 type [5] 8/10 37/23 38/37 39/9 43/13</p>	<p>veterans [1] 4/13 via [1] 1/19 VICE [1] 82/29 vicinity [1] 59/4 victim [2] 30/40 32/40 victims [5] 30/32 30/34 30/36 33/2 33/8 Victims' [5] 30/18 30/24 31/3 31/9 34/31 VIDEO [2] 83/11 83/19 viewing [1] 12/6 viewpoint [2] 10/11 82/5 violent [2] 33/15 33/15 visit [1] 44/6 visitors [1] 4/14 voice [1] 30/39 vote [5] 19/22 32/32 35/20 66/32 66/35 voting [1] 78/19 vulnerable [1] 61/16</p>
<p>U</p> <p>umbrella [1] 47/32 Un [1] 32/7 understand [9] 21/36 24/36 39/22 43/17 52/10 59/17 63/24 74/6 76/34 understand how [1] 24/36 understanding [6] 14/30 19/13 20/39 54/7 57/26 57/28 understands [1] 16/29 underwriting [3] 37/22 42/28 42/30 undeserved [1] 61/28 unfortunately [1] 12/23 unincorporated [1] 82/39 United [2] 45/37 46/31 units [1] 5/9 University [2] 46/26 46/26 unless [5] 6/14 6/17 32/7 32/7 54/27 unparalleled [1] 3/34 UNR [1] 5/12 unseen [1] 59/19 up just [1] 44/21 upcoming [2] 80/25 80/28 update [2] 35/30 35/35 upon [6] 10/10 10/11 12/1 12/4 82/4 82/5 upsets [1] 33/12 upstream [4] 15/18 15/19 15/20 17/10 urban [1] 28/25 urgent [1] 44/9 used [2] 4/32 41/4 uses [1] 38/38 using [4] 33/19 40/38 43/36 64/3 usually [2] 36/7 42/2 Utah [2] 46/26 83/1 utilization [2] 41/5 41/9 utilize [1] 64/8</p>	<p>W</p> <p>wa [1] 16/16 wait [11] 6/11 12/31 35/6 38/15 42/25 48/4 52/12 62/22 63/16 64/23 64/39 WAITS [2] 1/7 27/33 want to [1] 32/28 wanting [1] 8/9 Washoe [1] 32/16 waste [1] 20/26 wasted [1] 21/3 watch [2] 39/25 39/26 water [32] 6/13 6/13 6/14 6/15 6/17 14/33 14/36 15/6 15/8 15/17 15/38 16/7 16/9 16/9 16/14 16/15 16/17 16/32 16/37 16/40 17/31 20/39 21/6 23/10 23/14 24/17 60/10 60/21 60/26 60/31 60/32 61/18 water's [1] 21/4 website [2] 3/33 61/22 week [15] 3/7 6/35 6/35 7/17 14/1 14/14 23/33 28/29 30/19 30/24 31/2 31/3 31/10 34/31 34/32 weekend [1] 63/12 weeks [1] 7/8 welcome [1] 78/40 welcoming [1] 67/30 wells [2] 6/13 6/16 weren't [1] 15/20 WESTENGARD [2] 1/12 10/2 whatnot [3] 2/12 18/33 64/9 When's [1] 67/40 whining [1] 78/30 Whitman [1] 4/16 whole [8] 4/38 18/2 18/9 20/14 34/20 74/27 78/30 80/3 wholeheartedly [3] 33/9 76/36 77/7 Whoops [1] 27/4 wife [1] 33/11 Wild [1] 6/3 wildland [1] 9/16 Wildlife [3] 48/20 48/27 49/40 William [3] 40/9 40/14 40/24 win [3] 75/2 75/8 75/22 Winnemucca [2] 8/9 8/12 Wintle [3] 70/25 70/30 71/37 wire [1] 33/2 withdraw [1] 78/36 without [3] 12/2 33/18 63/15 wonder [1] 79/39 wonderful [2] 25/22 28/15 wondering [2] 11/3 57/20 wording [1] 81/8</p>
<p>V</p> <p>vacancy [3] 48/19 48/26 49/39 various [2] 47/17 59/18 Vegas [3] 46/32 47/37 48/2 vehicle [1] 76/25 vehicles [6] 10/21 10/22 72/11 72/16 72/22 78/25 verbally [1] 14/32 verbatim [2] 61/28 80/6 versus [1] 48/3</p>	

W

workshop [6] 2/24 4/27 4/27 12/11 12/12 81/22
workup [1] 42/29
world [1] 67/32
worried [2] 15/20 15/20
worry [1] 16/17
worst [2] 10/40 11/5
worth [1] 22/9
writing [3] 9/38 13/31 81/39
written [1] 39/15

Y

yard [1] 10/18
ye [1] 2/11
Yellow [1] 71/6
yeses [1] 44/17
yesterday [6] 9/22 12/24 32/16 38/34 40/8 43/16
Yo [1] 45/27
youngsters [1] 29/8

Z

Zinke [1] 7/11
zoning [5] 57/18 57/19 57/21 57/31 57/36