

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 May 24, 2018, at 9:02 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**
8 **SEAN BAKKER, COMMISSIONER (AS INDICATED IN**
9 **TRANSCRIPT)**
10 **ART CLARK III, COMMISSIONER**
11 **DOUG MILLS, COMMISSIONER**
12 **JUDIE ALLAN, COMMISSIONER**
13 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**
14 **SADIE SULLIVAN, COUNTY CLERK**
15 **THEODORE HERRERA, DISTRICT ATTORNEY**
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18 (Let the record reflect the presence of a quorum of five
19 commissioners. Let the record reflect the presence of Austin
20 via teleconference.)
21

22 CHAIRMAN MILLS: -- bring to this -- order the meeting, the
23 Lander County Commission meeting, Town Board of Battle Mountain
24 and Austin, Board of Highway Commissioners, May 24th, 2018.

25 Please join us in the Pledge of Allegiance.

26 And, Patsy, will you lead us?

27 COMMISSIONER WAITS: Thank you.

28 Please join me in the salute to our flag.
29

30 (Pledge of Allegiance)
31

32 CHAIRMAN MILLS: Okay. We'd like a moment of silence,
33 please.
34

35 (Moment of silence)
36

37 CHAIRMAN MILLS: Okay. Thank you.

38 Lander County Commissioners may break for lunch from 12:00
39 p.m. to 1:15 p.m. Any agenda item may be taken out of order,
40 may be combined for consideration by the public body, and items

1 may be pulled or removed from the agenda at any time.

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4 **COMMISSIONER REPORTS**

5
6 CHAIRMAN MILLS: Commissioners' reports on meetings,
7 conferences, and seminars attended.

8 Judie?

9 COMMISSIONER ALLAN: So on the 11th? Or -- 11th of May,
10 we had a Humboldt Water Basin Authority meeting.

11 And one of the things that -- actually, there was a
12 presentation regarding cloud seeding, which was really
13 interesting.

14 They had -- they'd like to expand their areas and,
15 unfortunately, not so much hitting some of our areas, but -- but
16 definitely the -- the Ruby Mountains. So that would impact the
17 Humboldt.

18 So they're looking for some money for that.

19 And other than that, it was general business as usual.

20 But it was -- it was a good meeting.

21 CHAIRMAN MILLS: Okay.

22 COMMISSIONER ALLAN: I'll let you expand on it.

23 CHAIRMAN MILLS: All right.

24 I was also at the Humboldt River Basin Water Authority
25 meeting.

26 And we did get a weather forecast for the next several
27 months. And they ex- -- it was -- we were told we're expected to
28 have fairly cool weather for a while with moisture, which we seem
29 to have been getting for here for a while. But they also expect a
30 hot summer, which I don't know if I'm looking forward to that.
31 But --

32 And then the only other thing that they talked about that
33 was interesting is there's the Pershing County lawsuit. And
34 they are having a hearing on the 14th of June.

35 And they mentioned it -- the way that they're doing it is
36 fa- -- rather unusual in that Pershing County will be able to
37 present their side. And on a separate day, the state's going to
38 present their side. So should be interesting to see what comes
39 out of that.

40 I did go out to the airport with our state airport authority

1 guy. And I can't remember his last name. Isn't it -- his first
2 name's Kurt. But I can't remember his last name. It's an unusual
3 last name.

4 But there are a couple of minor maintenance things we need to
5 do at the airport. So I've discussed those with Keith. And I
6 think our -- our public works crew should be able to handle taking
7 care of those minor -- minor problems out there.

8 Last night we had our hospital board meeting. And that went
9 quite well.

10 We did -- we did our final budget. And it's all been
11 approved and su- -- will be submitted. So we're glad to have
12 that finished.

13 We did renew a contract with Ann Miles for the Kingston
14 clinic. So it's looking like that will be continuing at least for
15 the next year. One-year contract with Ann. So that's going to
16 continue on for a while.

17 Let's see.

18 We're pressing forward with our electronic health record,
19 which is a key piece of our hospital there that we have to get
20 that completed and have to get that put in place. That also
21 goes -- coincides with the construction we're doing at the
22 hospital because we also have to really have a place to have our
23 IT department and have it in a proper location where we can keep
24 track of that better.

25 And that, I think, is it.

26 Sean?

27 COMMISSIONER BAKKER: I don't have anything to report at
28 this time.

29 CHAIRMAN MILLS: Patsy?

30 COMMISSIONER WAITS: Okay. Thank you.

31 On the 14th of May, we had our Austin Airport Board
32 meeting.

33 Our well is actually fixed. We were having problems with
34 the sand that kept coming in. And --

35 CHAIRMAN MILLS: Uh-huh.

36 COMMISSIONER WAITS: -- and they had to put the cameras
37 down and everything. And it was -- been going on for some time.
38 But we finally have that good with -- with no sand.

39 Our AWOS is fixed and working. I like those to go
40 together. Not just fixed, but working.

1 Our fuel sales are up. And we actually had a gentleman join
2 us from -- from BLM who's the SEAT manager, which is the single
3 engine manager, Andy Garrell. And they were talking about
4 their -- their landing and using the Austin Airport, of course, as
5 they have before. And he was real excited with our -- our changes
6 and very complementary.

7 On the 18th of May, I had a NACO meeting. And there's a
8 couple things I wanted to share with you on that.

9 We actually had a couple gentlemen from POOL/PACT give us a
10 presentation on security and public acc- -- access in county
11 buildings. And that was extremely enlightening.

12 They have what they call First Amendment audits. I don't
13 know if you've heard that term before. But their right, under the
14 public right of the First Amendment, is that they can come in.
15 And they actually can take pictures or record or videotape in any
16 of the county and public buildings and people in them.

17 And that's been kind of disconcerting to some of the folks
18 that -- you know, there you are working behind your desk and
19 people are out there clicking. And you're thinking, oh, goodness.

20 But that's -- that's all perfectly legal. They can do
21 that.

22 We also had a presentation on affordable housing, because it
23 isn't just our Nevada, but it's all over the country.

24 And -- and NACO has some -- some good information out on
25 that. You can check their website and all -- all kinds of
26 things if we're interested in doing anything on that area.

27 And, actually, the -- the U.S. Fish and Wildlife Service
28 decision not to list the bi-state sage grouse has been -- been
29 challenged.

30 And, as you know, NACO was an intervenor in that lawsuit on
31 behalf of the Fish and Wildlife Service and in defense of the
32 county and -- and local conservation efforts.

33 Well, because we've lost Tori, our -- our legal
34 representation and our resource person out of NACO, we didn't
35 know who was going to finish up on some of those things going
36 on. So Carson City stepped up. And the -- the mayor asked the
37 -- their -- their city attorney. And district attorney offered
38 to take it on for us. So -- at no charge. So we're continuing
39 to work on -- on that part.

40 On the 22nd of May, I had a -- the Convention & Tourism

1 Authority meeting.

2 We did the budget. Of course, everybody's concerned with the
3 budget right now. So we did pass the budget okay.

4 The clinic lease is approved for Austin for the next fiscal
5 year starting in July.

6 And the Kingston fire company grant for their picnic was
7 approved. And that is the first Saturday in August.

8 And that's all I have. Thank you.

9 COMMISSIONER CLARK: I've had no meetings. I have nothing
10 to report.

11 CHAIRMAN MILLS: Okay. Thank you.

12
13
14 **STAFF REPORTS**

15
16 CHAIRMAN MILLS: Staff reports on meetings, conferences,
17 and seminars attended.

18 KEITH WESTENGARD: Last week I attended a -- a conference
19 that had to do with marijuana in the workplace.

20 And I did have a -- a fairly brief discussion with the --
21 the DA about it. And I think we kind of both agree that nobody
22 really knows where this is going to go. And it's -- there's
23 going -- it's going to be changing pretty -- pretty -- pretty
24 much over the next several months and years.

25 Another part of the conference dealt with the Las Vegas
26 shooting. There was an in-depth synopsis of the shooting from --
27 from start till current, which was pretty interesting.

28 There's going to probably be some legislation that's going to
29 come out of this, dealing with 501(c)(3)s.

30 A lot of money was donated for the victims. It was -- they
31 wanted to donate it to Clark County. And because the county
32 cannot be a -- a 501(c)(3), they're -- they're going to be
33 looking at some legislation to try to change that in the event
34 of disasters so that money can be put out to -- to victims of --
35 of these disasters.

36 We continue our budget today. Hopefully it'll be finalized.
37 Well, it needs be finalized today.

38 In discussions with the Department of Taxation, they're
39 real happy with the way things are going in Lander County with
40 our budget process.

1 And -- and a lot of that credit was going to go to Cindy.
2 She's been working her backside off to make sure that -- that
3 things get taken care of and get submitted orderly. And -- and
4 the effort with -- the team effort with the Treasurer's Office
5 has been outstanding. And we're real --

6 COMMISSIONER BAKKER: Thank you, --

7 KEITH WESTENGARD: -- happy with --

8 COMMISSIONER BAKKER: -- Cindy.

9 KEITH WESTENGARD: -- to put that out there.

10 We did receive our volume cap allocations for 2018, which
11 is three hundred fourteen million seven and ninety four thou- --
12 seven hundred and ninety-four thousand ninety-five dollars. We
13 will be having a resolution probably in the next meeting dealing
14 with that.

15 So generally we -- that's something we pass off to Nevada
16 Housing for them to use. We've done it in the past. But, once
17 again, that'll be at the next meeting for you to decide on.

18 HR is the next big thing, but that's on the agenda.

19 CHAIRMAN MILLS: Okay. Thank you.
20
21

22 **PUBLIC COMMENT**
23

24 CHAIRMAN MILLS: We'll move into public comment for
25 nonagendized items only.

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

34 Do we have any public comment?

35 BART NEGRO: You're the only one I didn't give this to yet.

36 I'm Bart Negro -- a taxpayer, voter, citizen.

37 The fire department got a bill for these -- their Jaws of
38 Life, \$11,000, or whatever it is here.

39 And I made a phone call. And I gave the guy the -- the HURST
40 number and asked him for a -- a price.

1 They're TNT. They're the ones that we have on our rescue
2 truck now, the TNT brand.

3 And the HURST ones were \$11,691. And his price was \$7,335.
4 So I'm just a little concerned that the, you know, \$4,000
5 difference.

6 COMMISSIONER BAKKER: Keith, will you answer that?

7 KEITH WESTENGARD: So Bart did -- did come and talk to me
8 the other day. And he dropped it off. And I told him I would
9 -- I would look into it, a comparison of the two.

10 And -- and I -- I have received cut sheets on both of their
11 pieces of equipment that you're referring to. And I haven't
12 completed it yet. I -- I have some stuff here.

13 And -- like I told you, Bart -- I'm going to get you all
14 that information. I just haven't had a chance to print it out.

15 But looking over things, you're -- you're not comparing
16 apples to apples here. There's -- they're two totally different
17 -- different tools. They have different cutting pressures.
18 They have different spreading power. They have different
19 batteries for that fact.

20 My -- my easiest way I can put it out there would be like --
21 in my opinion, it would be like going to Cabela's and buying one
22 of their off-brand side-by-sides or going and buying a Polaris.
23 You're looking at two different things.

24 With that being said, I'd be happy to replace them, if
25 you'd like, Bart. I'll --

26 BART NEGRO: No, I'm just a little --

27 KEITH WESTENGARD: -- I'll replace them.

28 BART NEGRO: I was just concerned at the --

29 KEITH WESTENGARD: Sure.

30 BART NEGRO: You know.

31 KEITH WESTENGARD: No, I -- and I understand. I do
32 understand the concern there. There's quite a price difference.
33 But if you want to compare apples to apples, there's -- there's
34 no comparison in -- in my opinion.

35 And -- and, like I said, I'll -- once I get everything
36 complete -- I have the cut sheet on the HURST tool here. I have
37 the cut sheet on the TNT tool here. And then I have other stuff
38 on my email as well that I -- I'll put it all together. And
39 I'll get -- get everything to each of the commissioners for
40 review as well as the chief and the assistant chief if they'd

1 like it as well. So --
2 But I think we need to compare apples to apples here if --
3 if we're going to look at this.
4 And -- and I'll give you that stuff.
5 BART NEGRO: Okay. I'd appreciate that.
6 KEITH WESTENGARD: All right.
7 BART NEGRO: Okay.
8 CHAIRMAN MILLS: Okay. Thank --
9 BART NEGRO: Thank you.
10 CHAIRMAN MILLS: Did you have anything else? Is that --
11 COMMISSIONER WAITS: Thank you, Bart.
12 BART NEGRO: No, that's it for now.
13 CHAIRMAN MILLS: Okay. Thank you.
14 Do we have any other public comment?
15 (No comment.)
16
17

18 **CONSENT AGENDA**

19
20 CHAIRMAN MILLS: Okay. We'll move on to consent agenda.
21 All matters listed under consent agenda are considered
22 routine and may be acted upon by the Board of County Commissioners
23 with one action, without extensive discussion. Any member of the
24 board or any citizen may request that an item be taken from the
25 consent agenda, discussed, and acted upon separately during the
26 meeting. Consent agenda materials are available at the Lander
27 County Clerk's Office for viewing, and copies are available for a
28 nominal charge.
29 One, approval of agenda notice, May 24, 2018; two, approval
30 of April 26, 2018, meeting minutes; three, approval of May 10,
31 2018, meeting minutes; four, approval of the payment of bills;
32 and five, approval of payroll change requests.
33 COMMISSIONER BAKKER: Well, we need to take out the May
34 10th meeting minutes.
35 So with that you get --
36 Any changes on the 26th -- April 26th meeting minutes?
37 Okay. I'll make a motion to approve the agenda notice,
38 May 24, 2018; the April 26, 2018, meeting minutes; payment of
39 the bills; and the payroll change requests.
40 COMMISSIONER WAITS: I'll second the motion.

1 CHAIRMAN MILLS: Okay. Sean made a motion. Patsy
2 seconded.

3 Do we any public comment?

4 (No comment.)

5 CHAIRMAN MILLS: All in favor?

6 COMMISSIONER BAKKER: Aye.

7 COMMISSIONER WAITS: Aye.

8 CHAIRMAN MILLS: Aye.

9 COMMISSIONER ALLAN: Aye.

10 COMMISSIONER CLARK: Aye.

11
12
13 **COMMISSIONERS**

- 14
15 1) **Discussion and possible action to approve/disapprove the**
16 **appointment of Billy Gandolfo to the Austin Township justice**
17 **of the peace with term ending 01/06/2019, and also to look**
18 **into judicial training, and all other matters properly**
19 **related thereto.**

20
21 CHAIRMAN MILLS: Okay. Item Number 1.

22 Discussion for possible action to approve/disapprove the
23 appointment of Billy Gandolfo to the Austin Township justice of
24 the peace with term ending 1/6/2019, and also to look into
25 judicial training, and all other matters properly related
26 thereto.

27 COMMISSIONER BAKKER: Well, Billy.

28 CHAIRMAN MILLS: Do you have some information for us on
29 this, Ted?

30 DISTRICT ATTORNEY HERRERA: Well, the in- -- only
31 information I have is that there's only -- there's only one --
32 one person that's running for this position.

33 So he -- he only requires one vote to be elected as the JP.

34 And I know that the -- the commission prior has said that
35 they don't want to give any -- ethically, they don't want to give
36 one candidate a advantage over the other candidate. And that's
37 why they wouldn't appoint either one of them. We now only have
38 one candidate.

39 So -- so we had no -- no applications from any qualified
40 people for this position.

1 So you can decide what you want to do.
2 I mean, you can appoint the one candidate or you can put it
3 back out to bid.
4 CHAIRMAN MILLS: Okay.
5 COMMISSIONER WAITS: And there is actually training for him
6 in -- in June; right?
7 DISTRICT ATTORNEY HERRERA: It -- there --
8 COMMISSIONER WAITS: Is that my --
9 DISTRICT ATTORNEY HERRERA: -- there --
10 COMMISSIONER WAITS: -- understand --
11 DISTRICT ATTORNEY HERRERA: -- is.
12 COMMISSIONER WAITS: -- it right?
13 DISTRICT ATTORNEY HERRERA: It's --
14 COMMISSIONER WAITS: So --
15 DISTRICT ATTORNEY HERRERA: -- it's four days. It's not
16 part of the mandatory training, but it certainly will give him
17 --
18 COMMISSIONER WAITS: Courtroom procedures and --
19 DISTRICT ATTORNEY HERRERA: Yes.
20 COMMISSIONER WAITS: -- that type of thing? So --
21 DISTRICT ATTORNEY HERRERA: Yes.
22 COMMISSIONER WAITS: Because it's difficult coming in --
23 CHAIRMAN MILLS: Okay.
24 COMMISSIONER WAITS: -- without a --
25 DISTRICT ATTORNEY HERRERA: It is.
26 COMMISSIONER WAITS: -- background. We know.
27 So that --
28 DISTRICT ATTORNEY HERRERA: It is.
29 COMMISSIONER WAITS: -- would be good.
30 That also brings you -- depending on the training time -- if
31 it doesn't work out, we may have to look at the justice court
32 asking someone else to step in for their court date for June,
33 which we can do because we can bring them in for a --
34 DISTRICT ATTORNEY HERRERA: Yes.
35 COMMISSIONER WAITS: -- case; right? So --
36 DISTRICT ATTORNEY HERRERA: Absolutely.
37 COMMISSIONER WAITS: -- so we'll be fine. Okay.
38 COMMISSIONER CLARK: And the residency is correct?
39 DISTRICT ATTORNEY HERRERA: His residency is correct.
40 Absolutely.

1 COMMISSIONER CLARK: Let's --
2 COMMISSIONER WAITS: I'll make --
3 COMMISSIONER CLARK: -- get it right this time.
4 DISTRICT ATTORNEY HERRERA: I said, well, it hasn't been
5 right for the last six --
6 COMMISSIONER WAITS: I'll --
7 DISTRICT ATTORNEY HERRERA: -- years.
8 COMMISSIONER WAITS: -- I'll make a motion we approve the
9 appointment of Billy Gandolfo to the Austin Township justice of
10 peace with the term ending 1/6/2019. And so he can look into
11 the judicial training and -- and receive that.
12 COMMISSIONER BAKKER: Second.
13 CHAIRMAN MILLS: Okay. Patsy made a motion. Sean
14 seconded.
15 Do we have any public comment?
16 (No comment.)
17 COMMISSIONER BAKKER: Good luck. You up for it?
18 BILLY GANDOLFO: I definitely am. Thank you, guys.
19 COMMISSIONER BAKKER: Thank you.
20 CHAIRMAN MILLS: Okay.
21 All in favor?
22 COMMISSIONER BAKKER: Aye.
23 COMMISSIONER CLARK: Aye.
24 CHAIRMAN MILLS: Aye.
25 COMMISSIONER WAITS: Aye.
26 COMMISSIONER ALLAN: Aye.
27 COMMISSIONER CLARK: Good luck, Billy.
28 CHAIRMAN MILLS: Okay. I think at this point we'd like to
29 take a minute to swear you in and maybe do a photo op.
30 BILLY GANDOLFO: Okay.
31 COMMISSIONER BAKKER: Okay. Austin? Well, we've --
32
33 (Break taken between 9:20 a.m. and 9:21 a.m.)
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1 **2) Discussion and possible action to approve/disapprove the job**
2 **description for the Lander County community health nurse and**
3 **the job description for the appointment of a county health**
4 **officer, being a two-year term, and all other matters**
5 **properly related thereto.**
6

7 CHAIRMAN MILLS: And we'll move to Item Number 2.

8 Discussion and possible action to approve/disapprove the
9 job description for the Lander County health -- community health
10 nurse and the job description for the appointment of Lander
11 County health officer, being a two-year term, and all other
12 matters properly related thereto.

13 KEITH WESTENGARD: So this is related to the county taking
14 over community health nursing. This job description has
15 mirrored the current job description for the state health nurse.

16 And as far as the health officer goes, I believe that was
17 taken right out of NRS -- or out of our county code. I'm sorry.

18 DISTRICT ATTORNEY HERRERA: Yes.

19 COMMISSIONER WAITS: I have the description in our backup
20 material for the community health nurse, but I don't have any
21 job description for the county health officer.

22 DISTRICT ATTORNEY HERRERA: It's --

23 KEITH WESTENGARD: It should be --

24 COMMISSIONER ALLAN: It's --

25 KEITH WESTENGARD: -- right behind it. Last --

26 COMMISSIONER WAITS: I -- I don't have --

27 CHAIRMAN MILLS: That's -- that's the inter- -- or that's
28 the county code --

29 DISTRICT ATTORNEY HERRERA: Yeah.

30 CHAIRMAN MILLS: -- that's in there.

31 KEITH WESTENGARD: That's the county code.

32 CHAIRMAN MILLS: So they're using that as the job
33 description.

34 KEITH WESTENGARD: Should be in the very back. Oh, it's
35 not in there. I --

36 Okay.

37 Now you have it, Commissioner.

38 COMMISSIONER WAITS: Okay. Thank you.

39 KEITH WESTENGARD: Okay.

40 CHAIRMAN MILLS: Huh.

1 DISTRICT ATTORNEY HERRERA: So if I may, Mr. Chairman, the
2 -- the -- the determination that the board should make is
3 whether they want one person to hold both positions or whether
4 they want a doctor of some sort, which we've had in the past, to
5 hold the position of a -- a county health officer.
6 That's -- that's basically where we're coming from.
7 COMMISSIONER WAITS: What's --
8 DISTRICT ATTORNEY HERRERA: And if you want to put more
9 terms or more -- more de- -- descriptive analysis of that
10 position, you're certainly able to do that.
11 COMMISSIONER WAITS: Do you know how some of the other
12 counties have? Are there some that actually just have the one
13 person in both positions?
14 DISTRICT ATTORNEY HERRERA: There's very few counties that
15 actually use this ordinance. So it -- it's hard -- hard to say.
16 But we had the ordinance set up. And when Keith called the
17 state, they were happy that we had this ordinance in place so we
18 could just move the county health nurse into this ordinance.
19 But you have to decide which way --
20 COMMISSIONER WAITS: Okay.
21 DISTRICT ATTORNEY HERRERA: -- you want to proceed. Do you
22 want a doctor?
23 I mean, I believe that -- that you -- they just have to
24 meet the qualifications of the ordinance. That's why we have
25 the ordinance in front of you.
26 COMMISSIONER WAITS: Okay. And do you have any opinion for
27 us on that?
28 DISTRICT ATTORNEY HERRERA: Oh, I'm full of opinions.
29 COMMISSIONER WAITS: But I'm asking. I mean, this is new
30 to our county to do --
31 DISTRICT ATTORNEY HERRERA: Yeah.
32 COMMISSIONER WAITS: -- this, to pull away from the state.
33 And -- and so it's -- it's got a lot of pitfalls with it.
34 And, I mean, for us just to make the decision without any -- any
35 backup, I mean, I don't know whether we should have somebody
36 different, whether you've discussed it, --
37 KEITH WESTENGARD: There's seven --
38 COMMISSIONER WAITS: -- or what --
39 KEITH WESTENGARD: -- other counties that are doing this
40 right now.

1 And in the other counties, they have an RN, which Abby is,
2 as their -- as their health officer.
3 So we've been in contact. We've had a few meetings with --
4 the doctor in Reno?
5 ABBY BURKHART: Packham?
6 KEITH WESTENGARD: Yeah. Me- -- Peckham? Dr. Peckham at
7 the University of Reno who's assisted other counties in doing
8 this.
9 We had a meeting with him two weeks ago. We have another
10 one coming up. He's actually going to be here at the next
11 meeting.
12 He's excited that this is going on in Lander County. And
13 he is going to work with us to make sure we get things put in
14 place properly so that we do it the right way.
15 DISTRICT ATTORNEY HERRERA: To answer your question
16 directly, I'm of the opinion that one person can do -- can do
17 both positions to save the county money.
18 Keith has a different opinion. He'd rather have a
19 doctor --
20 KEITH WESTENGARD: No, no. No, I -- I'm -- I agree with
21 you on that.
22 DISTRICT ATTORNEY HERRERA: Oh, that's what you told me
23 before.
24 KEITH WESTENGARD: That we want -- that we -- that we have
25 the health nurse as well as -- as well as the -- she act as the
26 --
27 DISTRICT ATTORNEY HERRERA: Yeah, but you told me --
28 KEITH WESTENGARD: -- officer.
29 DISTRICT ATTORNEY HERRERA: -- you wanted a doctor.
30 KEITH WESTENGARD: No, no.
31 DISTRICT ATTORNEY HERRERA: That's what you --
32 KEITH WESTENGARD: We'll --
33 DISTRICT ATTORNEY HERRERA: -- told me.
34 KEITH WESTENGARD: -- we'll talk about this -- we'll talk
35 about it later.
36 CHAIRMAN MILLS: Why? Keep going.
37 KEITH WESTENGARD: We have a miscommunication, --
38 CHAIRMAN MILLS: It's entertaining.
39 KEITH WESTENGARD: -- then.
40 COUNTY CLERK SULLIVAN: Can I record?

1 KEITH WESTENGARD: I'm sorry.
2 DISTRICT ATTORNEY HERRERA: So do have (indiscernible) and
3 that's what you want.
4 KEITH WESTENGARD: We had a miscommunication. Sorry.
5 COMMISSIONER BAKKER: Okay. Focus.
6 COMMISSIONER ALLAN: So --
7 CHAIRMAN MILLS: My -- my --
8 COMMISSIONER WAITS: Well --
9 CHAIRMAN MILLS: -- question on that would be is -- is
10 there -- being that we're just starting, with -- is -- is there
11 any wisdom in having a -- a doctor on board for the initial
12 startup to make sure we get --
13 DISTRICT ATTORNEY HERRERA: Well, in -- in --
14 CHAIRMAN MILLS: -- going well? Would that really ne- --
15 be necessary?
16 DISTRICT ATTORNEY HERRERA: I don't think it's necessary.
17 I think Abby's been doing her job for years.
18 CHAIRMAN MILLS: Okay.
19 DISTRICT ATTORNEY HERRERA: And -- and that we would find
20 out after a two-year period either way if it -- that approach
21 works. But --
22 CHAIRMAN MILLS: Okay.
23 DISTRICT ATTORNEY HERRERA: -- it -- it wouldn't --
24 CHAIRMAN MILLS: All right.
25 COMMISSIONER WAITS: Well, then I'm wondering whether we
26 can just do the -- the approval today of the community health
27 nurse and defer the other one so we can get some, maybe,
28 recommendations from the state. And you said one of the doctors
29 was coming out -- and -- and defer that to see whether we indeed
30 --
31 DISTRICT ATTORNEY HERRERA: (Indiscernible.) You don't --
32 no, that's --
33 COMMISSIONER WAITS: -- want somebody --
34 DISTRICT ATTORNEY HERRERA: -- fine.
35 COMMISSIONER WAITS: -- different? Or whether --
36 KEITH WESTENGARD: Yeah.
37 COMMISSIONER WAITS: -- we can do the --
38 CHAIRMAN MILLS: Maybe.
39 COMMISSIONER WAITS: -- appointment of the county --
40 DISTRICT ATTORNEY HERRERA: Well --

1 COMMISSIONER WAITS: -- health officer --
2 DISTRICT ATTORNEY HERRERA: -- it --
3 COMMISSIONER WAITS: -- a little --
4 DISTRICT ATTORNEY HERRERA: It would --
5 COMMISSIONER WAITS: -- bit later.
6 DISTRICT ATTORNEY HERRERA: -- it was just a great
7 opportunity to bring it to your --
8 KEITH WESTENGARD: Right.
9 DISTRICT ATTORNEY HERRERA: -- attention. So that's why
10 it's on the agenda.
11 KEITH WESTENGARD: The -- the health board will consist of
12 the commissioners. It will consist of the sheriff. And it'll
13 also consist of the appointed health officer by the board.
14 The health officer can -- is reappointed every two years. So
15 --
16 But the -- the health nurse will stay in place --
17 DISTRICT ATTORNEY HERRERA: Right.
18 KEITH WESTENGARD: -- as a -- as a -- permanently.
19 COMMISSIONER WAITS: Okay.
20 KEITH WESTENGARD: Or --
21 COMMISSIONER WAITS: But what I'm -- what I'm asking is, is
22 whether we can do a little bit more research and maybe get some
23 recommendations, whether we want to appoint the health nurse as
24 a health officer.
25 So if we --
26 KEITH WESTENGARD: Oh. Okay.
27 COMMISSIONER WAITS: -- just up --
28 That's what I'm asking.
29 DISTRICT ATTORNEY HERRERA: No, no.
30 KEITH WESTENGARD: Yeah.
31 COMMISSIONER WAITS: Can we appoint the health nurse today,
32 --
33 DISTRICT ATTORNEY HERRERA: Yes.
34 COMMISSIONER WAITS: -- defer the health --
35 KEITH WESTENGARD: Sure.
36 COMMISSIONER WAITS: -- officer, and kind of do some
37 investigation of what other --
38 COMMISSIONER ALLAN: I think --
39 COMMISSIONER WAITS: -- counties are doing --
40 KEITH WESTENGARD: I --

1 COMMISSIONER WAITS: -- and what might work --
2 COMMISSIONER BAKKER: You know what --
3 COMMISSIONER WAITS: -- for us?
4 COMMISSIONER BAKKER: -- I think?
5 DISTRICT ATTORNEY HERRERA: Yeah.
6 KEITH WESTENGARD: I think --
7 DISTRICT ATTORNEY HERRERA: Absolutely.
8 KEITH WESTENGARD: -- that would be fine. Yeah. And --
9 DISTRICT ATTORNEY HERRERA: We just wanted to --
10 COMMISSIONER WAITS: Okay.
11 DISTRICT ATTORNEY HERRERA: -- bring it to your --
12 KEITH WESTENGARD: -- and then the doc- --
13 DISTRICT ATTORNEY HERRERA: -- attention.
14 KEITH WESTENGARD: -- Dr. Peckham will be here on the 14th.
15 And -- and we did specifically speak of this process that
16 we're in right now as far as the RN being the health officer and
17 -- and --
18 COMMISSIONER WAITS: I'd -- I'd just like more information
19 on --
20 KEITH WESTENGARD: Sure.
21 COMMISSIONER WAITS: -- on combining one or separate and
22 what the advantages and disadvantages might --
23 KEITH WESTENGARD: Okay.
24 COMMISSIONER WAITS: -- be --
25 KEITH WESTENGARD: Uh-huh.
26 COMMISSIONER WAITS: -- other than just the --
27 COMMISSIONER ALLAN: Well, I --
28 COMMISSIONER WAITS: -- the wages.
29 COMMISSIONER ALLAN: -- think my opinion is, is it makes
30 sense to have the -- the county health nurse as the county
31 health officer because she is the one that deals with these
32 issues on a day-to-day basis. So she would be the one to be
33 bringing to the health board the recommendations, the issues of
34 whatnot.
35 You have a separate county health officer, how often are
36 they going to be actually directly involved?
37 And they're still going to have to go through the health
38 nurse to find out what the issues are, what -- what she might
39 need, or what the procedures are.
40 So, in my mind, it -- it makes absolutely perfect sense to

1 appoint the health nurse as the health officer because that is
2 part of her job is relaying that information back to the health
3 board.

4 COMMISSIONER WAITS: And that --

5 COMMISSIONER ALLAN: So I --

6 COMMISSIONER WAITS: -- that may be what we decide. I'm
7 just asking us to wait until we make that final decision with
8 other input. That's all.

9 COMMISSIONER ALLAN: Well, I'm going to make a motion that
10 we approve the job description for the Lander County health
11 nurse and also appoint Lander County health nurse as our county
12 health officer for a two-year term.

13 COMMISSIONER BAKKER: We're just approving the -- the two
14 job descriptions.

15 COMMISSIONER WAITS: Yeah. We're just --

16 COMMISSIONER BAKKER: Number --

17 COMMISSIONER WAITS: -- approving --

18 COMMISSIONER BAKKER: -- 3 is where we --

19 COMMISSIONER WAITS: -- the job --

20 COMMISSIONER BAKKER: -- appoint --

21 COMMISSIONER WAITS: Yeah. Number 2 is just --

22 CHAIRMAN MILLS: We're just doing job --

23 COMMISSIONER WAITS: -- the job --

24 CHAIRMAN MILLS: -- coverage.

25 COMMISSIONER WAITS: -- description.

26 COMMISSIONER ALLAN: Oh, discussion? Okay. Well, it says
27 discussion and possible action to --

28 CHAIRMAN MILLS: To approve --

29 COMMISSIONER ALLAN: -- approve/disapprove.

30 CHAIRMAN MILLS: -- job description.

31 COMMISSIONER BAKKER: For -- to approve the two job
32 descriptions.

33 COMMISSIONER ALLAN: And the joint description of the --
34 okay.

35 So we --

36 Okay.

37 COMMISSIONER WAITS: You want to start over?

38 COMMISSIONER ALLAN: Yes.

39 I will approve the job description for the Lander County
40 health nurse and the job discrimination for the county health

1 officer.

2 COMMISSIONER BAKKER: Second.

3 CHAIRMAN MILLS: Okay. Judie made a motion. Sean
4 seconded.

5 Do we have any public comment?

6 KEITH WESTENGARD: I -- commissioners, I just want to make
7 it real, real clear in the meeting and on the record that the
8 job description for the -- the health nurse is in place
9 permanently, where the -- the health officer is -- is
10 reappointed --

11 COMMISSIONER BAKKER: A two-year --

12 CHAIRMAN MILLS: Two-year --

13 COMMISSIONER BAKKER: -- term.

14 CHAIRMAN MILLS: -- appointment.

15 KEITH WESTENGARD: -- and changed every two years. But
16 they're -- okay. Thank you.

17 COMMISSIONER ALLAN: Well -- well, no, wait a minute,
18 Keith, because the job description for the health officer is
19 under our --

20 KEITH WESTENGARD: It's --

21 COMMISSIONER ALLAN: -- our codes? Or --

22 KEITH WESTENGARD: -- code. But it's an appointed every
23 two-year position.

24 COMMISSIONER ALLAN: Right. So but we're --

25 KEITH WESTENGARD: Okay.

26 COMMISSIONER ALLAN: -- still approving the job
27 description.

28 KEITH WESTENGARD: Yeah. I got ahead --

29 COMMISSIONER ALLAN: So we're not --

30 KEITH WESTENGARD: -- of myself. Sorry.

31 COMMISSIONER BAKKER: Right. So the job description
32 doesn't change every two years.

33 KEITH WESTENGARD: Right.

34 CHAIRMAN MILLS: Any further public comment?
35 (No comment.)

36 CHAIRMAN MILLS: All in favor?

37 COMMISSIONER BAKKER: Aye.

38 CHAIRMAN MILLS: Aye.

39 COMMISSIONER ALLAN: Aye.

40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER CLARK: Aye.

- 2
3 **3) Discussion and possible action to approve/disapprove an**
4 **official offer of employment to Abby Burkhart, the current**
5 **State of Nevada health nurse, for the position of the Lander**
6 **County community health nurse and the possible appointment of**
7 **Abby Burkhart as the county health officer, pursuant to LCC**
8 **Chapter 2.20. The current State of Nevada community health**
9 **nurse program will be absorbed by Lander County July 1, 2018,**
10 **and all other matters properly related thereto.**

11
12 CHAIRMAN MILLS: Okay. Item 3. Discussion and possible
13 action to approve/disapprove an official offer of employment to
14 Abby Burkhart and the current state of Nevada health nurse for
15 the position of Lander County community health nurse and the
16 possible appointment of Abby Burkhart as the county health
17 officer, pursuant to LCC Chapter 2.20. The current State of
18 Nevada community health nurse program will be absorbed by Lander
19 County July 1st, 2018, and all other matters properly related
20 thereto.

21 KEITH WESTENGARD: Well, that puts it pretty much out there
22 that I'd like to see the -- Abby given the position of county
23 community health nurse. And that if the commission so desires,
24 to appoint her to a two-year term of health officer.

25 COMMISSIONER ALLAN: So I'll make my motion that we approve
26 the offer of employment to Abby Burkhart for the position of the
27 Lander C- -- Lander County community health nurse, and in
28 addition, the appointment of Abby Burkhart as the county health
29 officer pursuant to Lander County Code Chapter 2.20.

30 And for this position to become her -- her health nurse
31 position to become effective July 1st, 2018, along with the
32 community health nurse program, which will be a two-year
33 appointment.

34 DISTRICT ATTORNEY HERRERA: Mr. -- Mr. Chairman, I
35 believe -- I believe it's necessary procedurally at this point
36 to ask Abby if she's willing to take on not one but both of
37 these positions prior to your vote.

38 CHAIRMAN MILLS: I agree.

39 Abby, what do you think?

40 ABBY BURKHART: Sure.

1 COMMISSIONER CLARK: You are really difficult.
2 ABBY BURKHART: I try.
3 COMMISSIONER WAITS: So do you have any pros and cons for
4 us on -- on the appointment now of -- for the health officer?
5 Or should we wait? Or is it something that you've looked at for
6 some time? I'm sure, where this is new to us.
7 ABBY BURKHART: One glaring thing that I -- that you might
8 want to consider is that if you appoint a health officer that's
9 a physician, any time you make contact with that physician, he's
10 going to charge the county. He or she will charge the county,
11 plus the meetings.
12 So it -- as Ted said earlier, I believe it's -- it's an
13 added cost.
14 COMMISSIONER WAITS: Yes. He pointed out the cost. But
15 I --
16 ABBY BURKHART: Uh-huh.
17 COMMISSIONER WAITS: -- was looking for any other reasons
18 other than the cost.
19 I mean, would you like a -- a fellow career person to -- to
20 assist you in -- in this position at all? Or --
21 ABBY BURKHART: I will --
22 COMMISSIONER WAITS: -- are -- are you o- --
23 ABBY BURKHART: -- have to have a physician or a nurse
24 practitioner that can sign standing orders.
25 But that would eliminate -- but that would be minimal
26 communication, I guess, is what I --
27 COMMISSIONER WAITS: Are you familiar with any other
28 counties that -- that do it and whether --
29 ABBY BURKHART: Mineral --
30 COMMISSIONER WAITS: -- they're both one? Or --
31 ABBY BURKHART: -- County has their state health officer --
32 their state health nurse is their --
33 DISTRICT ATTORNEY HERRERA: County health officer.
34 ABBY BURKHART: -- county health --
35 COMMISSIONER WAITS: Officer?
36 ABBY BURKHART: -- health officer? Uh-huh.
37 CHAIRMAN MILLS: So my --
38 DISTRICT ATTORNEY HERRERA: Commi- --
39 CHAIRMAN MILLS: -- my question on this would go back to,
40 again, we're -- we're starting a program and -- and any help you

1 would need to get things rolling. Because I don't know what
2 your knowledge base is on making this happen. I know you've
3 worked there, but I don't know if you've ever started a program.
4 And --

5 ABBY BURKHART: I have not started --

6 CHAIRMAN MILLS: Do you have --

7 ABBY BURKHART: -- a program. I'm not going to tell a lie.

8 CHAIRMAN MILLS: Do you -- do you have --

9 ABBY BURKHART: But I don't know --

10 CHAIRMAN MILLS: -- somebody -- if you come up across
11 questions about how to do it, is --

12 ABBY BURKHART: I don't --

13 CHAIRMAN MILLS: -- and what to do, do you have somebody to
14 go to -- to -- to get you some help?

15 ABBY BURKHART: There's lots of resources, for sure. But I
16 don't know that a physician, just because they're a physician --

17 CHAIRMAN MILLS: Just because they're a physician's going
18 to make any difference.

19 ABBY BURKHART: Right. They should --

20 CHAIRMAN MILLS: Okay.

21 ABBY BURKHART: -- have some --

22 CHAIRMAN MILLS: I see --

23 ABBY BURKHART: -- sort of --

24 CHAIRMAN MILLS: -- what you're saying.

25 ABBY BURKHART: -- public health --

26 DISTRICT ATTORNEY HERRERA: Is --

27 ABBY BURKHART: -- background. And I don't know --

28 DISTRICT ATTORNEY HERRERA: Mr. --

29 ABBY BURKHART: -- anyone --

30 DISTRICT ATTORNEY HERRERA: -- chair- --

31 ABBY BURKHART: -- that really does.

32 CHAIRMAN MILLS: Okay.

33 DISTRICT ATTORNEY HERRERA: Mr. Chairman, --

34 CHAIRMAN MILLS: Yes.

35 DISTRICT ATTORNEY HERRERA: -- as -- you have the ordinance
36 in front of you for a number of reasons. One is -- which I
37 think at this time you need to ask her if -- if she meets the
38 qualifications?

39 Now Keith and I believe we do, that she does. But I think
40 it's important to make a record of the fact that if you're

1 thinking of appointing her as the county -- as the health officer
2 that she meets the required qualifications of the ordinance.
3 There's only a few. So it won't take too long to do it.
4 But I think it's necessary to make that record.
5 CHAIRMAN MILLS: Okay. So for public record, do you, Abby
6 Burkhart, meet the qualifications to be the public health nurse?
7 DISTRICT ATTORNEY HERRERA: Well, you need to read the --
8 CHAIRMAN MILLS: And --
9 COMMISSIONER ALLAN: They --
10 CHAIRMAN MILLS: Oh, we need to read those qualifications?
11 COMMISSIONER ALLAN: -- be learned in sanitary science,
12 public health practice, and the diagnosis of infectious
13 diseases.
14 ABBY BURKHART: That's what I do now.
15 COMMISSIONER BAKKER: Are you qualified?
16 DISTRICT ATTORNEY HERRERA: Yes.
17 UNIDENTIFIED PARTICIPANT: That's what I said.
18 COMMISSIONER WAITS: The -- the -- the qualifications as
19 our health nurse, it says, minimum of Associate of Science
20 degree in nursing and your valid, active Nevada RN license.
21 And we know you've have that because you've been our county
22 nurse.
23 ABBY BURKHART: Uh-huh.
24 KEITH WESTENGARD: Mr. Chairman?
25 CHAIRMAN MILLS: Yes.
26 KEITH WESTENGARD: One other -- the state representatives
27 are here. And I've -- in conversations with them, they are
28 fully supportive of this and have offered assistance. So if
29 they wouldn't mind coming up, --
30 CHAIRMAN MILLS: Okay.
31 KEITH WESTENGARD: -- I'd -- I'd like to have them come up
32 if they wouldn't mind.
33 CHAIRMAN MILLS: You came --
34 COMMISSIONER CLARK: Thanks, --
35 CHAIRMAN MILLS: -- all the --
36 COMMISSIONER CLARK: -- Abby.
37 CHAIRMAN MILLS: -- way out here, and we may as well put
38 you on the spot.
39 COMMISSIONER WAITS: We're -- we're looking for information
40 and recommendations, actually.

1 CHAIRMAN MILLS: So if you'll state your names for the
2 record before we --

3 TINA GERBER-WINN: Sure.

4 CHAIRMAN MILLS: -- start.

5 TINA GERBER-WINN: Good morning. I'm Tina Gerber-Winn.
6 I'm agency manager for rural clinics and community health
7 services through public and behavioral health.

8 GREG KITCHINGMAN: Good morning. I'm Greg Kitchingman.
9 I'm the executive nurse for Department of Public and Behavioral
10 Health Rural Clinics and community health nursing.

11 CHAIRMAN MILLS: Okay.
12 So what insights to you have for us to help us out as we
13 move forward with our community health nursing --

14 TINA GERBER-WINN: Sure.

15 CHAIRMAN MILLS: -- program?

16 TINA GERBER-WINN: Well, one thing I would state, as far as
17 what would be helpful, I do know there's a lot of activity in
18 the legislative interim community on healthcare.
19 So April 24th of this year they did a whole presentation on
20 public health and state and local ordinances. And it's pretty
21 simplistic information. And so I think that would be helpful
22 for your discussions and further learning.

23 And I'm sure Dr. Packham will provide some of that
24 information.

25 But you had asked about the qualifications of your health
26 officer. So several things to consider.
27 It would be his or her education in public health -- which I
28 think Abby mentioned -- training and experience, and then just
29 general interest in public health. Again, you've already noted
30 it's a two-year term.

31 So they can oversee sanitary conditions, help you adopt
32 regulations to prevent or control any contagious diseases. So
33 the person would have to have information about that.
34 Would have powers of quarantine. So if there are outbreaks
35 of tuberculosis, those type of things.

36 So that information is available either through partnering
37 with other counties -- I think Keith had talked to -- I know
38 Douglas County. Carson City has information. If you wanted to
39 go to a smaller county -- and Churchill County as well has a
40 public health officer who assists them. They do have a

1 physician in Hawthorne. It is our health nurse. And she has
2 training.

3 We -- there's a training in Fallon about public health
4 preparedness and various disease management.

5 So many times annually we have conferences. So if you
6 appointed someone, they could attend those trainings. We could
7 provide that information to Keith.

8 So I think it really is the interest, community level
9 interest.

10 Someone would help develop areas of -- of activity within the
11 county that you wanted to improve health. Could be vaccination
12 rates. It could be obesity levels. It could be -- in Churchill
13 County, they talk a lot about mosquito abatement. It's, like, one
14 of their top, number one. Teen pregnancy. It depends on when
15 you're interested in.

16 So the person would really definitely need to know about
17 public health, some of the strategies to improve public health,
18 and a deep interest in your community.

19 So if that helps with deciding who might be best for that...

20 And then going to the operation of community health services,
21 did --

22 Abby did mention having someone to prescribe orders and do
23 the scope of work for you to -- to treat people within your
24 clinic.

25 And I do know Douglas County has an APRN and can -- works
26 with a local physician to create orders, scope of work.

27 So you would definitely have to have a physician involved, as
28 she mentioned, for the scope of work you would do at the community
29 health service arena.

30 I don't know if there were other things. And I just want to
31 say, for the preparation of a health district, I think that's what
32 you're evolving to, you want a community health officer to
33 identify issues, concerns, and then eventually mature to a health
34 district, which would be, then, we -- we would really have no
35 involvement as a state level.

36 Right now we still would do this is -- disease certi- --
37 surveillance, help with the public health preparedness to keep
38 the county's health in check and safe and work with you
39 collaboratively.

40 That won't go away, from what I understand, with all of

1 this change that you're suggesting today. We still would be a
2 partner and would include you and provide services on a higher
3 state level until you became a health district if that was your
4 final goal.

5 So I don't know if there's anything else you would want to
6 add to what I described or if you had any questions based on all
7 the blah, blah, blah I just gave you.

8 GREG KITCHINGMAN: Any questions for her stuff?

9 No. I would just like to say, I get excited when counties
10 establish local health boards because they're moving one step
11 closer to addressing health issues in their community.

12 I have a little apprehension about sort of the rapidi- -- or
13 the -- the speed at which we're kind of separating out, because
14 there are a lot of nuances to removing the state, our grants, and
15 -- and -- and different things.

16 But my understanding is those discussions have been going
17 on. So they've probably been looked at for months.

18 But, you know, anything we can do to support, to answer
19 questions, provide information, more than happy to do, because we
20 always want to see the success within each county at improving the
21 health of their residents.

22 And so we're supportive, especially to the establishment of a
23 local health board and excited about stepping out and wanting to
24 assume the care of the clinic nurse in the community.

25 So happy to help.

26 COMMISSIONER WAITS: Thank you. And we appreciate you
27 being here and -- and giving us the opportunity to -- to speak
28 with you.

29 Could you give us your opinion on just one thing that would
30 be advantageous for having them both the same person other than
31 cost?

32 GREG KITCHINGMAN: So, you know, I think the biggest thing
33 in -- in the NRS, it speaks a little bit to somebody having
34 experience in the area.

35 And so merely having an MD, who really doesn't have
36 experience in sanitation, environmental health, and infectious
37 disease, there'll be a bigger learning curve.

38 If you have a physician who does meet those qualifications,
39 great.

40 Just a little sort of funny story. When I first started with

1 community health services working with the nurses out in each
2 county, I get a phone call. And I find out that one of my nurses
3 just shut a hotel down.
4 And I'm shocked. And I get on the phone and I call her. And
5 I go, What are you doing? You can't go shut a hotel down.
6 And she goes, I'm the county health officer.
7 So that's how I found out that my nurse in Hawthorne was the
8 health officer and has been doing it for a while.
9 So nurses can assume that position. Well, public health
10 nurses, I think, are a natural. There're probably some areas
11 regarding sanitation that I don't know that much about sanitation
12 other than I get billed for it -- that, you know, Abby can study
13 up on if she hasn't already.
14 COMMISSIONER WAITS: Thank you.
15 GREG KITCHINGMAN: You're welcome.
16 COMMISSIONER BAKKER: I'll second the motion.
17 KEITH WESTENGARD: Mr. Chairman.
18 CHAIRMAN MILLS: Yes.
19 KEITH WESTENGARD: I -- I just -- I have one thing I wanted
20 to kind of touch on. And it's our flu P.O.D. is one of our
21 biggest events here in the county. And I'm hoping we'll be able
22 to work hand in hand with the state on that.
23 I've gotten a little feedback that there's some -- some
24 concern that we don't know what we're doing or -- or we're going
25 down a bad path. And -- and I think in conversations with -- with
26 the state as well as doc- -- the doctor that we're on a good road
27 here. And we may not know completely what we're doing, but we are
28 going to take it one step at a time.
29 We're going make this a successful program for Lander County.
30 And I -- I'm looking forward to working with the state as
31 well as the -- this Dr. Peckham. I believe I -- did I pronounce
32 it right?
33 Peckham?
34 TINA GERBER-WINN: I think it's Packham.
35 CHAIRMAN MILLS: Packham.
36 KEITH WESTENGARD: Packham. Okay. Pack- -- Dr. Packham.
37 And as -- as well as Abby.
38 I have a lot of faith -- have a lot of faith in her. And --
39 and so I'm looking forward to this.
40 Thanks.

1 CHAIRMAN MILLS: Okay. I appreciate your comments on that
2 because that is one of my -- I want it to be successful.
3 KEITH WESTENGARD: Yes.
4 CHAIRMAN MILLS: And I want Abby to have all the resources
5 and help she needs to be successful. That's why I think it's an
6 important decision just deciding about the directorship of this
7 and how we handle that. And I think if Abby's got the resources
8 available to her, then I think we can be successful.
9 KEITH WESTENGARD: Thank you.
10 CHAIRMAN MILLS: Okay.
11 COMMISSIONER WAITS: I just have one question --
12 CHAIRMAN MILLS: Oh.
13 COMMISSIONER WAITS: -- before we vote. And it's more of a
14 legal question. But if -- if we find going -- going down the
15 road here, you know, six months, a year later, that it would be
16 advantageous to separate it, how difficult is it to rescind our
17 appointment?
18 DISTRICT ATTORNEY HERRERA: Well, it's pretty simple. She
19 -- Abby can just resign for that matter.
20 COMMISSIONER WAITS: From that. Okay.
21 DISTRICT ATTORNEY HERRERA: The -- the --
22 COMMISSIONER WAITS: Because we wouldn't do it if you
23 didn't want us to -- I don't think -- at -- at that point. So
24 I'm saying that -- that we would all be in concurrence with to
25 make sure it was easy.
26 Thank you.
27 CHAIRMAN MILLS: Another comment?
28 Okay.
29 So Judie has made a motion. Sean seconded.
30 Do we have any public comment?
31 (No comment.)
32 CHAIRMAN MILLS: All in favor?
33 COMMISSIONER BAKKER: Aye.
34 COMMISSIONER ALLAN: Aye.
35 CHAIRMAN MILLS: Aye.
36 COMMISSIONER WAITS: Aye.
37 COMMISSIONER CLARK: Aye.
38 CHAIRMAN MILLS: Okay. Thank you for your input. It's
39 very helpful.
40 COMMISSIONER BAKKER: Good luck, Abby.

1 ABBY BURKHART: Thank you.
2 DISTRICT ATTORNEY HERRERA: Congratulations, Abby.
3 ABBY BURKHART: Thank you.
4 COMMISSIONER BAKKER: That's what I meant.
5 Congratulations.
6 CHAIRMAN MILLS: Or condolences. What is it?
7 COMMISSIONER BAKKER: Right?
8 CHAIRMAN MILLS: A lot of work involved.
9

10 **4) Discussion and possible action regarding the Lander County**
11 **Emergency Medical Services (EMS) contract and the future**
12 **terms and conditions, and all other matters properly related**
13 **thereto.**
14

15 CHAIRMAN MILLS: Item Number 4. Discussion and possible
16 action regarding Lander County Emergency Medical Services, EMS,
17 contract and the future terms and conditions, and all other
18 matters related thereto.

19 KEITH WESTENGARD: So, commissioners, as you know,
20 June 30th of this year the EMS contract is set to expire.

21 And one of those terms was that it would be given to -- to
22 the hospital as in -- in its entirety.

23 In discussions with Jason, the CEO of the hospital, we've --
24 we've agreed that we would like to see a partnership continue. It
25 -- it's going down a real good road.

26 We've -- we're replacing the fleet. The staffing there is
27 becoming better daily. Not that they were bad in the past, but
28 that -- that partnership is becoming better.

29 So what we were looking at is a requ- -- is -- is a -- to
30 request the commission to look at a three-year contract at 10,000
31 a month with -- for Lander County EMS.

32 And I don't know if Jason has anything to say, but he is
33 here.

34 JASON BLEAK: Don't mind my back. I need EMS.

35 For the record, Jason Bleak from the hospital, CEO at
36 hospital.

37 Just as Keith has -- has stated, he and I have met together.
38 We have a -- a unified vision of what the county EMS is capable of
39 and should become.

40 And I feel that a partnership between the county and the

1 hospital district is -- is advantageous so that we can meet our
2 goals.

3 I -- I feel strongly that our partnership is on the right
4 track, that it's just going to get stronger from here on out as we
5 protect and take care of the pa- -- the patients and residents of
6 Lander County.

7 So I can try to answer any questions Keith can't answer.

8 COMMISSIONER WAITS: Well, of course, you're -- you're
9 brought in right -- right at the -- the end of our contract
10 here.

11 But -- but for years we've been -- we've been trying to
12 wean the hospital off the county, of course.

13 JASON BLEAK: Uh-huh.

14 COMMISSIONER WAITS: And then last year we kind of
15 separated our southern end there for you. So we were -- we're
16 working on a lot of our own personal costs on -- on that
17 expense.

18 But I -- I guess I'm asking, why all of a sudden, when I
19 thought things were going okay, we're going to go \$50,000 more on
20 the contract?

21 KEITH WESTENGARD: To enhance the program a little bit
22 more.

23 COMMISSIONER WAITS: Okay. But -- but you've got to get
24 give me some reasons.

25 KEITH WESTENGARD: It has to do with training. It has to
26 do with supplies that they provide.

27 The south is becoming more active. We've got more people in
28 the south.

29 Plus they have a -- a bigger staff here in Battle Mountain.

30 So it's -- it's going up -- \$3,000 a month is what it will
31 go up -- 2500, I believe.

32 COMMISSIONER WAITS: Okay. We were at 6- --

33 KEITH WESTENGARD: We're at sixty --

34 COMMISSIONER WAITS: -- plus the --

35 KEITH WESTENGARD: We're --

36 COMMISSIONER WAITS: -- Austin; --

37 KEITH WESTENGARD: -- we're --

38 COMMISSIONER WAITS: -- right?

39 KEITH WESTENGARD: No. We're at 6,750. So it's -- my math
40 may be a little off. Six thousand --

1 COMMISSIONER WAITS: Yeah. Six thousand. Base of --
2 KEITH WESTENGARD: Seven --
3 COMMISSIONER WAITS: -- 750 --
4 KEITH WESTENGARD: -- hundred and --
5 COMMISSIONER WAITS: -- for --
6 KEITH WESTENGARD: -- fifty --
7 COMMISSIONER WAITS: -- Austin. Okay. Okay.
8 KEITH WESTENGARD: -- per month right now.
9 COMMISSIONER WAITS: It's going up to 10-.
10 KEITH WESTENGARD: Yes. That's the -- the request.
11 COMMISSIONER WAITS: So much for weaning; right?
12 KEITH WESTENGARD: Well, it's -- it's -- at one point it
13 was weaning off the program.
14 Now I think it's forming a -- a stron- -- a better, stronger
15 partnership and moving forward.
16 CHAIRMAN MILLS: So as -- as the hospital board member, I
17 would like to throw in a couple of items here too.
18 And I know in the past we've struggled with -- with EMS at
19 the hospital and trying to get the hospital to take that over
20 completely. And I think the day will come when the hospital can
21 do that.
22 And as we -- as I mentioned earlier, we did -- we just
23 finished the budget for the hospital for this year. And we do
24 have budgeted in a loss for the year at the hospital. It's not
25 a big loss, especially compared to years past when we were
26 losing \$7 million a year.
27 I think it's down to 250,000 this year; --
28 JASON BLEAK: Seventy.
29 CHAIRMAN MILLS: -- which is comparatively is a minimal
30 loss. But the goal is that next year we're actually going to be
31 at a balanced budget based on operations, meaning that we're not
32 going to have the tax revenues included in the budget, which
33 will be a huge step forward for the hospital.
34 But I'm -- I want the hospital to be successful in -- in its
35 operations and in EMS and to continue forward with that.
36 And I think if the county can give the hospital a little
37 more time on some assistance with EMS, their chances of success
38 are going to go up exponentially. And it'll -- it'll greatly
39 increase their chances of being successful over there in EMS.
40 And one of the things that's illustrated by that is just --

1 I believe I reported last month that EMS actually had a profit,
2 which is the first time that's happened --

3 JASON BLEAK: In eight months.

4 CHAIRMAN MILLS: -- in eighth months. And it was largely
5 due to transports.

6 It wasn't so much the EMS runs themselves, but it was because
7 transports. And we are looking at getting a new transport vehicle
8 for the hospital.

9 KEITH WESTENGARD: We'll know for sure today when you
10 approve the final budget.

11 CHAIRMAN MILLS: Yeah. And if we can -- if we can do these
12 things and help the hospital be successful, I think it's -- I
13 think it's well worth doing. And we need to continue to help
14 there as much as we can. Because the -- there are bright days
15 ahead for the hospital. And I think that, you know, the --
16 the -- I think the day will come when we can let the hospital
17 district be its own district, just like we expect Austin Water
18 and Sewer District to be their own district. And they're not
19 going to come to us for help and those kinds of things.

20 And I think we need to give them a little bit more time.

21 JASON BLEAK: And, Chairman, just for clarification, our
22 goal for next budget year is that we are flush, not counting any
23 net proceeds of -- of mines, so that we provide a -- a strictly
24 balanced budget on the *ad valorem* tax subsidies, the CTX tax
25 subsidies, and then our operations. We're going to be -- we're
26 going to be very strong and flush at that point.

27 And I think we're going to get stronger even from there. The
28 sky is still blue. And with the help of -- of the county and this
29 EMS, with this \$10,000, it does go to -- to covering some of our
30 losses currently.

31 COMMISSIONER BAKKER: Jason, and you weren't -- you weren't
32 here in the previous two years ago, but that's probably one of
33 the largest ones that we're pushing to wean the hospital off the
34 county. And that was heavily in the design of this contract
35 that we're working off now, which was supposed to be an
36 incremental step down.

37 Asking for more money, do you see a timeline where the
38 hospital will finally be on its own?

39 What -- what -- what is your vision? You say we have a
40 vision here. What is the vision that states that the hospital

1 will be on their own and the -- and we won't be sharing money or
2 funds?

3 JASON BLEAK: Well, this -- we're hoping for a three-year
4 contract.

5 You know, in my crystal ball, I would love to say at the end
6 of three years.

7 COMMISSIONER BAKKER: Your previous administrator sat there
8 and told me, yeah, at the end of this contract.

9 JASON BLEAK: Customarily EMS is not a big money maker.

10 COMMISSIONER WAITS: Right.

11 JASON BLEAK: And so the amount of loss that the hospital's
12 able and willing to -- to accept is kind of the -- that's the
13 unknown that's in there that we're trying to figure out.

14 If we continue to do transports like we did in the month of
15 March, we'll be really good. I might be able to back out in a
16 year or -- or sooner.

17 But healthcare ebbs and flows. So some months we'll do
18 really well. Some months we don't do so well.

19 The thing that we're trying to provide is that we've got 24/7
20 coverage.

21 Our first out will be covered by a hired, paid team all the
22 time. And that's where the main expense is coming is in
23 personnel.

24 We can respond quicker. We can respond with the properly
25 trained of -- technicians. Everything -- everything's in place.
26 Now we've just got to hone it down and hopefully get to that point
27 that --

28 COMMISSIONER ALLAN: So --

29 JASON BLEAK: -- that we're separate.

30 Will we ever be separate?

31 I hope not. I hope I can always rub shoulders with the
32 county and say, hey, these are our struggles. And the county
33 may be able to help. And we may be able to help the county in
34 different situations as -- as we provide the services for
35 different county activities.

36 And so I hope there will always be that collaboration and
37 that -- that partnership.

38 But as far as the financial side --

39 COMMISSIONER BAKKER: Right now --

40 JASON BLEAK: I hope we --

1 COMMISSIONER BAKKER: -- it's not there.
2 JASON BLEAK: -- can --
3 No. Right now it's not there.
4 COMMISSIONER ALLAN: So I have a couple questions or
5 comments.
6 First of all, refresh my memory, Cindy. Since this is coming
7 up now, do we have in the budget to increase?
8 CINDY BENSON: No, we didn't increase it.
9 COMMISSIONER ALLAN: Okay.
10 CINDY BENSON: We'll be --
11 KEITH WESTENGARD: I (indiscernible).
12 CINDY BENSON: Did you increase it?
13 KEITH WESTENGARD: Yeah.
14 We -- we -- we put a tentative amount of 10,000 in there a
15 month based on --
16 COMMISSIONER ALLAN: Okay. So it is in the budget, then?
17 KEITH WESTENGARD: We'll double-check and be --
18 CINDY BENSON: We'll double- --
19 KEITH WESTENGARD: -- sure.
20 CINDY BENSON: -- -check.
21 KEITH WESTENGARD: I know we talked --
22 We'll double-check it. I'm pretty -- I thought we did
23 that.
24 COMMISSIONER ALLAN: Okay. And I kind of agree with Sean
25 that, you know, that was kind of the whole idea all -- all along
26 was to phase this out.
27 And I understand that the need for everything and definitely
28 having, you know, top of the line employees.
29 I don't know as though I would be in favor of a three-year
30 contract. Possibly we can try it from a year-to-year basis. Is
31 try the contract for a year and see what your situation is and
32 continue from there on.
33 COMMISSIONER CLARK: Ted?
34 COMMISSIONER WAITS: One of the other things is we -- we
35 actually separated Austin for you in a lot of areas so that we
36 could -- could pay our bills directly.
37 So along with that, we're still paying how much separately
38 through the county for that?
39 So that relieved you of that cost.
40 And -- and that's been going up because we haven't been doing

1 all volunteers. But we've been having come in and paying a
2 stipend and being right on call.

3 And we have had more calls. That's true. But we also have
4 a lot of down time, which is why they're volunteer and not paid
5 per hour. That's why we work on that.

6 But the -- but the cost has gone up considerably in the
7 Austin area for -- for that. And we're absorbing that
8 separately than you.

9 I -- I just -- I haven't got it through my mind why you
10 need that increase. And I'm okay that you're still financially
11 in -- in trouble and need some help.

12 And I'm okay for renewing the contract. But I don't
13 understand that -- that extra amount of what we're really going to
14 do.

15 And you're saying supplies. I'm going, aren't we covering
16 supplies now? Surely that must cover it.

17 KEITH WESTENGARD: We -- we don't cover -- the -- the
18 hospital covers the supplies.

19 But we do have an increase in personnel in the south.
20 And part of that money goes for -- for training, for
21 education.

22 We're still under the Lander County EMS umbrella, which
23 they're -- they -- which provides the -- the medical director,
24 which -- which costs money.

25 So with increase, there's more use of the medical director.
26 I don't believe, though, that increases his salary or -- or his
27 cost. But there is -- there is more use of the medical director.

28 We're still under the Lander County EMS umbrella in the
29 south.

30 And there's additional training that goes along with
31 additional personnel.

32 COMMISSIONER WAITS: Right. But we're paying for that
33 separate. That doesn't come out of this.

34 KEITH WESTENGARD: No. No. That's included in the -- the
35 \$6,750 a month.

36 COMMISSIONER WAITS: I thought we were paying our -- our --
37 KEITH WESTENGARD: We -- we pay the salary of the
38 full-time -- of Kim down there.

39 COMMISSIONER WAITS: Right.

40 KEITH WESTENGARD: And we pay the stipend out of the

1 county.

2 COMMISSIONER WAITS: Right. So --

3 KEITH WESTENGARD: And we pay --

4 COMMISSIONER WAITS: -- we're --

5 KEITH WESTENGARD: -- and we pay for the equipment in the
6 county: the ambulances, the --

7 COMMISSIONER WAITS: So what does that run? What did that
8 run us last year?

9 KEITH WESTENGARD: Maintenance was, I believe, around
10 30,000 for the equipment.

11 And then the new ambulances.

12 Kim's salary is --

13 COMMISSIONER WAITS: Okay. But don't count that because
14 that's not part of the contract.

15 I'm just saying the county will always be doing that,
16 I'm --

17 KEITH WESTENGARD: Right.

18 COMMISSIONER WAITS: -- sure until --

19 KEITH WESTENGARD: Yes.

20 COMMISSIONER WAITS: -- they say, you know, we want to be
21 separate.

22 KEITH WESTENGARD: Uh-huh.

23 COMMISSIONER WAITS: But I'm saying, we took over the costs
24 where they were paying for Kim and all of our volunteers
25 originally.

26 KEITH WESTENGARD: They -- they were never paying for Kim.

27 COMMISSIONER WAITS: Well --

28 KEITH WESTENGARD: That was always a --

29 COMMISSIONER WAITS: Her --

30 KEITH WESTENGARD: -- county-funded position.

31 COMMISSIONER WAITS: I'm -- I'm saying her -- her position.

32 KEITH WESTENGARD: Right.

33 COMMISSIONER WAITS: All the positions in -- in Austin were
34 paid for under this hospital grant.

35 Okay?

36 Last year we separated and said we're going to do Kim
37 separately because she's going to be our coordinator down there.

38 KEITH WESTENGARD: Uh-huh.

39 COMMISSIONER WAITS: And all our stipends and everything
40 we're paying separately. So we've already saved you all this

1 kind of money.

2 KEITH WESTENGARD: The -- the stipend was always in the
3 budget. It just happened to be in Battle Mountain. And we --
4 we moved it from one -- from the north to the south. But it was
5 always in the budget. Even when we were paying \$25,000 a month,
6 it was in the budget.

7 COMMISSIONER CLARK: Ted?

8 KEITH WESTENGARD: That cost.

9 COMMISSIONER CLARK: On page 2, of the interlocal
10 agreement, part A.

11 Please take a second.

12 COMMISSIONER ALLAN: On the forfeiture?

13 DISTRICT ATTORNEY HERRERA: Page...

14 COMMISSIONER CLARK: Page 2.

15 DISTRICT ATTORNEY HERRERA: Two?

16 COMMISSIONER CLARK: Additionally Lander County and LCHD
17 agree to the following terms: a) any quarter LCHD breaks even,
18 LCHD will forfeit the county monthly stipend. I think we're
19 really protected with that, aren't we?

20 I mean, that pretty much sums up. If -- once they get
21 rolling, --

22 DISTRICT ATTORNEY HERRERA: Yes.

23 COMMISSIONER CLARK: -- we no longer contribute. So if
24 it's six months, it's six months. If it's two years --

25 DISTRICT ATTORNEY HERRERA: That's --

26 COMMISSIONER CLARK: -- it's two --

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

28 COMMISSIONER CLARK: -- years.

29 DISTRICT ATTORNEY HERRERA: -- because this contract
30 anticipated, as -- as Patsy pointed out and Sean pointed out and
31 Judie pointed out, that -- that we're supposed to be getting out
32 of the EMS program. So it's kind of a deceleration. And then
33 --

34 But ha- -- has LCHD ever broken even?
35 For a month they --

36 COMMISSIONER WAITS: One --

37 DISTRICT ATTORNEY HERRERA: -- did.

38 COMMISSIONER WAITS: -- one month. But we don't -- we
39 don't --

40 UNIDENTIFIED PARTICIPANT: One month.

1 COMMISSIONER WAITS: -- really expect that. I mean, like
2 they're talking about transports and things that may be
3 wonderful.

4 But I think we're always going to have a cost for EMS. I
5 just do. Because, like you said, it's not a moneymaker.
6 There's too many times that you cannot collect. People simply
7 do not have any insurance and any funds to pay for these
8 emergency services. That's just part of what we do. And it's
9 important that -- that we know we probably will always be a part
10 of it.

11 But I'm just having a tough time going up when I thought we
12 were okay. And I thought you were okay. And -- and even though
13 we're not weaning to give you that extra, I'm going, wow. That
14 --

15 DISTRICT ATTORNEY HERRERA: Well, if -- if we're not -- if
16 they break even, even one month, and -- and they don't forfeit
17 the county monthly stipend for that month, then they're --
18 they're not following the terms of the present --

19 COMMISSIONER WAITS: Well, I -- I don't --

20 DISTRICT ATTORNEY HERRERA: -- contract.

21 COMMISSIONER WAITS: -- ever expect them to hit that in the
22 next, you know, few years.

23 DISTRICT ATTORNEY HERRERA: Well, he's already --

24 COMMISSIONER WAITS: I truly --

25 DISTRICT ATTORNEY HERRERA: -- testified --

26 COMMISSIONER WAITS: -- don't.

27 COMMISSIONER CLARK: They've already done it.

28 DISTRICT ATTORNEY HERRERA: He's already testified that
29 they've done it one month.

30 COMMISSIONER WAITS: One month. Yes.

31 DISTRICT ATTORNEY HERRERA: Well, that's all it says.

32 COMMISSIONER CLARK: Well, it's quarterly.

33 DISTRICT ATTORNEY HERRERA: Well, the --

34 JASON BLEAK: It says --

35 DISTRICT ATTORNEY HERRERA: -- quarter.

36 JASON BLEAK: -- quarter.

37 COMMISSIONER CLARK: It -- it -- it's --

38 JASON BLEAK: Yeah.

39 DISTRICT ATTORNEY HERRERA: Quarterly.

40 COMMISSIONER CLARK: -- it's got be solvent for --

1 COMMISSIONER WAITS: But --
2 COMMISSIONER CLARK: -- a --
3 COMMISSIONER WAITS: -- they've only --
4 COMMISSIONER CLARK: -- quarter.
5 COMMISSIONER WAITS: -- done one --
6 DISTRICT ATTORNEY HERRERA: But --
7 COMMISSIONER WAITS: -- month. But --
8 DISTRICT ATTORNEY HERRERA: -- but the point on today is
9 that you decide what the -- the terms on the new contract are.
10 COMMISSIONER WAITS: Right.
11 KEITH WESTENGARD: I'm just requesting -- yeah. The --
12 the -- of course the decision is your- -- is -- is the board's.
13 That was just a suggestion is all it was.
14 I -- I think the -- with this board approving the -- one of
15 the ambulances, which is a transport ambulance, I think that's a
16 step in the right direction.
17 I think that's a step for bringing additional funds to the
18 count- -- to the hospital.
19 COMMISSIONER BAKKER: Before we approve a dollar amount,
20 can we double-check what's in the budget?
21 CINDY BENSON: I can do that.
22 COMMISSIONER BAKKER: So --
23 That's the first thing we need to do.
24 And, Jason, I know you're new and you're working on this
25 and to hope the turnaround stops at the hospital so you -- we
26 can have a collective goal and ideology on where we're headed.
27 So just saying.
28 CHAIRMAN MILLS: Right.
29 Agreed.
30 COMMISSIONER BAKKER: And I'm fine with the three-year
31 contract and especially with that in there. It's just we need
32 to have a goal at "What's our end result?"
33 And like you said, we've had three different directors up
34 here tell us three different things. So it's just we need to have
35 a goal.
36 COMMISSIONER WAITS: But it has gone down. We've been --
37 we've been coming down. We've just -- instead of turning it
38 totally over, we're still paying.
39 COMMISSIONER BAKKER: Right.
40 COMMISSIONER WAITS: That's all.

1 COMMISSIONER BAKKER: And all I'm saying --
2 COMMISSIONER WAITS: And we're --
3 COMMISSIONER BAKKER: -- is now --
4 COMMISSIONER WAITS: -- saying --
5 COMMISSIONER BAKKER: -- that Jason's in there, he sees a
6 different -- you're seeing something different that the last one
7 didn't see.
8 JASON BLEAK: Uh-huh.
9 COMMISSIONER BAKKER: I'm imagining.
10 COMMISSIONER CLARK: Well, I think our goal is -- is pretty
11 solid. We're trying to provide the best service for the
12 residents of Lander County and the visitors of Lander County.
13 And we're continuing with that.
14 JASON BLEAK: And define --
15 COMMISSIONER BAKKER: I agree.
16 JASON BLEAK: -- "efficiency" --
17 COMMISSIONER BAKKER: Right.
18 JASON BLEAK: -- in all of that. Because, yeah, we can
19 throw a lot of money at the -- at the problem, but efficiency is
20 where we're hoping to drive our costs lower.
21 COMMISSIONER WAITS: I just thought with the way that it's
22 been going in the last year and where we are today that it
23 actually -- even with more personnel, we're not doing overtime,
24 for example.
25 And in Austin we're doing a lot of stipends. So they're on
26 call. But that's -- that's a whole different way of presenting,
27 you know, our -- our service. And I think that's -- that's still
28 okay. But I think there's some areas we can -- we can still cut
29 on. So even with your new personnel, I don't understand why we're
30 going the higher amount. It just doesn't --
31 KEITH WESTENGARD: We still --
32 COMMISSIONER WAITS: -- compute --
33 KEITH WESTENGARD: -- have --
34 COMMISSIONER WAITS: -- yet.
35 KEITH WESTENGARD: -- to provide training to those people
36 that -- that's done through the --
37 COMMISSIONER WAITS: But we have --
38 KEITH WESTENGARD: -- hospital.
39 COMMISSIONER WAITS: -- our own trainers, do we not?
40 KEITH WESTENGARD: No, it's done through the hospital. The

1 training -- we -- we do additional training outside of what the
2 hospital does. We do that.

3 But they do -- they cover the required training to maintain
4 the certifications for -- for the EMTs, the advances, and the
5 paramedics.

6 COMMISSIONER WAITS: Yeah. But the -- don't we have
7 in-house trainers, is what I'm saying. I don't understand why
8 it would be --

9 KEITH WESTENGARD: We --

10 COMMISSIONER WAITS: -- that much more --

11 KEITH WESTENGARD: -- we do for -- for some of the -- we
12 have in-house trainer- -- or -- for CPR. I -- I -- I'm not sure
13 exactly what -- what all we have.

14 COMMISSIONER WAITS: EMT --

15 KEITH WESTENGARD: Myra's --

16 COMMISSIONER WAITS: -- classes?

17 KEITH WESTENGARD: here. I don't believe we -- we might
18 have -- they might have one EMT.

19 COMMISSIONER WAITS: I mean, that's what we were working
20 towards so the training isn't all that expensive.
21 We've been working towards --

22 KEITH WESTENGARD: There's still --

23 COMMISSIONER WAITS: -- that for --

24 KEITH WESTENGARD: -- required --

25 COMMISSIONER WAITS: -- the last year and a --

26 KEITH WESTENGARD: -- trainings --

27 COMMISSIONER WAITS: -- half.

28 KEITH WESTENGARD: -- that have to be done. And that's
29 done through the hospital.

30 And I believe you still have the contract with HGH -- right?
31 -- to do the -- the trainings that require trainings.

32 COMMISSIONER BAKKER: Cindy?

33 CINDY BENSON: Yes. We did budget for 10,000 a month.

34 COMMISSIONER BAKKER: Cindy, will you state your name real
35 quick?

36 CINDY BENSON: Oh, I'm sorry. Cindy Benson, for the
37 record.

38 COMMISSIONER BAKKER: Thank you.

39 Well --

40 JASON BLEAK: Sean, may I ask a question?

1 COMMISSIONER BAKKER: Yep.

2 JASON BLEAK: No. Chairman, may I ask Sean a question?

3 CHAIRMAN MILLS: Absolutely.

4 JASON BLEAK: Okay. Thank you.

5 Me being new in this, I would ask: What were the goals

6 beginning? What -- what started the whole separation from --

7 because at one point it was the county that held and ran the

8 ambulance. And now there's this transition to the hospital. What

9 were the beginning goals and reasonings for that transition?

10 Can you guys help me with that?

11 COMMISSIONER BAKKER: The -- oh, that was before --

12 JASON BLEAK: And have we --

13 COMMISSIONER BAKKER: -- me at first.

14 COMMISSIONER WAITS: Well, the main --

15 JASON BLEAK: -- met --

16 COMMISSIONER WAITS: -- thing --

17 JASON BLEAK: -- some of those goals --

18 COMMISSIONER WAITS: -- was we were --

19 JASON BLEAK: -- already?

20 COMMISSIONER WAITS: -- all volunteer.

21 JASON BLEAK: Uh-huh.

22 COMMISSIONER WAITS: And we had too many calls and too many

23 people that -- that simply couldn't -- were getting burned out.

24 And we had to go with -- with paid staff. We had to look at

25 that. So we were always on call, as Commissioner Clark said,

26 with -- with our training and -- and with the safety and -- and

27 the protection everybody needed.

28 So with that, we had Austin still volunteer.

29 Well, that kind of went by the wayside. And all of a sudden

30 Battle Mountain was now, how -- how are we going to take care of

31 the whole county?

32 And we went out, actually, for bid. We had companies come

33 in and -- and bid it for us. We'll take over all your EMS

34 training. And -- and the prices were astronomical.

35 And, I mean, because we were paying 25,000 a month, when we

36 first started, to the hospital because the hospital didn't want

37 to take it over either. And I sat on the hospital board when

38 they brought that to us. And we said, we don't want it. I

39 mean, you know, the hospital cannot absorb this kind of cost.

40 So they tried to work it out so the hospital would have the

1 county assisting. But the whole idea was to get the program
2 going. And we had straight volunteer staff, as I said, that --
3 that burned out in the southern end. And so Battle Mountain was
4 trying to cover it, and that didn't work very well at all, by
5 time they got there, of course.

6 So then we finally got some people that -- that were EMT
7 trained and starting that. And that took a few years to
8 straighten out. But then we went with a full-time coordinator.
9 And now we're staffing it more.

10 But what's happened in the interim is I -- I thought we were
11 all going towards, get these people trained as trainers so our
12 costs -- because we had to bring in trainers all the time.

13 Yes, they came from Humboldt. Yes, they came from the
14 state. Yes, we all had to go to Elko. I mean, it was big
15 expenses. But there was just a few of us. So now if there's
16 more, I don't understand why the cost is higher?

17 That's -- that's what I'm saying. And it still doesn't make
18 a lot of sense. But we've been giving you less every year --

19 JASON BLEAK: Uh-huh.

20 COMMISSIONER WAITS: -- so that -- that you can utilize the
21 staff. Because in Austin, they just sit. So that's why it's a
22 stipend.

23 And up here, you utilize them and they're your employees.
24 So when they're not running EMS, they're yours. So if you're
25 doing outside hospital training, I thought that should be your
26 cost, not the county, to supply it and still keep it going.

27 But we still want to supply. We want to be your partner.
28 And we know EMS is expensive. So I'm -- I think we should be
29 there helping you.

30 JASON BLEAK: Very good. Thank you.

31 COMMISSIONER BAKKER: To answer -- thank you, Patsy.

32 Okay. So three year -- 3 1/2 years ago, when I took office,
33 the EMS contract was supposed to end and the hospital was supposed
34 to take it over.

35 At that point there was arguments between not taking it
36 over because they didn't want Austin. They just wanted Battle
37 Mountain. Giving it back to the county because they didn't
38 want -- there was just a -- a lot of things going on.

39 So at that point, when, in the contract, the hospital was
40 supposed to take over EMS, we came together as a board and said,

1 how about we -- instead of turning it strictly over, we'll come up
2 with a contract that will incrementally step down. And we'll take
3 over Austin. So that's kind of where that came up.

4 And that's the history of why we're here and where we're at
5 today.

6 KEITH WESTENGARD: Can I go back even a little bit further
7 on that? The original contract, which was July 1st of 2012 to
8 June 30th of 2013, it was -- it was in that contract that at the
9 end of the first year, it would be looked at to be taken over by
10 the hospital.

11 And I -- I don't know think you have the original contract in
12 the -- in your books, but --

13 COMMISSIONER WAITS: No, we don't.

14 KEITH WESTENGARD: -- it was just going be a one-year deal
15 and then the coun- -- then the hospital would take it over.

16 And that came from Phil -- from Phil Hanna. He was --
17 that was his -- he was willing to take it over at that time after
18 a year. But it never materialized. And the terms of the contract
19 weren't followed in that year. And so --

20 CHAIRMAN MILLS: Right.

21 KEITH WESTENGARD: -- that's what brought us to --

22 CHAIRMAN MILLS: There's -- there's another part of that
23 too is that when the hospital took over the ambulance and the
24 county agreed to pay it, that we were paying \$25,000 a month
25 in -- in stipend at -- or payments to the hospital at that time.

26 But I -- as I recall, the first year that they had EMS at the
27 hospital, it was 750,000, \$800,000 cost to the hospital.

28 And they were already at a \$7 million loss for the year on
29 their budget. So they really needed the help badly.

30 But there was also partly the problem there was the
31 original contract with the county indicated that the ho- -- that
32 EMS was going to be with -- with basic EMTs.

33 And immediately out of the gate, it's the first thing they
34 did was -- was get all paramedics. And it -- it became very
35 expensive very rapidly.

36 And I know since then, we've -- we've made adjustments to
37 the -- the scheduling and some other things to bring a lot of
38 those costs down. But it's -- it's still been an expense.

39 And over the -- over the years, as -- as we've had these
40 issues between the county and the hospital, trying to figure out

1 what to do on this, we've -- we've dragged out this contract, and
2 we've been trying to pair it down over the years. And we've
3 reduced it from 25,000 a month to 6,000 a month.

4 But, here again, my desire is to see us be successful. And
5 as the hospital works -- because we know EMS is going to be a
6 loss.

7 But the hospital's also working in other areas to -- to
8 balance the budget and to bring in the -- the hospital's real
9 way to fix their budget is through revenue.

10 And as we work on that, the -- the revenue should be enough
11 to cover all the expenses of the hospital.

12 Because EMS is not the only loss at the hospital. There
13 are other departments that are a loss and don't bring in
14 revenue.

15 But the hosp- -- the hospital has to have, I think, more time
16 to work on the revenue side to help them balance their budget.

17 Because as I've been on there, the -- we -- we can look at
18 cutting and cutting and cutting on the expense side, and at some
19 point, you can't really cut anymore and still have the hospital
20 function.

21 What we really need to do is fix the -- the revenue side.

22 And that's -- that's really where the hospital's going to be
23 bright and we're going to bring in more services and do more
24 things to bring in the revenue. And that's where the hospital
25 budget's going to be fixed.

26 I think the hospital has to have some more time to put that
27 in place before they're going to stand alone on the EMS side.
28 And it just gives the hospital some relief by having the county
29 continue with the contract with them for a while.

30 COMMISSIONER WAITS: Well, I think a big part of the
31 problem -- you mentioned, you know, going from basic to
32 paramedic and -- and that, but -- but also we had a lot of
33 mismanagement. I mean, there truly -- for some reason, were --
34 were not being handled as well as they should have been handled.

35 CHAIRMAN MILLS: Right.

36 COMMISSIONER WAITS: And it should've been pulled up a lot
37 sooner than it ever was.

38 CHAIRMAN MILLS: Right.

39 COMMISSIONER WAITS: So if you're coming in and taking a
40 look at that, I think you're going to find you're not going to

1 have the loss right off the bat that it has been. Because I
2 think you're on the right track. And -- and hopefully we've got
3 people doing everything they're supposed to be doing.

4 But my question on this is, outside of the extra funds, was
5 there anything else in the contract that's changed?

6 KEITH WESTENGARD: Just the length and the funds.

7 DISTRICT ATTORNEY HERRERA: No, no, no, no.

8 Commissioner, excuse me. There -- there's no other
9 contract in existence.

10 COMMISSIONER BAKKER: We have to --

11 DISTRICT ATTORNEY HERRERA: You're here to set the terms
12 and conditions.

13 COMMISSIONER WAITS: Right. But, I mean, any other
14 recommendations. Because we're looking right now at this
15 saying, --

16 KEITH WESTENGARD: Isn't that --

17 COMMISSIONER WAITS: -- what do we want --

18 KEITH WESTENGARD: -- (indiscernible)?

19 COMMISSIONER WAITS: -- to do?

20 KEITH WESTENGARD: I don't have any other ones. I just
21 have the -- the length of the --

22 DISTRICT ATTORNEY HERRERA: The -- the two big terms, as --
23 as Keith points out, are -- are the length and the costs.

24 So those are --

25 COMMISSIONER WAITS: Okay.

26 DISTRICT ATTORNEY HERRERA: -- the --

27 COMMISSIONER WAITS: Okay. So that's --

28 DISTRICT ATTORNEY HERRERA: -- the primary --

29 COMMISSIONER WAITS: -- that's --

30 DISTRICT ATTORNEY HERRERA: -- terms.

31 COMMISSIONER WAITS: -- that's all our main concern --

32 DISTRICT ATTORNEY HERRERA: Yeah.

33 COMMISSIONER WAITS: -- is with -- with it. Okay.

34 COMMISSIONER BAKKER: Jason, I'm -- and I know you're not
35 Phil. And I don't want to see this fail. But I really do want
36 to see a -- a goal -- an end goal here. Hopefully we can come
37 up with something.

38 But with that said, I'm going to make a motion to approve
39 the Lander County Emergency Medical Service, EMS, contract and
40 the future terms and conditions being a three-year term at

1 \$10,000 a month.
2 DISTRICT ATTORNEY HERRERA: Excuse me, Commissioner. There
3 is no contract.
4 COMMISSIONER BAKKER: Okay. Create a -- to --
5 COMMISSIONER WAITS: Create.
6 COMMISSIONER BAKKER: -- create a contract.
7 DISTRICT ATTORNEY HERRERA: Yes.
8 CHAIRMAN MILLS: With those --
9 DISTRICT ATTORNEY HERRERA: Thank you.
10 CHAIRMAN MILLS: -- terms.
11 COMMISSIONER BAKKER: With those terms.
12 DISTRICT ATTORNEY HERRERA: Okay.
13 COMMISSIONER CLARK: Second.
14 KEITH WESTENGARD: I just wanted to be sure those are the
15 only changes that we're going to do. Everything will stay the
16 same. So we're just going to change the -- the cost and the
17 time.
18 COMMISSIONER BAKKER: Yes.
19 KEITH WESTENGARD: Okay. Thank you.
20 Sorry, Art.
21 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
22 Do we have any public comment?
23 (No comment.)
24 CHAIRMAN MILLS: It'd be great to get some public comment
25 someday.
26 All in favor?
27 COMMISSIONER BAKKER: Aye.
28 CHAIRMAN MILLS: Aye.
29 COMMISSIONER CLARK: Aye.
30 CHAIRMAN MILLS: Opposed?
31 COMMISSIONER ALLAN: Nay.
32 COMMISSIONER WAITS: Nay.
33 CHAIRMAN MILLS: Okay. Thank you.
34 JASON BLEAK: Thank you.
35 COMMISSIONER BAKKER: Thank you.
36 COMMISSIONER WAITS: This is good luck, not
37 congratulations.
38 COMMISSIONER BAKKER: Yeah.
39 CHAIRMAN MILLS: Yeah.
40 COMMISSIONER BAKKER: Good luck.

1 CHAIRMAN MILLS: Good luck.

- 2
3 5) Discussion and possible action regarding the purchase of land
4 and existing 3,840-square-foot hangar, APN 003-092-24191, aka
5 101 Toiyabe Street (consisting of 1.34 acres) at the Kingston
6 Airport, in an amount not to exceed \$40,000, to be utilized
7 by the Town of Kingston volunteer fire department for a new
8 fire station, and all other matters properly related thereto.
9

10 CHAIRMAN MILLS: Okay. Item 5. Discussion and possible
11 action regarding purchase of land and existing 3,840-square-foot
12 hangar, APN 003-092-24191, aka 101 Toiyabe Street, consisting of
13 1.34 acres at the Kingston Airport, in an amount not to exceed
14 \$40,000, to be utilized by the Town of Kingston volunteer fire
15 department for a new fire station, and all other matters
16 properly related thereto.

17 SHANNON THISS: Shannon Thiss, deputy clerk for the Town of
18 Kingston, for the record.

19 TAMMY ELKINS: Tammy Elkins, Town of Kingston vice
20 chairperson.

21 CHAIRMAN MILLS: Okay. Welcome.

22 TAMMY ELKINS: Uh-huh.

23 SHANNON THISS: I think that I sent the letter I hope
24 everybody got with all the good reasons for this.

25 The -- if you -- you guys have talked about how southern
26 Lander County EMS is booming. We have an ambulance down there
27 now with an EMT that gets backed up by our volunteers on every
28 call.

29 I have the number of calls. We've had 22 calls in -- up to
30 this point compared to 20 calls the whole last year. Now I
31 realize we didn't have the ambulance at the time.

32 But by putting the ambulance in our barn, we had to move
33 out a fire truck.

34 And then the new truck that you guys did get us -- thank
35 you by the way -- moved out another truck.

36 So now we have two trucks outside, which, you know, breaks
37 down on our fire capability.

38 So we were offered this piece of property for \$40,000 by
39 the owner, which in my opinion is a -- it's 1.34 acres. And it
40 has a 384-square-foot [verbatim] hangar on it.

1 I don't think that you'd ever find -- be able to build
2 something that big to put big trucks in at that price.

3 So that's what we're looking at. And, of course, Town of
4 Kingston doesn't have a whole lot of money. So that's why we're
5 asking you for the 40,000 to purchase this piece of property.

6 We are willing to take our fundraising money that we have
7 in our fundraising account to make the building ready.

8 It's going to take insulation, probably spray-on. We're
9 looking at \$15,000 for that.

10 The electrical's going to have be worked on. It does have
11 electrical. And that's -- I -- I'm not really sure how much
12 that's going to cost, but to put heaters in, stuff like that,
13 better lighting, stuff like that, we'll have to put towards
14 that.

15 So we're willing to do the work on the building with
16 volunteer hours and our fundraising money if it can be purchased
17 by you.

18 And I don't know if you want to -- if -- if the purchase
19 would be for the Town of Kingston or if you would want to purchase
20 and keep it in your name and let us use it, that's up to you, if
21 this works out.

22 And I know that this is late in your budget year. I know
23 you're doing your budget today, but it didn't come up until just,
24 like, about a month ago that the guy offered it to us. So that's
25 why it's so late.

26 If I'd have known about this, it would have been in my
27 original grant packages that I sent you in March.

28 So we're TKFC -- Town of Kingston Fire Company is out and
29 about a lot. We're covering -- we're covering Austin, pretty
30 much. We're covering all the highway stuff. We -- we roll with
31 every medical that the ambulance takes out.

32 There was talk that they were trying to put another newer
33 ambulance down in Kingston, but it won't fit in the building
34 that we have.

35 So that's why we're looking at this. And I think it's a
36 great opportunity. The board thought so, so they allowed me to
37 come to you with a request for it.

38 Any questions?

39 CHAIRMAN MILLS: How big is the hangar?

40 SHANNON THISS: What's that?

1 CHAIRMAN MILLS: How big is the hangar?
2 SHANNON THISS: It's three hundred -- three -- 3,840 square
3 foot.
4 COMMISSIONER WAITS: It does --
5 CHAIRMAN MILLS: So it's --
6 COMMISSIONER WAITS: -- need restrooms, --
7 SHANNON THISS: So it's sixty --
8 COMMISSIONER WAITS: -- though; --
9 SHANNON THISS: -- by 40.
10 COMMISSIONER WAITS: -- right?
11 SHANNON THISS: What's that?
12 COMMISSIONER WAITS: It does need restrooms?
13 SHANNON THISS: It would eventually need restrooms. But we
14 don't have restrooms in our firehouse now. We have in the
15 community hall, but --
16 The Town of Kingston water utility, of which I am the water
17 system operator, my partner and I have said that we will use our
18 own time and our own money to put a meter on as a donation to
19 the -- if the fire company -- if this happens.
20 So --
21 We can get water on there.
22 COMMISSIONER WAITS: So if we looked at it as a loan, what
23 would be your -- your availability to pay back a loan?
24 SHANNON THISS: Well, you know, we have -- our budget for
25 this year so far was 40- -- I think 50,000 was our total budget
26 for this year for the Town of Kingston. That covers salaries,
27 parks, cemetery, lights, propane, all that kind of stuff.
28 So this year our budget -- our tentative budget we will be
29 approving tonight was 45-.
30 So I'm not really sure. It depends on your terms.
31 COMMISSIONER WAITS: But I meant with what you're doing
32 right now, could you actually take 2- or \$300 out a month and --
33 and make a payment if you had to?
34 SHANNON THISS: Not -- I don't think so. We -- I'm -- I'm
35 sorry. It's just the Town of Kingston is so broke. We're
36 just --
37 COMMISSIONER WAITS: That's -- that's what --
38 SHANNON THISS: I mean, if --
39 COMMISSIONER WAITS: -- we're --
40 SHANNON THISS: -- it's hard --

1 COMMISSIONER WAITS: -- asking.
2 SHANNON THISS: Yeah. It's hard to pay the bills, you
3 know. And the -
4 CHAIRMAN MILLS: Do we --
5 SHANNON THISS: -- the park --
6 CHAIRMAN MILLS: -- do we have money somewhere in our
7 budget for this year that we could take and -- and --
8 KEITH WESTENGARD: Actually, --
9 CHAIRMAN MILLS: -- and do this?
10 KEITH WESTENGARD: -- Cindy and I have talked about this.
11 We do have a -- a couple of funds we're look- -- we've looked
12 at. One of them actually is the Town of Kingston's capital
13 acquisition fund with -- that has 20,000 into it. That makes them
14 a -- a -- a partner in this purchase.
15 And then we also have -- we would have 20,000 in the county's
16 capital acquisition fund.
17 But I believe that the DA has something to say.
18 DISTRICT ATTORNEY HERRERA: Yes, Mr. Chairman, honorable
19 board, before you deliberate, I'd like to refer to NRS 244.275,
20 in pertinent part, which states, Number 2: No purchase of real
21 property shall be made unless the value of the same has been
22 previously appraised and fixed by one or more competent real
23 estate appraisers to be appointed for that purpose by the county
24 commissioners.
25 Now you've appointed an appraiser previously. So we have
26 one that's been appointed. But we can't make this purchase
27 until an appraisal has been made.
28 Now that's not true with a lease. We can -- we can make
29 leases. And -- and the statute separates a lease from a
30 purchase.
31 COMMISSIONER CLARK: That was going to be my question.
32 Could we lease it?
33 DISTRICT ATTORNEY HERRERA: It --
34 COMMISSIONER WAITS: But we'd have to buy it --
35 CHAIRMAN MILLS: Does he --
36 COMMISSIONER WAITS: -- first.
37 DISTRICT ATTORNEY HERRERA: Well, the -- the statute says
38 that --
39 COMMISSIONER CLARK: No, could we lease it from the owner?
40 CHAIRMAN MILLS: Do they want --

1 SHANNON THISS: I don't --
2 CHAIRMAN MILLS: -- to lease it?
3 SHANNON THISS: -- think so.
4 COMMISSIONER WAITS: I don't think --
5 SHANNON THISS: That wasn't --
6 COMMISSIONER WAITS: -- so either.
7 SHANNON THISS: Yeah.
8 TAMMY ELKINS: No.
9 COMMISSIONER WAITS: We have several -- several pilots in
10 the Kingston area. And it -- it really is a -- is a good deal.
11 But when we look at it for a community service such as
12 this, I think he even lowered the price to us, I believe, for
13 what the fair market value is. When we do the appraisal, we
14 will find out on that. So I know we couldn't actually do it.
15 But I think the timing's okay because we still have a budget
16 that we can augment in a few hours to do it. And I think the
17 timing is so critical that whatever we have to do, I think we
18 need to do to get this done for this --
19 COMMISSIONER CLARK: Well, who --
20 COMMISSIONER WAITS: -- amount of money.
21 COMMISSIONER CLARK: -- can we get down there for --
22 COMMISSIONER WAITS: Yeah.
23 COMMISSIONER CLARK: -- an appraisal?
24 COMMISSIONER WAITS: Just how we can go about it, I think
25 is --
26 KEITH WESTENGARD: We have -- we have the --
27 COMMISSIONER CLARK: Can --
28 KEITH WESTENGARD: -- the county -- the ones -- the one you
29 that appra- -- approved for all the buildings.
30 COMMISSIONER CLARK: Right.
31 KEITH WESTENGARD: He's been sworn as a county appraiser.
32 So --
33 COMMISSIONER CLARK: Let's get that done right away.
34 KEITH WESTENGARD: -- if you give me the -- the authority
35 or the -- the direction, I'll go do that. I can do that today
36 and put him on our -- put him on the books. We can get it
37 going.
38 And then we can also come back at a later time, like, say,
39 we do have those two funds available once we get the appraisal
40 done.

1 COMMISSIONER CLARK: Okay.
2 COMMISSIONER ALLAN: So do --
3 KEITH WESTENGARD: But --
4 COMMISSIONER ALLAN: -- we need -- then just make a
5 motion -- or I'll make a motion to authorize Keith to request
6 our -- our county appraiser to appraise the property in
7 Kingston, APN 003-092-24191 for future pur- -- purchase purposes
8 --
9 COMMISSIONER CLARK: Second.
10 COMMISSIONER ALLAN: -- possibly.
11 COMMISSIONER WAITS: I'll second the motion. In
12 anticipation of your purchase, I'll second that motion.
13 COMMISSIONER BAKKER: Hey, get the one that did the golf
14 course, huh?
15 CHAIRMAN MILLS: Oh.
16 KEITH WESTENGARD: He is our sworn appraiser, --
17 COMMISSIONER BAKKER: I know.
18 KEITH WESTENGARD: -- Mr. Vice Chair.
19 DISTRICT ATTORNEY HERRERA: We have only one choice.
20 KEITH WESTENGARD: Yes.
21 COMMISSIONER ALLAN: And we can bring this back later.
22 DISTRICT ATTORNEY HERRERA: Yes.
23 CHAIRMAN MILLS: Okay. Judie made motion. Patsy seconded.
24 Do we have any public comment?
25 (No comment.)
26 CHAIRMAN MILLS: All in favor?
27 COMMISSIONER BAKKER: Aye.
28 COMMISSIONER ALLAN: Aye.
29 CHAIRMAN MILLS: Aye.
30 COMMISSIONER WAITS: Aye.
31 COMMISSIONER CLARK: Aye.
32 And get this thing --
33 CHAIRMAN MILLS: Okay.
34 COMMISSIONER CLARK: -- ASAP.
35 TAMMY ELKINS: Thank you.
36 SHANNON THISS: Thank you.
37 COMMISSIONER BAKKER: Thank you.
38 CHAIRMAN MILLS: We'll move forward on that one.
39 SHANNON THISS: I'll get with you Keith.
40 KEITH WESTENGARD: Okay.

1 SHANNON THISS: Thank you.
2 KEITH WESTENGARD: You're welcome. Thank you.

3
4 6) Discussion and possible action to approve/disapprove the
5 lease agreement between Desmond and Mary Skeath and Lander
6 County for the building located at 88 Main Street, Austin,
7 Nevada (Austin Library) for \$350 per month, and all other
8 matters properly related thereto.
9

10 CHAIRMAN MILLS: Item 6. Discussion and possible action to
11 approve/disapprove the lease agreement between Desmond and Mary
12 Skeath and Lander County for the building located at 88 Main
13 Street, Austin, Nevada, Austin Library, for \$350 a month, and
14 all other matters properly related thereto.

15 COMMISSIONER BAKKER: We do this every year?

16 KEITH WESTENGARD: This -- this contract has been out of --
17 out of compliance for -- for quite a while. Two years.

18 CHAIRMAN MILLS: Is this one we missed somewhere along the
19 way? Is that --

20 KEITH WESTENGARD: Yes.

21 CHAIRMAN MILLS: Okay.

22 COMMISSIONER WAITS: There's several in -- in our agenda
23 today. We missed all the contracts --

24 KEITH WESTENGARD: Yes.

25 COMMISSIONER WAITS: -- with our contractor in this out --
26 for some reason. And we're -- we're trying to take a look at it
27 now.

28 So the question is whether we will a- -- approve it or what
29 your other thoughts are. Because we -- we actually went out for
30 bid a few years ago. And there's just nobody around that --

31 And -- and those that will, have to commute. Well, then we
32 have -- I mean, it's -- it was so high that -- of course, it's
33 going to be high. You can't travel a hundred miles to do this
34 kind of work and mow a lawn and everything and expect it to be
35 less --

36 CHAIRMAN MILLS: Yeah.

37 COMMISSIONER WAITS: -- than our local one. It just didn't
38 come out that way.

39 KEITH WESTENGARD: Right.

40 COMMISSIONER WAITS: So with that, I'll -- I'll go ahead

1 and make the motion that we approve the lease agreement between
2 Desmond and Mary Skeath and Lander County for the building
3 located at 88 Main Street, Austin, Nevada, \$350 a month for the
4 library.

5 COMMISSIONER BAKKER: Second.

6 CHAIRMAN MILLS: Okay. Patsy made a motion. Sean
7 seconded.

8 Do we have any public comment?

9 COMMISSIONER WAITS: And this actually will -- will -- will
10 be retroactive to when the contract expired -- what? -- two or
11 three months ago or whatever --

12 JEANNE FALZONE: April 1st.

13 COMMISSIONER WAITS: -- and -- and make it -- is that
14 right?

15 JEANNE FALZONE: April 1st.

16 DISTRICT ATTORNEY HERRERA: April 1st, we have it.

17 COMMISSIONER WAITS: Okay. So it goes retroactive to
18 April 1st on this? And so --

19 DISTRICT ATTORNEY HERRERA: Right.

20 COMMISSIONER WAITS: -- it will expire the end of March
21 next year; right?

22 JEANNE FALZONE: March, two years.

23 DISTRICT ATTORNEY HERRERA: Two years.

24 COMMISSIONER WAITS: With a two-year --

25 CHAIRMAN MILLS: Two-year --

26 COMMISSIONER WAITS: -- term.

27 CHAIRMAN MILLS: -- contract.

28 COMMISSIONER WAITS: Okay. We've got to stay on top of
29 those. Okay. Thank you.

30 CHAIRMAN MILLS: Okay. All in favor?

31 COMMISSIONER BAKKER: Aye.

32 CHAIRMAN MILLS: Aye.

33 COMMISSIONER WAITS: Aye.

34 COMMISSIONER CLARK: Aye.

35 CHAIRMAN MILLS: Opposed?

36 COMMISSIONER ALLAN: Oh, sorry. Aye.

37 CHAIRMAN MILLS: Okay.

38 COMMISSIONER ALLAN: I was just thinking, did you have
39 public comment?

40 Yeah, right.

1 CHAIRMAN MILLS: So for the record, Judie voted aye.
2 COMMISSIONER ALLAN: Yeah, I did --
3 CHAIRMAN MILLS: So --
4 COMMISSIONER ALLAN: -- vote aye.
5 CHAIRMAN MILLS: Okay.
6 COMMISSIONER BAKKER: Break?
7 COMMISSIONER ALLAN: Just a little late.
8 COMMISSIONER BAKKER: A break?
9 CHAIRMAN MILLS: Break?
10 COMMISSIONER BAKKER: Uh-huh.
11 CHAIRMAN MILLS: All right. We'll do a break.
12 COMMISSIONER BAKKER: Austin?

13
14 (Break taken between 10:27 a.m. and 10:41 a.m.)

15
16 CHAIRMAN MILLS: Back to order.

17
18 7) **Discussion and possible action to approve/disapprove the**
19 **maintenance and cleaning agreement between Dessie Skeath Lawn**
20 **& Parks and Lander County for properties in Austin that are**
21 **owned and operated by Lander County, and all other matters**
22 **properly related thereto.**

23
24 CHAIRMAN MILLS: We are on Item Number 7.

25
26 (Indiscernible side conversations.)

27
28 CHAIRMAN MILLS: Discussion and possible action to
29 approve/disapprove --

30
31 (Indiscernible side conversations.)

32
33 CHAIRMAN MILLS: -- the maintenance and cleaning
34 agreement --

35 KEITH WESTENGARD: But he does it.

36 CHAIRMAN MILLS: -- between Dessie Skeath --

37 KEITH WESTENGARD: Nobody else does.

38 DISTRICT ATTORNEY HERRERA: I don't think so.

39 CHAIRMAN MILLS: -- dba Dessie Skeath Lawn & Parks and
40 Lander County for properties in Austin that are owned and

1 operated by Lander County, and all other matters properly
2 related thereto.

3 KEITH WESTENGARD: This is the same scenario as the last
4 contract. So we're asking for approval.

5 COMMISSIONER BAKKER: He's been doing these services still,
6 though?

7 Okay.

8 KEITH WESTENGARD: Yes.

9 DISTRICT ATTORNEY HERRERA: Com- -- commissioners, for your
10 edification, we've previously had three separate contracts.
11 What my office has done is put them all into one. And we've
12 included Exhibit A and Exhibit B.

13 CHAIRMAN MILLS: Oh. Okay.

14 DISTRICT ATTORNEY HERRERA: So that way they won't get lost
15 or overlooked, I should say.

16 CHAIRMAN MILLS: Okay.

17 COMMISSIONER WAITS: We didn't --

18 CHAIRMAN MILLS: yeah.

19 COMMISSIONER WAITS: -- lose them; right?

20 DISTRICT ATTORNEY HERRERA: No.

21 CHAIRMAN MILLS: That's fine. If that helps you guys out,
22 that's great.

23 DISTRICT ATTORNEY HERRERA: Well, I think it helps
24 everybody out. Important in one -- one document.

25 CHAIRMAN MILLS: Okay.

26 COMMISSIONER WAITS: And the only increase we've had over
27 the years have been when we added the visitors' center.

28 DISTRICT ATTORNEY HERRERA: Right.

29 COMMISSIONER WAITS: Everything else has been all the same.
30 So I'll make a motion we approve the maintenance and
31 cleaning agreement between Dessie Skeath and -- and Mary Skeath
32 -- and it's -- no, it's n- -- I'm sorry. This one's different.
33 This is Dessie Skeath -- Dessie Skeath dba Dessie Skeath Lawn &
34 Parks and Lander County for properties in Austin that are owned
35 and operated by Lander County.

36 COMMISSIONER BAKKER: Second.

37 CHAIRMAN MILLS: Okay. Patsy made a motion. Sean
38 seconded.

39 Do we have any public comment?

40 COMMISSIONER WAITS: Again, for clarification, this is

1 retroactive back to --
2 JEANNE FALZONE: April -- April 1st.
3 DISTRICT ATTORNEY HERRERA: April 1st.
4 COMMISSIONER WAITS: April 1st. Thank you.
5 CHAIRMAN MILLS: Okay. All in favor?
6 COMMISSIONER BAKKER: Aye.
7 CHAIRMAN MILLS: Aye.
8 COMMISSIONER WAITS: Aye.
9 COMMISSIONER ALLAN: Aye.
10 COMMISSIONER CLARK: Aye.

11
12 8) **Discussion and possible action regarding the agreement**
13 **between Lander County and LP Insurance for insurance broker**
14 **services, to continue the current agreement for another year,**
15 **or to begin the process of searching for another broker**
16 **service, and all other matters properly related thereto.**
17

18 CHAIRMAN MILLS: Item Number 8. Discussion and possible
19 action -- excuse me -- discussion and possible action regarding
20 the agreement between Lander County and LP Insurance for
21 insurance broker services, to continue the current agreement for
22 another year, or to begin the process of searching for another
23 broker service, and all other matters properly related thereto.

24 KEITH WESTENGARD: So this'll be the annual review of our
25 broker agreement with LP Insurance. I do want to say that I'm
26 real happy with what's been provided from LP.

27 It -- it is something that we don't even have to go out for
28 proposals for this.

29 And our auditors are something that can just be awarded
30 without going out to contract or to -- for request for proposals.

31 You know Tim's here. And I think we have some people here
32 from A and H?

33 TRACY NEELEY: Uh-huh.

34 KEITH WESTENGARD: So -- but I did want to put that on the
35 record. I'm really happy with LP. And -- and I would like to
36 keep them. But it's up to the commission.

37 CHAIRMAN MILLS: Okay.

38 Tim, do you have any input for us today?

39 TIM HOLLAND: I agree with Keith. I'd like to have you
40 renew the contract.

1 You want me to come up there and say that? Or are you all
2 right?

3 CHAIRMAN MILLS: Ab- -- absolutely. Come on up and --

4 TIM HOLLAND: Tim Holland with LP Insurance.

5 I agree with Keith. I would like to have you renew the
6 contract. I think things are working very well.

7 Give you a little update real quick. We are already into our
8 open enrollment where we have -- we sent out the employee
9 navigator open enrollment emails a couple of days ago. And while
10 we still go -- we'll go and meet with every single department
11 within the county, we already have 20 enrolled. And so that means
12 they're understanding the benefits. We're doing a good job with
13 communication. We have 98 that are going to be signing on. We
14 have two that are in process right now. So I feel that everything
15 is going very well and we're doing well.

16 I'd like to renew the contract as is.

17 COMMISSIONER BAKKER: Thank you, --

18 CHAIRMAN MILLS: Okay.

19 COMMISSIONER ALLAN: -- Tim.

20 CHAIRMAN MILLS: Just as a note. I've heard -- I'm -- I'm
21 pretty pleased with how the contract is going, but I have heard
22 a couple people mention they'd like to see you around maybe a
23 little bit more often.

24 TIM HOLLAND: Okay.

25 CHAIRMAN MILLS: So that's -- that's the only thing I've
26 heard that maybe is a little bit on the negative side.

27 TIM HOLLAND: Oh. I'm usually around about every three
28 weeks with -- with the school district and with Quality
29 Transportation, 3D Concrete.

30 I'm -- we do touch base a lot. So I would -- I would --
31 how would you like that? Would you like me -- I'm -- I'm in the
32 offices a lot. I'm walking around. Would you like me to say,
33 the broker's going to be -- you know, broker was -- is here on
34 Tuesday the 18th from 12:00 to 3:00 if there are any questions?

35 CHAIRMAN MILLS: Maybe some- -- something like that. Is
36 that -- maybe throw a memo or something just to --

37 KEITH WESTENGARD: Yeah. I can do that.

38 And also Tim's very responsive -- LP in general has been
39 pr- -- very responsive to phone calls and straightening out
40 issues.

1 There's some issues that we're currently working on that he's
2 been very -- Tim's been very involved in.
3 COMMISSIONER WAITS: I guess --
4 KEITH WESTENGARD: So --
5 COMMISSIONER WAITS: -- the --
6 KEITH WESTENGARD: -- but --
7 COMMISSIONER WAITS: -- question --
8 KEITH WESTENGARD: -- I can do that.
9 COMMISSIONER CLARK: I -- I was -- I was worried at one
10 point because I had received numerous complaints about
11 insurance.
12 I met with Tim and representatives of the people who were
13 complaining. And Tim got it straightened out in one meeting.
14 And -- and the -- the complainers were satisfied, which was
15 --
16 KEITH WESTENGARD: Yes, they were.
17 COMMISSIONER CLARK: It amazed me.
18 KEITH WESTENGARD: Very much so.
19 COMMISSIONER CLARK: But I support Tim.
20 TIM HOLLAND: You know, we've -- when --
21 COMMISSIONER WAITS: I --
22 TIM HOLLAND: -- working with the rurals, I -- there's a --
23 I -- I try to be as close as I can to the county and as close as
24 I can to the provider. And so with Prominence being so close to
25 our offices, you know, I can make a lot of things happen with
26 just driving down the road and getting an email, getting a phone
27 call, having it taken care of that day a lot of times.
28 COMMISSIONER WAITS: I guess when I hear a comment like our
29 chairman's, the question is: What -- what kind of a situation
30 would -- would require that?
31 In other words, "I'd like to see my insurance agent more
32 often," is not just a general comment. But it --
33 CHAIRMAN MILLS: Well, the --
34 COMMISSIONER WAITS: Are you interested in --
35 CHAIRMAN MILLS: Yeah.
36 COMMISSIONER WAITS: -- changing? Are you interested in --
37 do you have a problem? I mean, there's something that -- that's
38 behind it. It isn't like, I want to see you in the -- in the
39 hall a little bit more because we -- we like to do that.
40 So, I mean, there is a -- a reason. And so any time there's

1 a reason, it -- it's like our executive director said, you pick up
2 the phone. If there's --
3 CHAIRMAN MILLS: Right.
4 COMMISSIONER WAITS: -- a problem, they handle it or
5 they'll be here or whatever.
6 So I -- it's responsiveness that's the number one, not
7 just, we'd --
8 CHAIRMAN MILLS: Than just --
9 COMMISSIONER WAITS: -- like him to --
10 CHAIRMAN MILLS: -- just --
11 COMMISSIONER WAITS: -- hang around --
12 CHAIRMAN MILLS: -- the --
13 COMMISSIONER WAITS: -- a little bit more.
14 CHAIRMAN MILLS: -- seeing-your-face --
15 COMMISSIONER WAITS: Right.
16 CHAIRMAN MILLS: -- kind of thing.
17 COMMISSIONER WAITS: Yeah.
18 CHAIRMAN MILLS: Okay.
19 COMMISSIONER WAITS: I think that's it. Maybe he wants --
20 maybe they --
21 CHAIRMAN MILLS: So --
22 COMMISSIONER WAITS: -- just want to talk about insurance.
23 And that's great too. So pick up the phone and he'll be there.
24 KEITH WESTENGARD: Right.
25 TIM HOLLAND: I need -- and to add to that, a lot of times
26 when we do have a fire to put out, we have to get, you know, a
27 release statement so we can talk about their personal health
28 information. And that's generally done by email.
29 And then sometimes we have to have -- have them make that
30 first call to create the paper trail. And then we take it from
31 there. But I'll be happy to sh- --
32 CHAIRMAN MILLS: Okay.
33 TIM HOLLAND: Yeah. (Indiscernible.)
34 KEITH WESTENGARD: With that being said, Mr. Chairman, I --
35 I want to be fair about this.
36 And I -- I do know that the folks from A and H have come.
37 You -- you have my -- my thoughts. This commission has my
38 thoughts and my recommendations. But I'd -- I'd certainly like to
39 give the -- the A and H folks an opportunity to speak. I want to
40 be fair and equitable.

1 CHAIRMAN MILLS: Okay. Absolutely.
2 Come on up.
3 TRACY NEELEY: Hello. I'm Tracy Neeley, employee benefits
4 consultant with A and H Insurance.
5 NANETTE CHALUPA: Good morning. I'm Nanette Chalupa,
6 client liaison with A and H Insurance.
7 COMMISSIONER WAITS: Good morning.
8 TRACY NEELEY: Hi. And we're not here to take anything
9 away from LP.
10 You keep their contract another year. That's o- -- obviously
11 up to you. And I know you're moving carriers right now and in the
12 middle of open enrollment as we are in our municipalities.
13 We don't -- we just do a little bit of a different kind of
14 a job.
15 So even if we just engage you right now and just tell you a
16 little bit about what -- what we do, is we are about member
17 engagement. So we like to meet with every member, because when
18 we're insuring communities like this or like we're in Winnemucca
19 and we're in Lovelock, it's not just the members that you
20 employ. It's the members in your community that can't get
21 health insurance. It's our biggest problem right now.
22 And listening to the hospital, the CEO of the hospital, we
23 just got a new CEO of the hospital, Art Frable, in Winnemucca.
24 And we have been bringing him to our insurance committee meetings
25 so he can take about things that the hospital provides so we can
26 guide members that we insure in the community back to the local
27 hospital.
28 That's one of our biggest goals in Winnemucca and in
29 Pershing County is engaging with everybody in the community.
30 Again, Nanette is the client liaison. She meets with every
31 single new hire that we have with the groups that we insure so
32 they understand their benefits.
33 And I'm the creative one. So every year during renewal, I
34 try to come up with some different ideas on how to save these
35 communities money. Because in -- I'm a northern Nevada girl. I
36 was born and raised in Winnemucca. So it's my passion.
37 NANETTE CHALUPA: To elaborate a little more on what Tracy
38 said is that it really is. It's not just a member involvement.
39 It's a community involvement.
40 We really like working with your local hospitals. We like

1 creating a team atmosphere.

2 Just today in this meeting, Commissioner Mills said something
3 about resources to be successful.

4 So because education is our passion, when we sit down -- I
5 mean, and let's face it, insurance is about as fun as taxes;
6 right? People don't like -- they don't like it. They -- a lot
7 of times they don't understand it. Okay?

8 It is sincerely -- and I -- and I don't want to mince my
9 words -- sincerely customer care that we have. Because we do
10 really have a passion to teach each and every person about their
11 benefits and what they can do for them. Because a lot of people
12 don't know. They don't understand. And -- and that is of no
13 fault of their own. And -- because I've chosen this profession,
14 doesn't mean that they should be the professional on their
15 individual insurance. And I'm here to teach them every step of
16 the way.

17 And there's one word -- I'm sitting here in this room --
18 and there's a word called trust. And that's the one thing that
19 we really look -- that's what we like to earn because we feel
20 that we can do that.

21 TRACY NEELEY: Do you have any questions --

22 CHAIRMAN MILLS: Okay.

23 TRACY NEELEY: -- for us on what we do or what we offer or
24 --

25 COMMISSIONER WAITS: I do have. Thank you.

26 TRACY NEELEY: Uh-huh.

27 COMMISSIONER WAITS: And -- and thank you for coming. And
28 -- and it sounds like you do a wonderful job with your customer
29 service and that. That certainly is important, absolutely right
30 up there with number one.

31 But I do have a question, just a -- a general question, on
32 your -- the commissions, the cost.

33 Do you work on a percentage of what you sell? Or do you have
34 a set amount to your entities?

35 TRACY NEELEY: So really all of that is negotiable. It
36 just depends on who you're working with or for.

37 So in Winnemucca, it's per- -- it's a percentage. I think
38 it's 4 percent.

39 And in Lovelock, I think it's 4 percent of what -- of the
40 fully insured plan.

1 COMMISSIONER WAITS: Whatever the premiums --
2 TRACY NEELEY: Yeah.
3 COMMISSIONER WAITS: -- are? Uh-huh.
4 TRACY NEELEY: I mean, some of our other groups that we
5 have -- some other large groups that we have, like in Yerington,
6 it's completely different because I have groups that are
7 self-funded.
8 And this year my goal for Pershing and Winnemucca -- and we
9 do the cities and the counties -- is we're going to be talking a
10 lot and educating a lot and wrapping our brains around
11 reference-based pricing and self-funding because that will save
12 the counties a lot of money.
13 So that's my goal this year. I have a pretty lofty goal.
14 This year we got a rate pass in Humboldt County. But that's
15 because the county just ran well. You know, brokers come in and
16 say, I negotiated this. You don't really. It's you guys that are
17 doing the work. You're staying healthy. It's not a broker coming
18 in with fancy talk and all of that. It just doesn't happen that
19 way.
20 We all do the same thing. We just do it differently. And
21 so my goal this year -- and we did a huge education in
22 Winnemucca because I knew if I could get Mayor Putnam and Dave
23 Mendiola on board to start some education for self-funding that
24 that could save the counties a lot of money.
25 And they're spending a lot of money on health insurance and
26 people can't afford coverage.
27 And I know you guys are fortunate enough to be able -- you're
28 paying for dependent coverage. In Winnemucca and Pershing, they
29 can't afford that. Rates are so high, their families don't have
30 any insurance.
31 And then there's no carriers. In the rural Nevada area,
32 there's no carriers that are writing insurance unless you go to
33 the exchange.
34 So we've taken it upon ourselves to do health fairs that
35 include everybody. We don't want to just say, "Oh, we insure
36 the county and we insure the city," and wa- -- walk away. We
37 want to be there all of the time and engage the entire
38 community.
39 NANETTE CHALUPA: We support the wellness within -- within
40 the community too because we do have health fairs. We also

1 really support any wellness committees.
2 COMMISSIONER WAITS: You work with your county nurse.
3 TRACY NEELEY: Yes, and we --
4 NANETTE CHALUPA: Yes.
5 TRACY NEELEY: Yeah. And the hospital --
6 NANETTE CHALUPA: And the --
7 TRACY NEELEY: -- because, --
8 NANETTE CHALUPA: -- hospital.
9 TRACY NEELEY: -- again, just listening to the hospital
10 today, how are you going to have revenue in the hospital? By
11 guiding your members back to your local hospital, not sending
12 them to Reno or to Elko. What do they do great?
13 And that's when Art Frable started, I said, you've got a
14 problem.
15 And then billing is an issue. We try to help with billing
16 as much as possible so they can collect their money.
17 So there's just -- there's a whole lot to rural communities
18 that we love.
19 And so we like to stay. I mean, we go to the C Punch and
20 stay the night in Lovelock. And we're in Winnemucca. We're --
21 we're there all the time. They're -- they're our passion.
22 We don't want to be the biggest insurance company. We just
23 want to be good at what we do. And we don't want to sell and
24 have the biggest block of business. We want to do a good job in
25 the communities that we serve.
26 NANETTE CHALUPA: And then --
27 COMMISSIONER WAITS: Well, thank you for coming --
28 TRACY NEELEY: Thank you.
29 COMMISSIONER WAITS: -- and for sharing that --
30 NANETTE CHALUPA: Thank you.
31 COMMISSIONER WAITS: -- with us and for what you do. We
32 appreciate --
33 TRACY NEELEY: Thank you.
34 NANETTE CHALUPA: Thank you.
35 COMMISSIONER WAITS: -- that. Because we all need --
36 COMMISSIONER BAKKER: Thanks.
37 COMMISSIONER WAITS: -- it.
38 COMMISSIONER BAKKER: Thank you.
39 NANETTE CHALUPA: All right.
40 CHAIRMAN MILLS: Yep. Thanks.

1 NANETTE CHALUPA: Thanks.

2 COMMISSIONER BAKKER: I'll make a motion to approve the
3 agreement between Lander County and LP Insurance for the
4 insurance broker service and to continue the current agreement
5 for another year.

6 COMMISSIONER CLARK: Second.

7 COMMISSIONER ALLAN: So do we want to be more specific in
8 that? And not to exceed 33,600 annually and the effective date
9 of July 1st, 2018, through June 30th of 2019?

10 COMMISSIONER BAKKER: So -- so motioned.

11 COMMISSIONER WAITS: On the record.

12 COMMISSIONER BAKKER: Yeah.

13 CHAIRMAN MILLS: Okay.

14 Sean made a motion. Art seconded.

15 Do we have any public comment?

16 (No comment.)

17 CHAIRMAN MILLS: All in favor?

18 COMMISSIONER BAKKER: Aye.

19 COMMISSIONER ALLAN: Aye.

20 CHAIRMAN MILLS: Aye.

21 COMMISSIONER WAITS: Aye.

22 COMMISSIONER CLARK: Aye.

23 CHAIRMAN MILLS: Okay. Thank you very much.

24 COMMISSIONER BAKKER: Thank you, guys.

25 TRACY NEELEY: Thank you.

26 We'll be back next year.

27 COMMISSIONER BAKKER: Okay.

28 COMMISSIONER ALLAN: Come earlier.

29 TRACY NEELEY: We'll work. We insure some of your members
30 already.

31 CHAIRMAN MILLS: We're going to go ahead and go into our
32 closed session.

33 COMMISSIONER BAKKER: So we're --

34 Okay.

35 CHAIRMAN MILLS: I've been asked to move that up.

36 COMMISSIONER BAKKER: Oh.

37 COMMISSIONER WAITS: Closed session where?

38 CHAIRMAN MILLS: Item --

39 COMMISSIONER ALLAN: Sixteen.

40 CHAIRMAN MILLS: -- twel- -- yeah, 16.

1 COMMISSIONER WAITS: Sixteen?
2 CHAIRMAN MILLS: Yeah.
3
4 (Break taken between 10:57 a.m. and 10:58 a.m.)
5
6 COMMISSIONER BAKKER: Call her in?
7 COMMISSIONER CLARK: Okay. I'm -- I'm going to make a
8 declaration here. I'm not going to be involved in this. I'm
9 going to recuse myself under the appearance of impropriety.
10 I've been advised by the DA that this would be the best
11 route for me.
12 So have a good time, folks.
13 COMMISSIONER BAKKER: Okay.
14
15 (Break taken between 10:58 a.m. to 11:04 a.m.)
16
17 COMMISSIONER WAITS: Perhaps --
18 COMMISSIONER BAKKER: -- a motion.
19 COMMISSIONER WAITS: -- they disconnected anyway.
20 CHAIRMAN MILLS: Oh, wait. We've got to --
21 COMMISSIONER BAKKER: No. We have to read it --
22 CHAIRMAN MILLS: We have to --
23 COMMISSIONER ALLAN: -- into --
24 CHAIRMAN MILLS: -- have --
25 COMMISSIONER ALLAN: -- we have to read the item into the
26 --
27 COMMISSIONER BAKKER: Oh. Okay.
28 COMMISSIONER ALLAN: -- agenda.
29 COMMISSIONER BAKKER: Oh. Okay. Go ahead, Doug.
30 CHAIRMAN MILLS: Do we -- do we read it -- the -- the item
31 into the agenda?
32 DISTRICT ATTORNEY HERRERA: Huh?
33 CHAIRMAN MILLS: Do --
34 COMMISSIONER ALLAN: Under open session.
35 KEITH WESTENGARD: Uh-huh.
36 CHAIRMAN MILLS: Okay.
37 KEITH WESTENGARD: Sixteen.
38
39
40

1 16) Discussion only regarding the Employee #381, Tamara
2 Dimitroff, to consider her character, professional
3 competence, alleged misconduct, or physical or mental health.
4 The board will go to a closed session to discuss health and
5 medical issues only of Ms. Dimitroff as required under NRS
6 241.030, 241.031, and 241.033. Before closing the meeting,
7 the commission must approve a member's motion to close the
8 meeting, which specifies the nature of the business to be
9 considered and the statutory authority on which the meeting
10 will be closed.

11
12 CHAIRMAN MILLS: So Item Number 16. Discussion only
13 regarding Employee #381, Tamara Dim- -- Tamara Dimitroff,
14 consider her character, professional competence, alleged
15 misconduct, or physical and -- or mental health. The board will
16 go into closed session to discuss health and medical issues only
17 of Ms. Dimitroff as required under NRS 241.030, 24- -- 241.031,
18 and 241.033. Before closing the meeting, the commission must
19 approve a member's motion to close the meeting, which specifies
20 the nature of the business to be considered and the statutory
21 authority on which the meeting will be closed.

22 COMMISSIONER BAKKER: Okay.

23 CHAIRMAN MILLS: So, Tammy, did you have --

24 TAMARA DIMITROFF: Yes.

25 CHAIRMAN MILLS: -- want to make a request to close this
26 meeting?

27 TAMARA DIMITROFF: Yes. I request to close the meeting.

28 COMMISSIONER ALLAN: So I'll make a motion that we close
29 the meeting regarding the discussion only of Employee #381,
30 Tamara Dimitroff, to consider her character, professional
31 competence, alleged misconduct, or physical or mental health.

32 COMMISSIONER BAKKER: Second. Oh.

33 DISTRICT ATTORNEY HERRERA: Health and medical issues.

34 COMMISSIONER ALLAN: And -- and medical issues.

35 DISTRICT ATTORNEY HERRERA: Pursuant to those three
36 statutes.

37 COMMISSIONER ALLAN: Okay. Pursuant to NRS statute
38 241.030, 241.031, and 241.033.

39 COMMISSIONER BAKKER: Second.

40 CHAIRMAN MILLS: Okay. Judie made a motion. Sean

1 seconded.

2 Do we have any public comment?

3 COMMISSIONER WAITS: The only public comment I have is,
4 then, on the agenda, where it says Lander County Board of
5 Commissioners' closed session should be behind Number 16, not in
6 front of it.

7 COMMISSIONER ALLAN: What?

8 DISTRICT ATTORNEY HERRERA: What?

9 KEITH WESTENGARD: Oh. I -- I -- I understand that,
10 Commissioner Waits.

11 COMMISSIONER WAITS: Okay.

12 KEITH WESTENGARD: Yes. Thank --

13 CHAIRMAN MILLS: Oh.

14 CHAIRMAN MILLS: Yeah.

15 KEITH WESTENGARD: -- you.

16 CHAIRMAN MILLS: Okay.

17 COMMISSIONER WAITS: The agenda is incorrect. They should
18 have moved the information on --

19 KEITH WESTENGARD: I should have --

20 COMMISSIONER WAITS: -- closed session --

21 KEITH WESTENGARD: -- it after --

22 COMMISSIONER BAKKER: -- after Number 16.

23 KEITH WESTENGARD: -- to be able to --

24 COMMISSIONER WAITS: And we --

25 COMMISSIONER ALLAN: Oh, right.

26 KEITH WESTENGARD: -- go into --

27 COMMISSIONER ALLAN: Just on the --

28 COMMISSIONER WAITS: -- will correct --

29 KEITH WESTENGARD: -- a closed --

30 COMMISSIONER WAITS: -- that.

31 KEITH WESTENGARD: -- session.

32 CHAIRMAN MILLS: Okay.

33 COMMISSIONER BAKKER: Okay.

34 CHAIRMAN MILLS: So for the record, that should be after.
35 And then we'll repeat the agenda item.

36 COMMISSIONER BAKKER: Pretty --

37 CHAIRMAN MILLS: Okay.

38 COMMISSIONER BAKKER: -- much.

39 All in favor?

40 CHAIRMAN MILLS: All in favor?

1 COMMISSIONER BAKKER: Aye.
2 CHAIRMAN MILLS: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER ALLAN: Aye.
5

6 (Whereupon, a closed session began starting at 11:05 a.m.
7 The open session reconvened at 11:50 a.m.)
8

9 CHAIRMAN MILLS: Okay. We'll reconvene our Lander County
10 Commission meeting.

11 So, Ted, do we need to address Item 16 in open session at
12 all?

13 DISTRICT ATTORNEY HERRERA: I would suggest -- well, 16 was
14 only discussion only.

15 COMMISSIONER WAITS: Number --

16 CHAIRMAN MILLS: Okay.

17 COMMISSIONER WAITS: -- 17.

18 CHAIRMAN MILLS: So we can go ahead to -- with 17 now and
19 -- and --

20 DISTRICT ATTORNEY HERRERA: Right. But I'm --

21 CHAIRMAN MILLS: We don't --

22 DISTRICT ATTORNEY HERRERA: What I'm saying is 16 doesn't
23 have to be brought back up because it was discussion only.

24 CHAIRMAN MILLS: Because it was discussion only.

25 Okay.

26 DISTRICT ATTORNEY HERRERA: Yeah.
27

28 **17) Discussion and possible action on the Operating Engineers 3**
29 **request on behalf of Employee #381, Tamara Dimitroff. This**
30 **request is to approve already used 71.5 hours of used sick**
31 **and/or annual leave, due to an injury incurred at work, to be**
32 **recredited back to employee, and further requests the county**
33 **to cover medical benefits (which includes vision and dental),**
34 **PERS retirement, and life insurance while employee is out on**
35 **medical leave for same injury, and all other matters properly**
36 **related thereto.**
37

38 CHAIRMAN MILLS: We'll move to Item 17. Discussion and
39 possible action on the Operating Engineers 3 request on behalf
40 of Employee #381, Tamara Dimitroff. This request is to approve

1 already used 71.5 hours of used sick and/or annual leave, due to
2 an injury incurred at work, to be reccredited back to the
3 employee, and further requests the county to cover medical
4 benefits, which include vision and dental; PERS retirement; and
5 life insurance while the employee is -- is -- is out on medical
6 leave for same injury, and all other matters properly related
7 thereto.

8 So I understand, because of earlier discussion, that until
9 workmans comp actually makes a decision, we can't really make a
10 decision. So we're going to table this item.

11 KEITH WESTENGARD: Perfect.

12 COMMISSIONER BAKKER: Okay.

13
14
15 **BUILDING**

16
17 **9) Update from the building official and all other matters**
18 **properly related thereto.**

19
20 CHAIRMAN MILLS: Okay. We are going to go back to Item
21 Number 9.

22 Update from building official and all other matters properly
23 related thereto.

24 ANNA PENOLA: Hello. Anna Penola with the Building
25 Department.

26 CHAIRMAN MILLS: Good morning.

27 ANNA PENOLA: From June till July we've had 71 permits.

28 Austin courthouse is going to get blinds upstairs.

29 New home is being placed at Reese River.

30 And there's a 16-space RV park that's in the permitting
31 process in Austin.

32 Around here we have two stick-built homes being built at Hill
33 Top -- Scott Malone and Gus Hinton.

34 The Verizon tower, as you see, is complete.

35 The VFW building is complete. And they are thrilled. It
36 turned out real nice.

37 Jacob's Ladder's being turned into a bar and grill.

38 Dyno Nobel elevator bucket is complete.

39 I went to Educode in March for a week, got all trained up.

40 Airport hangar is starting its process.

1 And I've got a call from the CTA about the next phase of
2 the hospital getting geared up.

3 Any questions? Concerns or comments?

4 COMMISSIONER BAKKER: Doing a good job, Anna.

5 ANNA PENOLA: Thanks, guys.

6 COMMISSIONER WAITS: Busy --

7 COMMISSIONER CLARK: Keep up the --

8 COMMISSIONER WAITS: -- girl.

9 COMMISSIONER CLARK: -- good --

10 COMMISSIONER BAKKER: Keep up the good --

11 COMMISSIONER ALLAN: Thank you, --

12 COMMISSIONER CLARK: -- work.

13 COMMISSIONER BAKKER: -- work.

14 COMMISSIONER ALLAN: -- Anna.

15 CHAIRMAN MILLS: Thank you.

16 COMMISSIONER BAKKER: Eleven.

17 COMMISSIONER ALLAN: You said we're tabling 10?

18 CHAIRMAN MILLS: Yeah. We -- we're going to go ahead and
19 table Item Number 10.

20 New information came up that we can table that one for
21 today.

22
23
24 **PLANNING**

- 25
26 11) **Discussion and possible action to review and**
27 **approve/disapprove the proposed land transfers of federal**
28 **lands to be withdrawn and conveyed to Lander County for the**
29 **public lands bill, and all other matters properly related**
30 **thereto.**
31

32 CHAIRMAN MILLS: We'll move to Item Number 11.

33 Discussion and possible action to review and
34 approve/disapprove the proposed land transfer of federal lands
35 to be withdrawn and conveyed to Lander County for the public
36 lands bill, and all other matters properly related thereto.

37 KEITH WESTENGARD: So this is --

38 COMMISSIONER ALLAN: Quite the list.

39 KEITH WESTENGARD: -- this is the lands bill that Frank
40 Whitman has been working on. I --

1 Frank, are you on the line?
2 FRANK WHITMAN: Yes. Frank Whitman here, for the record.
3 KEITH WESTENGARD: If you could kind of -- if you could go
4 over the -- the -- the bill with the commissioners a little bit
5 -- or real quick.
6 FRANK WHITMAN: Yeah.
7 KEITH WESTENGARD: It would be --
8 FRANK WHITMAN: Certainly.
9 KEITH WESTENGARD: -- good.
10 FRANK WHITMAN: This is the bill that we started over two
11 years ago with -- in partnership with Barrick. And the -- it's
12 -- that we let it die and we picked it up again.
13 I talked to -- I talked several months ago with Martin
14 Paris and reviewed what we had done and how to proceed.
15 Since our bill is a really straight, lean housecleaning bill,
16 no big personal, you know, no mysterious economic packages,
17 et cetera, he felt it would be fairly easy to -- to get it
18 through.
19 And he said that we would need to do a -- two public
20 work hou- -- work -- and then just have approval by the -- by
21 the commissioners. And -- and we've done that.
22 So all of our homework, I believe, is -- is in place other
23 than your approval and all the homework property, et cetera, I
24 need to convey to Martin Paris, Amodei's Office. I'm sure there
25 may be some hiccups, you know, some callbacks, et cetera, what
26 they -- if they need some more explanation.
27 I -- I don't -- I can't imagine anything out there that is
28 objectionable about what we have requested and our process so
29 far.
30 And that's kind -- that's -- that's where we're at gentlemen,
31 ladies.
32 COMMISSIONER BAKKER: Hey, Frank, I -- did we post the
33 public hearings, like in the paper and stuff?
34 FRANK WHITMAN: We did. We've had --
35 COMMISSIONER BAKKER: Okay.
36 FRANK WHITMAN: -- them posted in the -- *The Bugle*. And I
37 -- I forgot where they put the -- the posting up there.
38 We did them down here at the post office.
39 And we did have people a- -- attend both -- both workshops.
40 So people got the information. Others may have missed it. I

1 don't know.

2 COMMISSIONER BAKKER: Did anyone show up from the BLM?

3 FRANK WHITMAN: Nobody from the BLM.

4 COMMISSIONER BAKKER: Okay.

5 FRANK WHITMAN: I also don't -- can't imagine -- everything
6 here we've talked about. I mean, you know, I don't think
7 anything here around the BLM's ra- -- would be on the radar
8 would be objectionable.

9 Nonetheless, from what -- from Amodei's Office with their
10 legislative committee to be on they have more feedback or not.
11 But -- but at this -- I think we're ready to take it to Amodei
12 and -- and see what happens.

13 COMMISSIONER BAKKER: Okay.

14 Make a motion --

15 CHAIRMAN MILLS: Oh, Keith has got something.

16 KEITH WESTENGARD: I -- I do have one -- one point I need
17 to bring up.

18 I -- I had received a phone call from Eureka County
19 yesterday, followed up by some discussion.

20 They had an individual show up --

21 Can you hear me okay, Frank?

22 FRANK WHITMAN: I can hear you, yes.

23 KEITH WESTENGARD: Oh, okay.

24 They had an individual show up at their commission meeting,
25 earlier this week, raising concerns about one of the parcels,
26 one of the BLM disposable p- -- parcels.

27 It has Crescent Valley's water system within that parcel
28 that'll be -- that's in the lands bill.

29 There's concern on the residents in Cre- -- one of -- several
30 of the residents in Crescent Valley that Lander County would use
31 this as some type of a -- of leverage or -- or extortion, if you
32 want to call it that, with their water system.

33 I was asked to discuss it with the board and get a firm
34 affirmation that Lander County has no intent of using this in any
35 type of a -- of a bartering or land deal or anything with Eureka
36 County.

37 They feel they have a real good relationship with the
38 county. This is a few individuals in Crescent Valley that --
39 that feel if it does go -- once this land bill does go through
40 that, like I say, we would -- the county would try to use this

1 as some type of a -- of a bargaining chip or something for the
2 future.

3 I -- I -- I don't know what type of bargaining chip that
4 this individual or these individuals were talking about, but
5 I -- I would like to be able to make it clear that we -- we have
6 no intent of using this as any kind of a -- a leverage or
7 bargaining chip in the future.

8 And possibly once this land bill goes through maybe we
9 could deed that -- that piece to Crescent Valley. It's their
10 water system.

11 COMMISSIONER WAITS: Well, besides that, since it is
12 actually Lander County, perhaps we could do an MOU.

13 DISTRICT ATTORNEY HERRERA: With who?

14 COMMISSIONER WAITS: With Eureka?

15 DISTRICT ATTORNEY HERRERA: Yeah, we --

16 COMMISSIONER WAITS: If we --

17 DISTRICT ATTORNEY HERRERA: -- you certainly --

18 COMMISSIONER WAITS: -- receive --

19 DISTRICT ATTORNEY HERRERA: -- could.

20 COMMISSIONER WAITS: If we receive --

21 DISTRICT ATTORNEY HERRERA: You certainly could.

22 COMMISSIONER WAITS: -- this.

23 DISTRICT ATTORNEY HERRERA: But -- but --

24 COMMISSIONER WAITS: Something like --

25 DISTRICT ATTORNEY HERRERA: -- it's --

26 COMMISSIONER WAITS: -- that.

27 DISTRICT ATTORNEY HERRERA: -- my understanding these are
28 nonresidents challenging this?

29 KEITH WESTENGARD: They're -- they're residents of Crescent
30 Valley. And part of Crescent Valley is in Lander and the other
31 part's --

32 COMMISSIONER WAITS: Yeah, but --

33 DISTRICT ATTORNEY HERRERA: Or are they --

34 COMMISSIONER WAITS: -- the water, --

35 DISTRICT ATTORNEY HERRERA: -- Lander County --

36 COMMISSIONER WAITS: -- all the --

37 DISTRICT ATTORNEY HERRERA: -- residents? Or are they
38 Eureka County --

39 KEITH WESTENGARD: They're --

40 DISTRICT ATTORNEY HERRERA: -- residents?

1 KEITH WESTENGARD: All I know is they're Crescent Valley
2 residents.

3 DISTRICT ATTORNEY HERRERA: Do they --

4 COMMISSIONER ALLAN: Well --

5 DISTRICT ATTORNEY HERRERA: Well, there's a difference.

6 COMMISSIONER WAITS: Well, we can still do it with the
7 county.

8 DISTRICT ATTORNEY HERRERA: Yes.

9 COMMISSIONER WAITS: And I understand their concern because
10 now all their -- their water source is sitting on BLM. And
11 we're asking for it because it's in Lander County.

12 We can do two things. We can --

13 KEITH WESTENGARD: It's also --

14 COMMISSIONER WAITS: -- take it --

15 KEITH WESTENGARD: -- confirmed.

16 COMMISSIONER WAITS: -- out totally.

17 KEITH WESTENGARD: Eureka Board of Commissioners.

18 DISTRICT ATTORNEY HERRERA: But --

19 COMMISSIONER WAITS: Or we could do an MOU.

20 CHAIRMAN MILLS: I like the MO- -- Frank, if we that out
21 completely, does that mess with your lands bill process?

22 FRANK WHITMAN: Well, we could just delete it, take that
23 parcel out.

24 It was a parcel. That would not be difficult to do. We
25 just -- just took -- take it out of the packet that we're going to
26 pass on to Aodei, and it's disappeared.

27 CHAIRMAN MILLS: Okay. So either -- either way. We can --
28 we can leave it in and do an MOU or take it out, apparently. So
29 either one.

30 FRANK WHITMAN: I'm -- I'm a little disappointed. One of
31 the people who was, I believe, is protesting this, I had a email
32 from yesterday. I was at the meeting in Battle Mountain. And I
33 didn't -- I don't -- I'm kind at a -- baffled as to the
34 conspiracy theory that has evolved out of this -- out of this
35 property.

36 But nonetheless, it's up to the commissioners how you want
37 to proceed.

38 And I -- I also wonder if the MOU and a phone call to the
39 commissioners in Eureka explaining the issue would resolve
40 everything and --

1 But -- but I leave it to you folks.

2 DISTRICT ATTORNEY HERRERA: Well, the problem is, Fr- --

3 Frank -- this is Ted Herrera -- is that we haven't got anything

4 from the Eureka County commission. And that's what we need.

5 We don't even know who the residents -- if they're Eureka

6 County residents or Lander --

7 CHAIRMAN MILLS: Right.

8 DISTRICT ATTORNEY HERRERA: -- County residents. That's

9 why I asked the question. But we need --

10 FRANK WHITMAN: Does --

11 DISTRICT ATTORNEY HERRERA: -- something from Eureka County

12 commission.

13 CHAIRMAN MILLS: Right.

14 So I would say if -- that -- at this point, proceed with it

15 in the lands bill. Don't -- don't take it out. Proceed with it

16 in the lands bill.

17 And if Eureka County commission wants to ask us about it

18 or -- or bring it before us, we're happy to address it. And we'll

19 -- we can handle it from there and take care of it from that

20 point.

21 COMMISSIONER WAITS: Well, I think --

22 COMMISSIONER ALLAN: I agree.

23 COMMISSIONER WAITS: -- the biggest thing is that we go on

24 record with what our intentions are. I think -- and that way

25 they can talk to -- to Eureka so they know, Oh, good. Look at

26 we have now. We can charge them. I'm sure --

27 CHAIRMAN MILLS: Yeah.

28 COMMISSIONER WAITS: -- they -- but they do pay BLM. I

29 mean, they -- they -- they have to pay BLM if they've got a

30 water tank sitting on them -- sitting on it. Right?

31 So do they pay Lander County?

32 DISTRICT ATTORNEY HERRERA: They -- if they're -- yeah.

33 COMMISSIONER WAITS: I don't know how that works. But

34 anyway, --

35 CHAIRMAN MILLS: And we could do that --

36 COMMISSIONER WAITS: We're --

37 CHAIRMAN MILLS: -- for an --

38 COMMISSIONER WAITS: -- happy to work --

39 CHAIRMAN MILLS: -- MOU.

40 COMMISSIONER WAITS: -- with them, whatever.

1 KEITH WESTENGARD: An MOU or if we could just deed that
2 parcel to them.
3 CHAIRMAN MILLS: We could deed it them if --
4 COMMISSIONER WAITS: No.
5 KEITH WESTENGARD: To Eureka County.
6 COMMISSIONER WAITS: No. Then you've got to redo maps.
7 Nah.
8 DISTRICT ATTORNEY HERRERA: No, no.
9 COMMISSIONER WAITS: Nah. Nah.
10 DISTRICT ATTORNEY HERRERA: No, no.
11 COMMISSIONER WAITS: Nah. Nah.
12 DISTRICT ATTORNEY HERRERA: No.
13 KEITH WESTENGARD: Well --
14 CHAIRMAN MILLS: Oh.
15 COMMISSIONER WAITS: MOU.
16 KEITH WESTENGARD: That's --
17 CHAIRMAN MILLS: Okay.
18 KEITH WESTENGARD: -- that was -- that's the intent is --
19 DISTRICT ATTORNEY HERRERA: It's a bad choice.
20 KEITH WESTENGARD: That's one of the choices that they put
21 forth in their email.
22 I'll forward you the email if you'd like.
23 COMMISSIONER WAITS: Handle it.
24 KEITH WESTENGARD: I will. I will. Thank you.
25 Consider it done, Commissioner.
26 CHAIRMAN MILLS: Do we -- do we need any action on this
27 item?
28 COMMISSIONER WAITS: Yeah. We had to approve it, didn't
29 we?
30 DISTRICT ATTORNEY HERRERA: Yeah.
31 COMMISSIONER ALLAN: We --
32 DISTRICT ATTORNEY HERRERA: You --
33 COMMISSIONER ALLAN: -- have to approve --
34 DISTRICT ATTORNEY HERRERA: -- have to approve it.
35 COMMISSIONER CLARK: We have to --
36 COMMISSIONER WAITS: We'll --
37 CHAIRMAN MILLS: We have to okay.
38 COMMISSIONER WAITS: -- enter it -- yeah. Uh-huh.
39 COMMISSIONER BAKKER: I make a motion to approve the
40 proposed land transfer of the federal lands be withdrawn and

1 conveyed to Lander County for the public lands bill.
2 COMMISSIONER ALLAN: Second.
3 COMMISSIONER CLARK: Second.
4 COMMISSIONER BAKKER: I did it.
5 CHAIRMAN MILLS: Okay. Sean made a motion. Judie
6 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 ALLAN: Aye.
13 COMMISSIONER WAITS: Aye.
14 COMMISSIONER CLARK: Aye.
15 COMMISSIONER BAKKER: Commissioners, --
16 CHAIRMAN MILLS: Okay. Thank you.
17 COMMISSIONER BAKKER: -- I have a family engagement I have
18 to make right now. So carry on without me.
19 CHAIRMAN MILLS: Okay.
20 And just for the record, we are going to go ahead and press
21 on through the lunch hour in trying to finish this up.
22
23 (Let the record reflect the presence of a quorum of four
24 commissioners.)
25
26 COMMISSIONER CLARK: I protest that. I want that on the
27 record.
28 CHAIRMAN MILLS: That we're working through lunch?
29 COMMISSIONER CLARK: Yeah. I protest that. We need to eat
30 lunch.
31 CHAIRMAN MILLS: Okay.
32 COMMISSIONER CLARK: You go ahead. I'll stay.
33 I protest it every time you do this.
34
35
36
37
38
39
40

1 **12) Discussion and possible action to approve/disapprove the**
2 **merger and resubdivision parcel map for APN 002-431-01 and**
3 **APN 002-431-02, merging 101 Manhattan Drive with 103**
4 **Manhattan Drive, Battle Mountain, Nevada, combining two (2)**
5 **parcels into one (1) parcel totaling .41 acre on property**
6 **zoned R-1, and all other matters properly related thereto.**
7

8 CHAIRMAN MILLS: Item 12. Discussion and possible action
9 to approve/disapprove the merger and resubdivision parcel map
10 for APN -- APN 002-431-01 and APN 002-431-02, merging 101
11 Manhattan Drive with 103 Manhattan Drive, Battle Mountain,
12 Nevada, combining two parcels into one parcel totaling .41 acres
13 of property -- on property zoned R-1, and all other matters
14 properly related thereto.

15 KYLA BRIGHT: Hi. Kyla Bright, planning coordinator.

16 Mr. Jimenez asked if --

17 COMMISSIONER WAITS: Kyla?

18 KYLA BRIGHT: Yes.

19 What?

20 COMMISSIONER WAITS: Name?

21 KYLA BRIGHT: I gave it.

22 COMMISSIONER ALLAN: She said it.

23 COMMISSIONER WAITS: I didn't hear you.

24 KYLA BRIGHT: I'm sorry. I'll --

25 COMMISSIONER WAITS: You talk so --

26 KYLA BRIGHT: -- speak up.

27 COMMISSIONER WAITS: -- so soft. Thank you.

28 KYLA BRIGHT: Again, Kyla Bright, for the record.

29 Mr. Jimenez works for the mines and couldn't come in or call
30 in today, so he asked if I'd speak in his behalf.

31 I said -- agreed because this map has been very trying on
32 them. It's taken a very long time to get this through.

33 The first issues were it was approved conditionally to get
34 the utility companies to sign. The first map sent out got lost.
35 So I kept calling and calling.

36 Sent the second map out. Took a couple months.

37 Finally it's back in our hands. All the necessary
38 signatures are on here. And now it's just in front of you guys
39 for approval.

40 COMMISSIONER ALLAN: Well, I will make a motion that we

1 approve --
2 KYLA BRIGHT: Sorry.
3 COMMISSIONER ALLAN: -- the merger and resubdivision parcel
4 map for APN 002-431-01 and APN 002-431-02, merging 101 Manhattan
5 Drive with 103 Manhattan Drive in Battle Mountain, combining two
6 parcels into one, totaling .41 acres in property zoned R-1.
7 COMMISSIONER WAITS: And authorize to sign the --
8 COMMISSIONER ALLAN: And authorize --
9 COMMISSIONER WAITS: -- mylar.
10 COMMISSIONER ALLAN: -- the chair to sign the --
11 COMMISSIONER WAITS: The --
12 COMMISSIONER ALLAN: -- mylar.
13 COMMISSIONER WAITS: -- mylar.
14 I'll second the motion.
15 CHAIRMAN MILLS: Okay. Judie made a motion. Patsy
16 seconded.
17 Do we have any public comment?
18 (No comment.)
19 CHAIRMAN MILLS: All in favor?
20 COMMISSIONER WAITS: Aye.
21 CHAIRMAN MILLS: Aye.
22 COMMISSIONER ALLAN: Aye.
23 COMMISSIONER CLARK: Aye.
24 CHAIRMAN MILLS: Okay.
25 COMMISSIONER ALLAN: Although I do want to say that I think
26 on -- on these resubdivisions and whatnot that for the future we
27 should have the property owners on the agendas.
28 KEITH WESTENGARD: So noted.
29 Twice.
30 CHAIRMAN MILLS: Okay.
31 At this time we'll recess the Board of Lander County
32 Commission and convene the meeting of the Lander County Liquor
33 Board composing of the Sheriff's -- county -- or Lander County
34 Board of Commissioners and the Lander County sheriff.
35
36 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
37 **RECESSED.)**
38
39 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD CONVENED.)**
40

1 COMMISSIONERS

2
3 13) Discussion and possible action to approve/disapprove the
4 liquor license to Chad and Candace Kelly for the Miles End
5 Lodge Bed & Breakfast in Kingston, Nevada, and all other
6 matters properly related thereto.
7

8 CHAIRMAN MILLS: Item 13. Discussion and possible action
9 to approve/disapprove the liquor license to Chad and Candace
10 Kelly for Miles End Lodge Bed & Breakfast in Kingston in Nevada,
11 and all other matters properly related thereto.

12 SHERIFF RON UNGER: Very good. Ron Unger, for the --

13 CHAIRMAN MILLS: Ron?

14 SHERIFF RON UNGER: -- record.

15 We have researched this, done everything. I've actually met
16 with Chad and Candace. They're really super nice people. I've
17 met with Ann Miles and John. And they're excited to get this
18 done. And I see no reason to -- not to go through with it.

19 COMMISSIONER WAITS: Do you know -- previously under Miles
20 End, did we have on- and off- liquor?

21 SHERIFF RON UNGER: I can't answer that question. I
22 don't --

23 COMMISSIONER WAITS: You don't --

24 SHERIFF RON UNGER: -- know.

25 COMMISSIONER WAITS: -- remember, --

26 SHERIFF RON UNGER: I'd have to --

27 COMMISSIONER WAITS: -- huh?

28 SHERIFF RON UNGER: -- look.

29 I know it was on- for sure. I don't know that they ever did
30 it at off-.

31 COMMISSIONER WAITS: I just wondered. And I wondered why
32 they were doing --

33 CHAIRMAN MILLS: Is this --

34 COMMISSIONER WAITS: -- off-.

35 CHAIRMAN MILLS: And this one's for on- and off-? Is
36 that --

37 COMMISSIONER WAITS: Yes.

38 SHERIFF RON UNGER: That is so, yes.

39 CHAIRMAN MILLS: -- what they're requesting?

40 COMMISSIONER WAITS: It is.

1 COMMISSIONER ALLAN: Is this --
2 SHERIFF RON UNGER: So that would just be in case they do
3 something at the park, the fireman's.
4 COMMISSIONER ALLAN: So Ann and John still kind of own it.
5 It's -- it hasn't sold, has it?
6 SHERIFF RON UNGER: No, they just --
7 COMMISSIONER ALLAN: Oh.
8 COMMISSIONER WAITS: Lease.
9 SHERIFF RON UNGER: -- lease them the restaurant in that
10 area there, part of the --
11 COMMISSIONER ALLAN: Oh. Cool. Okay.
12 COMMISSIONER WAITS: I'll make a motion we approve the
13 liquor license to Chad and Candace Kelly for the Miles End Lodge
14 Bed & Breakfast in Kingston, Nevada, for their on- and off-site
15 sell.
16 COMMISSIONER ALLAN: Second.
17 CHAIRMAN MILLS: Okay. Patsy made a motion. Judie
18 seconded.
19 Do we have any public comment?
20 (No comment.)
21 CHAIRMAN MILLS: All in favor?
22 COMMISSIONER ALLAN: Aye.
23 CHAIRMAN MILLS: Aye.
24 COMMISSIONER WAITS: Aye.
25 SHERIFF RON UNGER: Thank you very much.
26 COMMISSIONER CLARK: Aye.
27 CHAIRMAN MILLS: Thanks.
28 COMMISSIONER ALLAN: Thank you, Ron.
29 CHAIRMAN MILLS: So we adjourn the meeting of the Lander
30 County Liquor Board and reconvene the meeting of the Lander
31 County Board of Commissioners.

32
33 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD ADJOURNED.)**

34
35 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
36 **RECONVENED.)**
37
38
39
40

1 **14) Update from the Lander County recreation supervisor, and all**
2 **other matters properly related thereto.**
3

4 CHAIRMAN MILLS: Item 14. Update from Lander County
5 recreation supervisor, and all other matters properly related --
6 related thereto.

7 ROBIN SMITH: Hello. Robin Smith, for the record.

8 COMMISSIONER ALLAN: Good afternoon.

9 ROBIN SMITH: So in your packets I gave -- you guys should
10 have a copy, a breakdown, a general ledger from March till
11 May 24th showing when we were taking cart fees and the green
12 fees and trail fees. And then there's rec center, civic center
13 and rental rates for those three months, what the buildings have
14 brought in.

15 The civic center has been busy. It's been busy with school
16 functions. So that doesn't show a big -- a lot of revenues
17 there, due to the fact that the school functions fall under the
18 \$5,000 blanket that the school pays in August for use of the
19 building.

20 We had a Meatballs for Military event this last week.
21 Unfortunately, it didn't go as well as he was planning. But there
22 was some turnout for that.

23 We've got candidates night tonight.

24 So the building is starting to pick up and stay busy.

25 Rec center, everything's going good there.

26 I believe our swim team is just growing and expanding. And
27 things are great.

28 We're getting a lot more use out of the racquetball court
29 and the basketball and volleyball courts.

30 Splash pad is due to be open the end of this month. So
31 it'll be going good beginning of June, summer hitting.

32 Austin pool. I have taken the girls down. We did a full
33 clean inside the building. We're just waiting for the weather to
34 get a little bit more stable there so we can empty the pool, do
35 our acid wash, and get the pool ready.

36 I've got one lifeguard hired, one receptionist hired. I'd
37 like to get one more lifeguard. And I do have applicants. Then
38 we're going to do some interviews as soon as we can get them
39 here to do swim tests.

40 And parks are all looking good.

1 We did interviews yesterday for seasonal groundskeepers out
2 at the golf course. We have some really good candidates.
3 And I'm just waiting to hear some information back from
4 Cindy. She's waiting for a phone call to make sure our time
5 frames fall with seasonal workers fine as far as PERS goes.
6 And everything's going good.
7 COMMISSIONER WAITS: Robin, do you have the sign identified
8 and ready to order?
9 ROBIN SMITH: For the pool?
10 COMMISSIONER WAITS: Yes.
11 ROBIN SMITH: I have been talking with Hope about that.
12 And she had talked about doing a banner and hang up on that
13 fence at the tennis courts there.
14 COMMISSIONER WAITS: Oh, you mean for Austin? No, I
15 meant --
16 ROBIN SMITH: Yeah.
17 COMMISSIONER WAITS: -- your big sign that we approved on
18 the new budget. Have you got that all ready to go?
19 ROBIN SMITH: Oh, I've been working with YESCO on that.
20 Yeah. So it's -- it's coming along. Those take time to build,
21 though.
22 COMMISSIONER WAITS: I -- well, I know it does. But that's
23 why I'm saying, I'm -- I'm --
24 ROBIN SMITH: Yeah.
25 COMMISSIONER WAITS: -- hoping you're working on it now so
26 we'll be able to get it right --
27 ROBIN SMITH: Yes, we are.
28 COMMISSIONER WAITS: -- right away --
29 ROBIN SMITH: Yep.
30 COMMISSIONER WAITS: -- as soon as the budget flips in in
31 July.
32 ROBIN SMITH: Yeah.
33 COMMISSIONER WAITS: Great.
34 ROBIN SMITH: Yep. So --
35 COMMISSIONER WAITS: Because it --
36 ROBIN SMITH: -- I'm super --
37 COMMISSIONER WAITS: -- does --
38 ROBIN SMITH: -- excited --
39 COMMISSIONER WAITS: -- take time.
40 ROBIN SMITH: -- for that.

1 Yeah.
2 COMMISSIONER WAITS: Okay. Thank you.
3 ROBIN SMITH: Yep. We are. So --
4 CHAIRMAN MILLS: Okay.
5 ROBIN SMITH: All right.
6 CHAIRMAN MILLS: Thank you very much.
7 COMMISSIONER WAITS: Thank --
8 ROBIN SMITH: Thank --
9 COMMISSIONER WAITS: -- you.
10 ROBIN SMITH: -- you.
11 COMMISSIONER ALLAN: Thank you, Robin.
12 ROBIN SMITH: Yep.

13
14 **15) Discussion and possible action to hire a Lander County human**
15 **resource director after deliberation of the recommendation**
16 **from the human resources interview committee. The possible**
17 **selection to include: a) Matthew Gould, b) Pamela Kostelink.**
18 **And all other matters properly related thereto.**

19
20 CHAIRMAN MILLS: Item 15. Discussion and possible action
21 to hire a Lander County human resource director after
22 deliberation of the recommendations from the human resource
23 interview committee. The possible selections to cl- -- include:
24 a) Matthew Gould, b) Pamela Kostelenik [verbatim]. I don't --

25 KEITH WESTENGARD: Kostelink.

26 CHAIRMAN MILLS: -- know if I'm saying that right.

27 KEITH WESTENGARD: Close enough.

28 CHAIRMAN MILLS: And all other matters properly related
29 thereto.

30 KEITH WESTENGARD: So we did conduct HR interviews this
31 week with the panel -- outside panel -- one from Humboldt HR,
32 one from Elko HR, one from the mines, previous HR, as well as
33 the -- as Lisa from the UNR Extension here.

34 The -- it was the unanimous decision of the hiring -- or
35 interview committee to recommend Matthew Gould as the HR for
36 Lander County.

37 COMMISSIONER WAITS: And he --

38 COMMISSIONER ALLAN: Is that how he pronounces his name is
39 Gould? Or --

40 KEITH WESTENGARD: Gould.

1 COMMISSIONER ALLAN: -- Gould?
2 KEITH WESTENGARD: Gould.
3 COMMISSIONER ALLAN: Gould?
4 KEITH WESTENGARD: Gould. Yes.
5 COMMISSIONER WAITS: And he comes to us from where?
6 KEITH WESTENGARD: Utah.
7 COMMISSIONER CLARK: Southern Utah.
8 KEITH WESTENGARD: Southern Utah. Yes.
9 COMMISSIONER CLARK: Bryce.
10 COMMISSIONER ALLAN: And --
11 KEITH WESTENGARD: Yes.
12 COMMISSIONER CLARK: Bryce.
13 KEITH WESTENGARD: That's correct.
14 CHAIRMAN MILLS: Bryce, Utah. Hm.
15 COMMISSIONER ALLAN: What -- just -- did he indicate
16 when -- if we made him a formal offer, when he'd be available to
17 start?
18 KEITH WESTENGARD: June 18th.
19 COMMISSIONER CLARK: What was the salary?
20 KEITH WESTENGARD: 68,000 to start.
21 COMMISSIONER CLARK: Sixty-eight?
22 KEITH WESTENGARD: Sixty-eight.
23 COMMISSIONER CLARK: What did the other person want?
24 KEITH WESTENGARD: Not a penny under 95-.
25 COMMISSIONER CLARK: Not a penny under 95-.
26 KEITH WESTENGARD: Quote. That was a quote.
27 COMMISSIONER CLARK: Well, "not a penny" would have turned
28 me off.
29 COMMISSIONER ALLAN: Yeah.
30 KEITH WESTENGARD: It was -- it was also in the unanimous
31 decision of the board -- or the hiring committee -- that she --
32 she would not be a -- a fit for the county.
33 COMMISSIONER CLARK: So if -- if we hire this guy at 68-,
34 in six months we can make another determination on his salary.
35 KEITH WESTENGARD: Yes.
36 COMMISSIONER CLARK: Okay.
37 KEITH WESTENGARD: I --
38 COMMISSIONER CLARK: That's -- that's --
39 KEITH WESTENGARD: Any -- any --
40 COMMISSIONER CLARK: -- pretty --

1 KEITH WESTENGARD: -- time the board would like for --
2 COMMISSIONER WAITS: Is he --
3 KEITH WESTENGARD: -- for sure.
4 COMMISSIONER WAITS: -- in HR now?
5 KEITH WESTENGARD: Yes. Well, he's got 15 years of HR
6 experience.
7 And he -- he's got his own -- he runs a company or owns a
8 company for troubled kids. And they -- it's like a dude ranch in
9 southern Utah.
10 COMMISSIONER CLARK: My kind of guy.
11 KEITH WESTENGARD: They go out and shovel --
12 COMMISSIONER WAITS: So with that --
13 KEITH WESTENGARD: -- horse shit.
14 COMMISSIONER WAITS: -- connection, he's still --
15 KEITH WESTENGARD: Oops.
16 COMMISSIONER WAITS: -- going to be --
17 KEITH WESTENGARD: They go out and shovel --
18 SHERIFF RON UNGER: I can relate to that.
19 KEITH WESTENGARD: They go out -- they go out and shovel
20 horse stalls.
21 COMMISSIONER WAITS: He still plans on being a community --
22 KEITH WESTENGARD: He -- yes.
23 COMMISSIONER WAITS: -- resident?
24 KEITH WESTENGARD: He -- he a- -- yes, he actually came the
25 day before the interviews, went to several areas throughout the
26 -- the town of Battle Mountain. And he stayed an extra day.
27 And he was going to go see the chamber. He was going to go by
28 the -- the civic center. He went out to one of the mines and
29 said he talked with people -- with people he just -- on the
30 street. Mentioned -- made that in our -- or discussed that in
31 our interview.
32 COMMISSIONER WAITS: I'll make a motion that we follow the
33 recommendation of our interview committee and offer the position
34 of HR, the Lander County human resource director, to Matthew
35 Gould.
36 COMMISSIONER CLARK: Second.
37 COMMISSIONER ALLAN: Second.
38 CHAIRMAN MILLS: Okay. Patsy made a motion. Art seconded.
39 Do we have any public comment?
40 (No comment.)

1 CHAIRMAN MILLS: All in favor?
2 COMMISSIONER ALLAN: Aye.
3 CHAIRMAN MILLS: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER CLARK: Aye.
6 Call him up, Keith.
7 KEITH WESTENGARD: I will, right after this meeting.
8 And that -- that's going to be pending, of course,
9 background and -- and --
10 COMMISSIONER CLARK: Yeah.
11 KEITH WESTENGARD: -- drug test, all that.
12 So --
13
14

15 **FINANCE**

16
17 **18) Discussion and possible action to approve/disapprove the**
18 **final budget for FY 2018-2019 for submission to the State of**
19 **Nevada Department of Taxation, and all other matters properly**
20 **related thereto.**
21

22 CHAIRMAN MILLS: Okay.

23 KEITH WESTENGARD: (Indiscernible.)

24 CHAIRMAN MILLS: We'll move to the big item, Item Number
25 18.

26 Discussion and possible --

27 COMMISSIONER ALLAN: Cindy.

28 CHAIRMAN MILLS: -- action to approve/disapprove the final
29 budget for fiscal year 2018-2019 for submission to the State of
30 Nevada department -- Department of Taxation, and all other
31 matters properly related thereto.

32 CINDY BENSON: Cindy Benson, for the record.

33 Okay.

34 So there was a couple little changes that I had to make
35 before finalized the Lander County budget.

36 And one was a request from Max to move the 20,000 plus his
37 longevity pay from the Austin justice court budget and move it
38 into the drug court budget.

39 COMMISSIONER WAITS: I'm -- I'm confused when I read that
40 on the longevity pay. I didn't think longevity went to justice

1 of the peace.

2 CINDY BENSON: Yes, they get longevity pay.

3 COMMISSIONER WAITS: Are we sure?

4 DISTRICT ATTORNEY HERRERA: That's what they've been doing.

5 He's been getting it for --

6 COMMISSIONER WAITS: For some reasons in the back of my

7 mind when I was in -- in that office that we didn't do

8 longevity.

9 I don't know why I -- I -- from NRS. I don't know where I

10 got that from, but okay.

11 Anyway, we're moving it over. Okay.

12 CINDY BENSON: Uh-huh.

13 COMMISSIONER WAITS: And then your other one you're moving

14 is...

15 DISTRICT ATTORNEY HERRERA: I have not done a legal

16 research on that. I'm -- I'm just telling you. I have -- no

17 one's asked me to do that.

18 COMMISSIONER WAITS: Okay.

19 DISTRICT ATTORNEY HERRERA: So I'm not offering any

20 comments for --

21 COMMISSIONER WAITS: No, I --

22 DISTRICT ATTORNEY HERRERA: -- or against.

23 COMMISSIONER WAITS: -- understand. No legal. Yeah.

24 No --

25 CHAIRMAN MILLS: So we can --

26 COMMISSIONER WAITS: -- legal comments.

27 CHAIRMAN MILLS: -- we can approve --

28 COMMISSIONER WAITS: That's okay.

29 CHAIRMAN MILLS: -- it pending legal --

30 COMMISSIONER WAITS: Yeah. Abs- --

31 COMMISSIONER ALLAN: I guess my question --

32 CHAIRMAN MILLS: -- review.

33 COMMISSIONER WAITS: But we can't anyway because --

34 UNIDENTIFIED PARTICIPANT: Yeah.

35 COMMISSIONER WAITS: -- it's the amount of money.

36 COMMISSIONER ALLAN: Yeah. I guess my question is, is --

37 is it was budgeted for a specific item. He doesn't want to use

38 it for that.

39 Drug court's already gotten their budget.

40 Is why can't we just eliminate it totally? Why do we need

1 to move anything? Take it out of the budget.
2 DISTRICT ATTORNEY HERRERA: We should.
3 CINDY BENSON: Because he could be contracted out to do
4 drug court, and then he would be paid out of the drug court
5 budget.
6 So that's why the money was moved.
7 So that's --
8 COMMISSIONER ALLAN: Who could --
9 CINDY BENSON: -- why they --
10 COMMISSIONER ALLAN: -- be contracted out?
11 CINDY BENSON: Max.
12 COMMISSIONER ALLAN: As --
13 CINDY BENSON: This -- this is the money that he gets for
14 doing drug court.
15 COMMISSIONER ALLAN: True. But he will no longer be a
16 justice of the peace effective December 31st.
17 CINDY BENSON: Uh-huh.
18 COMMISSIONER ALLAN: So are we talking from July 1st to
19 December 31st?
20 CINDY BENSON: Yeah.
21 Well, for the --
22 CHAIRMAN MILLS: So --
23 CINDY BENSON: -- next year.
24 Because this is for the whole budget.
25 CHAIRMAN MILLS: Ted, how -- how does that work if Max is
26 no longer the justice of the peace, but he's -- he's -- he's an
27 authorized drug administrator --
28 DISTRICT ATTORNEY HERRERA: He --
29 CHAIRMAN MILLS: -- guy?
30 DISTRICT ATTORNEY HERRERA: -- he's the drug court. Yeah.
31 He's the --
32 CHAIRMAN MILLS: So he -- can he continue to do that when
33 he's not justice of the peace?
34 DISTRICT ATTORNEY HERRERA: Absolutely.
35 CINDY BENSON: Yes.
36 CHAIRMAN MILLS: Okay.
37 DISTRICT ATTORNEY HERRERA: Bec- -- because it -- it's not
38 -- it's a position that the district court judge gave him.
39 CHAIRMAN MILLS: Okay.
40 DISTRICT ATTORNEY HERRERA: What we are doing is the

1 county, through the county commissioners, is funding the drug
2 court directly. So we get local resources.
3 If we just funded the district court for those purposes, they
4 could put anybody they want in there.
5 CHAIRMAN MILLS: Right.
6 DISTRICT ATTORNEY HERRERA: And we -- it was all about
7 local resources.
8 CHAIRMAN MILLS: So when we get a new justice of the peace
9 this fall or --
10 KEITH WESTENGARD: We have --
11 CHAIRMAN MILLS: -- for next year, they're not necessary
12 going to be a authorized --
13 DISTRICT ATTORNEY HERRERA: Just- --
14 CHAIRMAN MILLS: -- drug --
15 DISTRICT ATTORNEY HERRERA: -- justice of the --
16 COMMISSIONER CLARK: No.
17 DISTRICT ATTORNEY HERRERA: -- peace has absolutely nothing
18 to do with drug court.
19 CHAIRMAN MILLS: Okay.
20 COMMISSIONER WAITS: But we put --
21 CHAIRMAN MILLS: All right.
22 COMMISSIONER WAITS: -- the extra money in the justice of
23 the peace because of all the training that he will need.
24 CINDY BENSON: No. This -- the -- the money was in the
25 wage portion.
26 When -- when -- when we did the Austin justice court, we
27 allotted for the \$20,000 for Max in case -- just in case he was to
28 win that position.
29 But since he had to stand down, then we were just going to
30 move that 20,000 into drug court.
31 COMMISSIONER WAITS: In case he won that position we had to
32 pay him more?
33 DISTRICT ATTORNEY HERRERA: No, no, no, no, no. It's the
34 same amount of money, but it would be in the -- the budget where
35 he was.
36 Mr. Bunch holds the position of juvenile master and of drug
37 court master.
38 COMMISSIONER WAITS: Okay. He had it in the Austin budget
39 for the drug court. And now he's not going to be there so
40 he's --

1 DISTRICT ATTORNEY HERRERA: Right.
2 COMMISSIONER WAITS: -- moving into the other one.
3 DISTRICT ATTORNEY HERRERA: Right. So --
4 COMMISSIONER WAITS: Okay. I got it.
5 DISTRICT ATTORNEY HERRERA: Okay.
6 COMMISSIONER WAITS: Okay.
7 CINDY BENSON: And the other request that was to rollover
8 the money for RM 2, which is to reroof the Battle Mountain
9 senior center, in the amount of \$17,500.
10 COMMISSIONER WAITS: Yes. We need to roll that over so
11 they can finish that up.
12 And do we have anything else that was new that jumped out at
13 us?
14 CINDY BENSON: Nope. That was it.
15 COMMISSIONER CLARK: That's a -- the bid came in at 17,5-?
16 CINDY BENSON: Yes.
17 COMMISSIONER CLARK: Okay.
18 CHAIRMAN MILLS: Do -- do we need to add \$40,000 for the
19 hangar down in Kingston?
20 CINDY BENSON: It was under my understanding that we were
21 going to try and pay for it out of this year's budget.
22 KEITH WESTENGARD: Cap -- if we can.
23 CHAIRMAN MILLS: If we can.
24 KEITH WESTENGARD: But -- but there's still money in the
25 capital acquisition --
26 CINDY BENSON: Yes, we --
27 KEITH WESTENGARD: -- that will be there next year. So
28 there's not an additional --
29 CHAIRMAN MILLS: So we don't need to make that a separate
30 line item in the budget? Okay.
31 CINDY BENSON: No.
32 COMMISSIONER WAITS: Okay.
33 CINDY BENSON: We have \$60,000 in there. So --
34 CHAIRMAN MILLS: And the same --
35 CINDY BENSON: -- that's --
36 CHAIRMAN MILLS: -- thing for the appraisal? We can cover
37 that without having to do anything extra?
38 CINDY BENSON: Yeah.
39 CHAIRMAN MILLS: All right.
40 COMMISSIONER ALLAN: Okay. So I ha- -- I still have a

1 question regarding the drug court -- well, not --
2 The longevity is \$3,981. Is -- and in -- but it mentions
3 salaries in -- you know, budget for Austin justice court, we put
4 in that budget for the amount 20,000 in the salaries line over and
5 above the amount approved by the commission plus longevity.
6 Is that specifically -- whose longevity would that have
7 been?
8 CINDY BENSON: Max's.
9 COMMISSIONER WAITS: Maybe he gets longevity for the drug
10 court.
11 DISTRICT ATTORNEY HERRERA: Yeah.
12 COMMISSIONER WAITS: Maybe that's it.
13 DISTRICT ATTORNEY HERRERA: It sounds --
14 COMMISSIONER WAITS: Because he --
15 DISTRICT ATTORNEY HERRERA: -- like it.
16 COMMISSIONER WAITS: -- because he doesn't as the justice
17 of the peace.
18 DISTRICT ATTORNEY HERRERA: Right.
19 COMMISSIONER WAITS: That's what I'm saying.
20 DISTRICT ATTORNEY HERRERA: Right.
21 COMMISSIONER WAITS: So that may be -- or I didn't think he
22 did.
23 CINDY BENSON: Yeah.
24 COMMISSIONER WAITS: Okay.
25 CINDY BENSON: I'm not sure.
26 COMMISSIONER WAITS: Anyway, it's all okay, apparently.
27 So --
28 COMMISSIONER ALLAN: Oh, I don't know.
29 COMMISSIONER WAITS: I'll make a motion that we approve the
30 final budget for the fiscal year 2018-2019 for submission to the
31 State of Nevada Department of Taxation and that we do that
32 promptly.
33 COMMISSIONER ALLAN: And authorize --
34 COMMISSIONER CLARK: Second.
35 COMMISSIONER ALLAN: -- the chair. Oh, maybe I'll second.
36 CHAIRMAN MILLS: Do we have a second?
37 COMMISSIONER ALLAN: I'm second.
38 COMMISSIONER CLARK: I already did.
39 COMMISSIONER ALLAN: We didn't --
40 CHAIRMAN MILLS: Oh.

1 COMMISSIONER ALLAN: -- hear you. Sorry, Art.
2 CHAIRMAN MILLS: Okay. And we do have -- I have the
3 originals for the budget here. So make sure you guys sign these
4 before you take off. Don't -- don't be leaving without signing
5 that.

6 So Patsy made a motion. Art seconded.
7 Do we have any public comment?
8 (No comment.)

9 CHAIRMAN MILLS: All in favor?

10 COMMISSIONER ALLAN: Aye.

11 CHAIRMAN MILLS: Aye.

12 COMMISSIONER WAITS: Aye.

13 COMMISSIONER CLARK: Aye.

14 CHAIRMAN MILLS: Keith?

15 KEITH WESTENGARD: Commissioner, I -- would it be possible
16 to go back real quick to Item Number 3 about the state health
17 nurse hiring date.

18 I know it says July 1st. I met with state officials. Or do
19 you need to open it before I go into it?

20 DISTRICT ATTORNEY HERRERA: Yeah.

21 CHAIRMAN MILLS: Yeah. Let's open it.

22 KEITH WESTENGARD: All right.

23

24 3) **Discussion and possible action to approve/disapprove an**
25 **official offer of employment to Abby Burkhart, the current**
26 **State of Nevada health nurse, for the position of the Lander**
27 **County community health nurse and the possible appointment of**
28 **Abby Burkhart as the county health officer, pursuant to LCC**
29 **Chapter 2.20. The current State of Nevada community health**
30 **nurse program will be absorbed by Lander County July 1, 2018,**
31 **and all other matters properly related thereto.**

32

33 CHAIRMAN MILLS: Okay. We'll reopen Item Number 3.

34 Discussion and possible action to approve/disapprove an
35 official officer -- offer of employment to Abby Burkhart, the
36 current State of Nevada health nurse, for the position of the
37 Lander County health nurse and the possible appointment of Abby
38 Burkhart as the county health officer, pursuant to LCC Chapter
39 2.20. The current State of Nevada community health nurse
40 program will be absorbed by Lander County July 1st, 2018, and

1 all other matters properly related thereto.
2 KEITH WESTENGARD: I spoke with the -- the state out there.
3 And would it be possible -- and I talked with Cindy -- to
4 move that hire date to June 4th? It's one month early. So that
5 we con- -- so that we can work on these -- this transformation or
6 this transfer with the state?
7 Abby won't be with the state anymore as of the la- -- Friday.
8 So we're -- we'd like to bring her on -- I'd like to bring
9 her on June 4th, one month early.
10 CHAIRMAN MILLS: So that'll be in -- that'll be in this
11 year's budget. And we're going to --
12 CINDY BENSON: Yes.
13 CHAIRMAN MILLS: -- be able to cover that?
14 CINDY BENSON: Uh-huh.
15 COMMISSIONER ALLAN: I'll amend my motion.
16 COMMISSIONER WAITS: You don't have to do that. You just
17 do a new one. It's okay.
18 CHAIRMAN MILLS: Yeah. New motion's fine.
19 COMMISSIONER WAITS: Because we're missing --
20 COMMISSIONER ALLAN: Okay.
21 COMMISSIONER WAITS: Yeah. We're missing one anyway. So
22 just do a new motion.
23 COMMISSIONER ALLAN: Okay. So I'll -- I'll make a motion
24 that we approve -- see? I didn't want to get through reading
25 all of this -- Abby Burkhart --
26 KEITH WESTENGARD: Thank you, Cindy.
27 COMMISSIONER ALLAN: -- as the public -- as the county
28 health -- excuse me -- Lander County com- -- community health
29 nurse to start effective June 4th, 2018.
30 COMMISSIONER WAITS: Do we have to add --
31 COMMISSIONER ALLAN: And also as the --
32 COMMISSIONER WAITS: -- the county health officer --
33 COMMISSIONER ALLAN: -- and the county --
34 COMMISSIONER WAITS: -- also.
35 COMMISSIONER ALLAN: -- health officer.
36 COMMISSIONER CLARK: Yeah. Second.
37 KEITH WESTENGARD: Thank you.
38 CHAIRMAN MILLS: Okay. Judie made a motion. Art seconded.
39 Do we have any public comment?
40 (No comment.)

1 CHAIRMAN MILLS: All in favor?
2 COMMISSIONER ALLAN: Aye.
3 CHAIRMAN MILLS: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER CLARK: Aye.
6
7

8 **CORRESPONDENCE**
9

10 **19) Correspondence, reports, potential upcoming agenda items.**
11

12 CHAIRMAN MILLS: Okay. That leaves us with Item Number 19
13 for correspondence, reports, potential upcoming agenda items.
14

15 (The following items were received:

16 1. Monthly reports to Lander County Commissioners for
17 March/April 2018.

18 2. State of Nevada, Department of Conservation & Natural
19 Resources, regarding Request for Release/Spill Information,
20 Thomas Hoffman Trucking mobile release, Highway 50 MM13, Lander
21 County, Nevada.

22 3. United States Department of the Interior, Bureau of
23 Land Management, Tonopah Field Office, letter to Interested
24 Public regarding Central Nevada Test Area.

25 4. United States Department of the Interior, Bureau of
26 Land Management, Elko District Office, letter to Interested
27 Party regarding Livestock Trailing Programmatic Environmental
28 Assessment.)
29

30 KEITH WESTENGARD: Next week is a skip week for agenda
31 setting.

32 So you'll have a --

33 CHAIRMAN MILLS: Oh, okay.

34 KEITH WESTENGARD: -- whole extra week to think about
35 things.

36 COMMISSIONER WAITS: On the -- on the intern that Newmont
37 is giving us for July, --

38 KEITH WESTENGARD: Yes.

39 COMMISSIONER WAITS: -- do we -- we don't need to do
40 anything more here? It's things that you're handling now; --

1 KEITH WESTENGARD: Yes.
2 COMMISSIONER WAITS: -- right?
3 KEITH WESTENGARD: Yes. And there was 12 of them, I
4 believe.
5 COMMISSIONER WAITS: Okay.
6 KEITH WESTENGARD: Twelve, the 12th.
7 COMMISSIONER WAITS: July 12th, I think. Is it?
8 KEITH WESTENGARD: And there was seven of them. There was
9 either seven on the 12th or 12 on the 7th. Twelve on the --
10 I'll have to look. But, yeah, it's handled.
11 COMMISSIONER WAITS: July.
12 KEITH WESTENGARD: Yes.
13 CHAIRMAN MILLS: So we've got some projects for them to
14 work on?
15 KEITH WESTENGARD: Oh, yes, we do.
16 CHAIRMAN MILLS: Okay. Good.
17 KEITH WESTENGARD: Yep. I spoke with Bert about it.
18 CINDY BENSON: So was this approved? The budget's
19 approved?
20 CHAIRMAN MILLS: The budget's --
21 COMMISSIONER ALLAN: Yes.
22 CHAIRMAN MILLS: -- approved.
23 CINDY BENSON: Okay.
24 KEITH WESTENGARD: They're going to sign it.
25 CINDY BENSON: Thank you.
26 CHAIRMAN MILLS: Okay.
27 COMMISSIONER ALLAN: I'll make a motion we adjourn?
28 CHAIRMAN MILLS: We've got --
29 COMMISSIONER CLARK: Second.
30 KEITH WESTENGARD: Public comment?
31 COMMISSIONER WAITS: Did you do public comment?
32 CHAIRMAN MILLS: We've got to do public --
33 COMMISSIONER ALLAN: Oh, sorry.
34 CHAIRMAN MILLS: -- comment first.
35 COMMISSIONER ALLAN: Missed that.
36
37
38
39
40

1 **PUBLIC COMMENT**

2
3 CHAIRMAN MILLS: So public comment for nonagendized items
4 only.

5 Persons are invited to submit comment in writing and/or
6 attend and make comments on any nonagenda item at the board
7 meeting, if any, and discussion of those comments at the
8 discretion of the board. All public comment may be limited to
9 three minutes per person, again at the discretion of the board.
10 Reasonable restrictions may be placed on public comment based
11 upon time, place, and manner, but public comment based upon
12 viewpoint may not be restricted.

13 Do we have any public comment?

14 COMMISSIONER ALLAN: Keith.

15 CHAIRMAN MILLS: Keith has one.

16 KEITH WESTENGARD: Sorry. Real quick.

17 CHAIRMAN MILLS: Woo hoo. Public --

18 KEITH WESTENGARD: Real --

19 CHAIRMAN MILLS: -- comment.

20 KEITH WESTENGARD: -- quick.

21 I did fail to mention we did get our bids in for the Battle
22 Mountain and Austin fuel systems. They are well within --
23 within money, our budgeted funds.

24 So we'll have that on the next agenda for approval. And we
25 will be moving forward with those pretty quick. The other --

26 COMMISSIONER WAITS: Excuse me.

27 KEITH WESTENGARD: -- thing --

28 COMMISSIONER WAITS: Both of them were?

29 KEITH WESTENGARD: Yes. There -- there might be a little
30 give and take there. But Austin was clearly -- even with
31 alternate of the -- the light.

32 COMMISSIONER WAITS: And we're okay under our budget.
33 Because we didn't move the budget up.

34 KEITH WESTENGARD: No, we didn't. Yeah. I know we didn't.

35 CHAIRMAN MILLS: Yeah.

36 COMMISSIONER WAITS: Yes.

37 KEITH WESTENGARD: Barely, though. I want to -- between
38 the two.

39 But they are two separate projects.

40 The other thing is, I -- it's been a little disturbing to

1 me.

2 I know we talked about net proceeds quite a bit. And this
3 budget was very, very --

4 COMMISSIONER WAITS: Lucrative.

5 KEITH WESTENGARD: -- lucrative. Okay.

6 We talked about getting about 6 -- \$6 million in net
7 proceeds or about \$28 million total for the county.

8 We got our budg- -- we got our budget number -- or our -- our
9 numbers yesterday. And these are actual numbers.

10 And I -- I waited till now to bring this out so the budget's
11 approved. So we can't go -- we don't -- we're not going to go
12 change anything.

13 Lander County is going to receive nearly \$43 million in net
14 proceeds.

15 COMMISSIONER WAITS: Whoa.

16 CHAIRMAN MILLS: Holy cow.

17 KEITH WESTENGARD: Three times what we expected.

18 Lander County's cut, which the check is in our bank account
19 today, is \$26,488,505.67.

20 So --

21 COMMISSIONER CLARK: Is that all?

22 And Patsy didn't want to spend any more than 35,000 on a new
23 car for Austin.

24 KEITH WESTENGARD: So --

25 CHAIRMAN MILLS: We could build another courthouse.

26 COMMISSIONER WAITS: Still have to watch the pennies.

27 KEITH WESTENGARD: So we got three times -- we have three
28 times our -- what we projected. And these, like I say, these
29 are actual amounts.

30 But our budget's done for the year.

31 Thank you.

32 CHAIRMAN MILLS: Wow.

33 COMMISSIONER CLARK: Thank you.

34 COMMISSIONER WAITS: Okay. Judie --

35

36

37 **ADJOURNMENT**

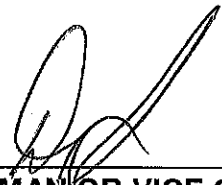
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39 COMMISSIONER ALLAN: I'll make a motion we adjourn.

40 COMMISSIONER CLARK: Second.

1 COMMISSIONER ALLAN: Where's our blue thing?
2 COMMISSIONER WAITS: Second.
3 CHAIRMAN MILLS: All in favor?
4 COMMISSIONER WAITS: Aye.
5 CHAIRMAN MILLS: Aye.
6 COMMISSIONER ALLAN: Is that blue?
7 COMMISSIONER CLARK: Aye.

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10 (Meeting adjourned at 12:27 p.m.)
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20 **CHAIRMAN OR VICE CHAIRMAN OF THE**
21 **BOARD OF LANDER COUNTY**
22 **COMMISSIONERS AND THE LANDER**
23 **COUNTY LIQUOR BOARD**

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26 **ATTEST:** Sadie Sullivan
27 **LANDER COUNTY CLERK**
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39 *Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of*
40 *Battle Mountain and Austin, Nevada.*