

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 July 12, 2018, at 8:58 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**
8 **SEAN BAKKER, COMMISSIONER**
9 **ART CLARK III, COMMISSIONER**
10 **DOUG MILLS, COMMISSIONER**
11 **JUDIE ALLAN, COMMISSIONER**
12 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**
13 **EMILY HENDRIX, EXECUTIVE SECRETARY CLERK'S OFFICE**
14 **THEODORE HERRERA, DISTRICT ATTORNEY**
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16
17 (Let the record reflect the presence of a quorum of five
18 commissioners. Let the record reflect the presence of Austin
19 via teleconference.)
20

21 CHAIRMAN MILLS: -- Lander County Commissioner meeting,
22 Town Board of Battle Mountain and Austin, Board of County
23 Highway Commissioners, July 12, 2018.

24 Will you join us in the Pledge of Allegiance.

25 Judie, will you lead us?

26 COMMISSIONER ALLAN: Please join me.
27

28 (Pledge of Allegiance)
29

30 CHAIRMAN MILLS: Okay. Thank you.

31 We'd like a moment of silence, please.
32

33 (Moment of silence)
34

35 CHAIRMAN MILLS: Thank you.

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

1 **COMMISSIONER REPORTS**

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

5 Judie?

6 KEITH WESTENGARD: Fireworks.

7 COMMISSIONER ALLAN: I have nothing to report.

8 CHAIRMAN MILLS: Okay.

9 I don't have anything.

10 Sean?

11 COMMISSIONER BAKKER: Nope.

12 CHAIRMAN MILLS: Patsy?

13 COMMISSIONER BAKKER: Patsy?

14 CHAIRMAN MILLS: We can always --

15 COMMISSIONER WAITS: Good morning, --

16 CHAIRMAN MILLS: -- count on you, --

17 COMMISSIONER WAITS: -- everyone.

18 CHAIRMAN MILLS: -- Patsy.

19 COMMISSIONER WAITS: Yeah. Actually, I didn't get a chance
20 to report on our NACO meeting at the -- the last commissioners'
21 meeting. That was on the 22nd. But there was a couple things
22 I wanted to share with you.

23 We're still in the middle of our -- our builder
24 (indiscernible) request. And we'll be bringing that -- that in to
25 you soon. Everything's due by September 1. So we're working hard
26 on that.

27 We had two different speakers, actually, that were
28 excellent on something I think we may need to look into.

29 One was a presentation with the Nevada Network of Fire
30 Adapted Communities and how we can get involved. And our board
31 member was working with us on that.

32 And the other one was actually regarding a certified local
33 government program. And I wasn't real familiar with that. It
34 was -- Jim -- let's see. How is his name pronounced? --
35 Bertolini from the state historic office. And he was telling us
36 if -- if we actually certify your local government program,
37 there are opportunities for the county to access historical
38 funding. And I was thinking of the old courthouse.

39 So we may need to -- Keith, perhaps look at that. And I gave
40 you the information on something we might want to bring forward on

1 that part of it.

2 The national convention is starting today. It's in
3 Nashville. So I'll be taking off this afternoon for that.

4 We also -- NACO sent a letter to Governor Sandoval on the
5 status of on the biennium budget and thought he was doing a fairly
6 good job. It was an excellent letter. I think most of you saw
7 it. But it was tuned in to what the counties really need to be
8 consulted for. So hopefully that's all a good thing.

9 Our annual conference for NACO is coming up in Douglas County
10 in November, of course, after the election. However, the early
11 registration closes 8/15. So we might -- Keith, this is to you
12 too -- we might want to think of maybe blocking a couple or
13 checking. Because we don't know who all's going to be attending
14 on -- not just new elected officials, but our -- our commissioners
15 too.

16 KEITH WESTENGARD: Right.

17 COMMISSIONER WAITS: So we might want to block a couple out
18 of something like that.

19 KEITH WESTENGARD: November 12th, I think, or 16th? But
20 okay. I'll get it --

21 COMMISSIONER WAITS: Right.

22 KEITH WESTENGARD: -- set up.

23 COMMISSIONER WAITS: Well, it's after the election. Right.

24 KEITH WESTENGARD: Right.

25 COMMISSIONER WAITS: So the end of November. But the
26 deadline is 8/15.

27 KEITH WESTENGARD: Okay.

28 COMMISSIONER WAITS: So --

29 KEITH WESTENGARD: Yeah. I --

30 COMMISSIONER WAITS: -- we need --

31 KEITH WESTENGARD: -- did s- --

32 COMMISSIONER WAITS: -- we need --

33 KEITH WESTENGARD: -- I saw that.

34 COMMISSIONER WAITS: -- to look at that. Okay.

35 KEITH WESTENGARD: Okay.

36 COMMISSIONER WAITS: Also, on the same day, the 22nd, our
37 Austin pool is open. Yay.

38 We missed it last year. And so we're off to a nice start,
39 and the pool is beautiful.

40 On 6/28 I went back into NACO. And that's the day you had

1 your commissioners' meeting. And I apologize for running a little
2 late. But our Deputy Secretary of the Interior David Bernhardt
3 was there and, as you know, presented us the PILT check, just a
4 little shy of \$27 million that went for Nevada. So that was
5 excellent.

6 July 2nd we have our chamber of commerce meeting. We got
7 some new pool signs put up so we can tell people going through the
8 town when it's actually open, which is a good thing. It's just a
9 -- just a big banner. But it's located right there before you go
10 in, which is excellent.

11 But they also questioned some of our pool signs because we --
12 we noticed people that -- that are stopping and -- and having
13 their picnic lunches, tailgating in the middle of town when
14 there's a gorgeous pool at the end.

15 So I contacted NDOT to see if there was something that
16 maybe we'll do to at least make them aware that -- that there
17 truly is a beautiful park or pool or something coming in.

18 So Lee got back, but he wanted to talk more in depth on it.
19 So we're looking into that part of it.

20 On the 9th we had an airport advisory board meeting in
21 Austin. And our master draft plan -- our master plan is open
22 with a draft. Of course, you know how thick they are. And
23 we're busy going through that with a lot of changes. So that's
24 -- that's on schedule, and everything's going well.

25 So I'm anxious to report next time and see how everything's
26 going. And I'm sorry you're not in Austin today.

27 COMMISSIONER CLARK: No. We didn't have a PLUAC meeting
28 this month.

29 CHAIRMAN MILLS: Okay.
30
31

32 STAFF REPORTS 33

34 CHAIRMAN MILLS: Staff reports on meetings, conferences,
35 and seminars attended.

36 KEITH WESTENGARD: I would -- I would like to reiterate to
37 the board about our Austin Airport master plan. If you get an
38 opportunity, it is pretty thick. I've briefly looked through
39 it. Commissioner Waits has dove into it a little deeper.
40 There's -- there's some mistakes in there that -- that we need

1 to correct or that will need to be corrected.

2 So if you guys have a chance, it'd be really good if you
3 would look through the -- the master plan so that we can get it
4 updated and submitted.

5 Other airport projects that are moving forward pretty
6 quickly. Our hangars are -- we've started receiving the material
7 to start the construction of the hangars at the Battle Mountain
8 Airport.

9 I spoke with our contractor yesterday -- or day before
10 yesterday -- regarding our Jet A and -- and in Austin and our low
11 lead in Battle Mountain.

12 We're looking at anywhere from 60- to 90-day build time. And
13 those projects are moving forward as well.

14 Other than that, I have -- the rest of the stuff I have is on
15 the agenda. It has been faxed to Austin.

16 We did get maps on the North Fork Road that I would like to
17 discuss with the commissioners when we get to that item. So I
18 have maps to give out, parcel numbers and so forth.

19 I think that's all.

20 CHAIRMAN MILLS: So just comment on the airport fuel tank
21 in Battle Mountain. I was out at the airport the other day
22 talking with the employees out there. And they were -- they
23 were anxious to have that self-serve tank out there because they
24 had -- I think they had over 10,000 gallons of fuel come, and
25 they didn't know where they were going to put it.

26 KEITH WESTENGARD: Yes.

27 CHAIRMAN MILLS: Because the airport's been -- the
28 airport's been busy. And they're trying to keep a lead on the
29 fuel coming in so they don't --

30 KEITH WESTENGARD: Right.

31 CHAIRMAN MILLS: -- run out. So that --

32 KEITH WESTENGARD: They --

33 CHAIRMAN MILLS: -- project will help them out a lot when
34 it -- it gets done.

35 KEITH WESTENGARD: The -- the airport has been pretty busy
36 these last few weeks. And it's probably just going to stay that
37 way throughout most of the summer, on and off. So...

1 **PUBLIC COMMENT**

2
3 CHAIRMAN MILLS: Okay. We'll move on to public comment for
4 nonagendized items only.

5 Persons are invited to submit comment in writing and/or
6 attend and make comment on an- -- any nonagenda item at the
7 board 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 CAYLA MILLSAP: Cayla Millsap. I just wanted to let you
14 guys know that we got our 501(c)(3).

15 COMMISSIONER ALLAN: Thanks, --

16 CHAIRMAN MILLS: Oh.

17 COMMISSIONER ALLAN: -- Cayla. Awesome.

18 CAYLA MILLSAP: Here it is.

19 CHAIRMAN MILLS: Great.

20 COMMISSIONER BAKKER: Thank you.

21 CAYLA MILLSAP: You're welcome.

22 COMMISSIONER ALLAN: So you're all set now?

23 CAYLA MILLSAP: Yes. Here you go.

24 KEITH WESTENGARD: Thank you. We'll get that filed.

25 CAYLA MILLSAP: Okay. Thank you.

26 KEITH WESTENGARD: Thank you.

27 CAYLA MILLSAP: Thank you, guys.

28 CHAIRMAN MILLS: So on that -- just a question on that.
29 Because we give them the liquor license based on -- if I
30 remember how this --

31 CAYLA MILLSAP: You said 30 --

32 CHAIRMAN MILLS: -- works.

33 CAYLA MILLSAP: -- day -- you wanted --

34 CHAIRMAN MILLS: Yeah.

35 CAYLA MILLSAP: -- us to come back within 30 days with
36 the --

37 CHAIRMAN MILLS: Yeah.

38 CAYLA MILLSAP: -- status on that. And that -- it's
39 actually dated the 26th. So --

40 CHAIRMAN MILLS: Oh, okay.

1 CAYLA MILLSAP: -- it was dated before, --
2 CHAIRMAN MILLS: Prior to the meeting.
3 CAYLA MILLSAP: -- prior to meeting. Uh-huh.
4 CHAIRMAN MILLS: Do we need to change that liquor license
5 at all to make sure it -- so that it fits now with them having
6 the 501(c)(3)?
7 DISTRICT ATTORNEY HERRERA: Well, yeah. The -- the --
8 COMMISSIONER BAKKER: Business license --
9 DISTRICT ATTORNEY HERRERA: -- business license needs to be
10 changed first.
11 CHAIRMAN MILLS: Okay.
12 CAYLA MILLSAP: Okay.
13 CHAIRMAN MILLS: So you --
14 DISTRICT ATTORNEY HERRERA: Then -- then based on the new
15 business license, they can get the -- the change, make the
16 change in the --
17 CHAIRMAN MILLS: So the liquor license. So you're --
18 are -- you're aware of all that you need to do to make sure that
19 all gets all --
20 CAYLA MILLSAP: Uh-huh.
21 CHAIRMAN MILLS: -- squared away?
22 CAYLA MILLSAP: Yeah. I --
23 CHAIRMAN MILLS: The pro- --
24 CAYLA MILLSAP: You just had --
25 CHAIRMAN MILLS: Okay.
26 CAYLA MILLSAP: -- asked me to come back and let you know
27 when we --
28 CHAIRMAN MILLS: Right.
29 CAYLA MILLSAP: -- got the 501(c)(3). So there it is.
30 CHAIRMAN MILLS: Appreciate that.
31 COMMISSIONER BAKKER: Awesome.
32 CHAIRMAN MILLS: Thank you very much.
33 CAYLA MILLSAP: You're --
34 COMMISSIONER BAKKER: Thank --
35 CAYLA MILLSAP: -- welcome.
36 COMMISSIONER BAKKER: -- you, Cayla.
37 CAYLA MILLSAP: Uh-huh.
38 CHAIRMAN MILLS: Other public comment?
39 SONDR TORGERSON: Good morning.
40 CHAIRMAN MILLS: Good morning.

1 COMMISSIONER WAITS: Good morning.

2 COMMISSIONER ALLAN: Good morning.

3 SONDRA TORGERSON: I'm Sondra Torgerson. And I'm here on
4 behalf of Dan Baldini and as a wife of a volunteer firefighter
5 and a taxpayer.

6 I'll refer to my phone for my notes, so I don't want to
7 come off as rude.

8 But Mr. Baldini had a phone call from the workman's comp
9 lady in Elko that Mr. Westengard told him that the volunteer
10 firefighters doing the fireworks was not a sanctioned activity
11 and that workman's comp would probably not be covering his
12 medical costs.

13 That causes me great concern because I think when something's
14 been done for over 40 years, there's a precedent set with an
15 understanding that it's been covered. It's not a secret that our
16 firemen work hard in this community to not only raise money but
17 put on that activity for our county members.

18 And it also causes me concern of what exactly are they
19 covered on?

20 Because you don't have time to go get every fire covered
21 through the commissioners for it to be a sanctioned activity.

22 And where does a person access that?

23 Someone in this building is responsible to let those folks
24 know that they weren't covered.

25 Because the firemen I've talked to, they all were -- thought
26 they were doing it for the county.

27 So I just am here to appeal to you that if workman's comp
28 decides not to pay for it, I would hope that the commissioners
29 could do something about it and see that the right thing is done.

30 COMMISSIONER BAKKER: Thank you, Sondra.

31 COMMISSIONER ALLAN: Thank you, --

32 CHAIRMAN MILLS: Thank you.

33 COMMISSIONER ALLAN: -- Sondra.

34 CHAIRMAN MILLS: Okay. Any other public comment?

35 (No comment.)
36
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40

1 **CONSENT AGENDA**

2
3 CHAIRMAN MILLS: Okay. We'll move to the consent agenda.

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

12 One, approval of May 12, two thousan- -- 2018, agenda
13 notice; two, approval of May 24, 2018, meeting minutes; three,
14 approval of June 14, 2018, meeting minutes; four, approval of
15 June 28, 2018, meeting minutes; five, approval of payment of the
16 bills; and, six, approval of payroll change requests.

17 COMMISSIONER BAKKER: Did we get June 14th, 2018, Patsy?

18 COMMISSIONER WAITS: No, I don't have it as the 14th or the
19 28th. Did you on either one?

20 COMMISSIONER BAKKER: Okay. So with that, I'll make a
21 motion to approve the July 12, 2018, agenda notice, the May 24,
22 2018, meeting minutes, the payment of the bills, and the payroll
23 change requests.

24 COMMISSIONER ALLAN: Second.

25 CHAIRMAN MILLS: Sean made a motion. Judie seconded.

26 Do we have any public comment?

27 COMMISSIONER WAITS: I have one question in between. Were
28 we questioning anything at all? Did you say there was something
29 that had to be changed on -- was it payroll or something?

30 KEITH WESTENGARD: No, it wasn't payroll. It was a -- a
31 bill. But I pulled it. It's not on this agenda.

32 COMMISSIONER WAITS: Oh, okay. So -- so we're --

33 KEITH WESTENGARD: Once I --

34 COMMISSIONER WAITS: -- okay.

35 KEITH WESTENGARD: -- get it straightened out, it has to do
36 with our boilers. And I --

37 COMMISSIONER WAITS: Okay. But it's not on for us --

38 KEITH WESTENGARD: No.

39 COMMISSIONER WAITS: -- to approve. Okay. Thank you. I
40 just wanted to clarify that because I remember --

1 KEITH WESTENGARD: But it's been --
2 COMMISSIONER WAITS: -- you mentioning --
3 KEITH WESTENGARD: -- pulled out --
4 COMMISSIONER WAITS: -- it.
5 KEITH WESTENGARD: -- out of paying -- I already paid the
6 checks --
7 COMMISSIONER WAITS: Okay.
8 KEITH WESTENGARD: -- for now.
9 CHAIRMAN MILLS: Okay. Any other --
10 COMMISSIONER WAITS: Okay.
11 CHAIRMAN MILLS: -- public comment?
12 (No comment.)
13 CHAIRMAN MILLS: All in favor?
14 COMMISSIONER BAKKER: Aye.
15 COMMISSIONER ALLAN: Aye.
16 CHAIRMAN MILLS: Aye.
17 COMMISSIONER WAITS: Aye.
18 COMMISSIONER CLARK: Aye.
19
20

21 **COMMISSIONERS**

- 22
23 1) **Discussion only regarding a presentation by John Packham,**
24 **PhD, on the health status of the population in Lander County,**
25 **and all other matters properly related thereto.**
26

27 CHAIRMAN MILLS: Okay. Item Number 1. Discussion only
28 regarding the presentation by John Packham, PhD, on the health
29 status of the population of Lander County, and all other matters
30 properly related thereto.

31 Good morning.
32 UNIDENTIFIED PARTICIPANT: (Indiscernible.)
33 JOHN PACKHAM: While we're getting set up, I have a few
34 documents to share.

35 UNIDENTIFIED PARTICIPANT: (Indiscernible.)
36 JOHN PACKHAM: There will be a test on this tomorrow.
37 CHAIRMAN MILLS: All right.

38 At least he gave us a night to study.

39 KEITH WESTENGARD: Nice to meet you. Keith Westengard. We
40 spoke several times on the phone.

1 JOHN PACKHAM: We have some extras with us.
2 COMMISSIONER WAITS: This one was in the minutes.
3 JOHN PACKHAM: Jordan? Why don't you set those up
4 (indiscernible).
5 UNIDENTIFIED PARTICIPANT: (Indiscernible.)
6 JOHN PACKHAM: Good morning. I am --
7 CHAIRMAN MILLS: And just -- just before you start --
8 JOHN PACKHAM: Yes.
9 CHAIRMAN MILLS: Just so you know, we do have some
10 representatives from the hospital here. So --
11 JOHN PACKHAM: Yeah. Yeah.
12 CHAIRMAN MILLS: -- that's -- I think that's a good thing
13 they're here representing the actual health care providers of
14 our county so that -- some of the health care providers in our
15 county.
16 JOHN PACKHAM: Yeah.
17 CHAIRMAN MILLS: So that's --
18 JOHN PACKHAM: Yeah. I've worked with those good folks for
19 almost 20 years --
20 CHAIRMAN MILLS: Yeah.
21 JOHN PACKHAM: -- and -- and helped you guys when you were
22 going through the critical access hospital designation process
23 some time ago when Kathy was still the CEO.
24 For the record, my name is John Packham. I'm with the UNR
25 School of Medicine, also with the state's office of statewide
26 initiatives, and the state office of rural health.
27 I appreciate the opportunity to come speak with you. I've
28 given a variation of this presentation to -- I think this is my
29 eighth group of county commissioners on population health status
30 in rural areas of the state and your authority under NRS to
31 create a board of health.
32 And so I really appreciate the opportunity. I love this
33 new building too. This is the first time I've -- I've been
34 here.
35 The information I'm going to share with you is a little bit
36 of data, recent data from the county health rankings.
37 And the purpose of this is to kind of highlight some
38 important population health issues, including a number of issues
39 outside of health care, but also how you stack up against other
40 counties.

1 The county health rankings data, one of the things that it
2 -- it highlights and it's -- I've got it up here -- is your
3 ranking among other -- other counties. I'll go into some of
4 those -- those measures, but they have to do with where you rank
5 on health outcomes, health behaviors, access to care, provider
6 shortages, and so forth.

7 And the latest iteration of these rankings shows Lander's
8 about the middle of the pack. And I'm going to show you that that
9 hasn't changed a great deal over time. You slipped a couple of
10 spots in terms of outcomes versus the -- the previous iteration.

11 I -- the last presentation I made was in Mineral County.
12 And they're at the bottom of the pack on all measures. So this
13 is a -- a slightly easier presentation for me to make.

14 But you kind of see where you rank among other counties,
15 including some of your peer rural and frontier counties.

16 And I -- I see you have a full agenda, so I'm going to motor
17 through some of these slides, but please stop me at any point.

18 This diagram looks at health outcomes across the state by
19 county. The lighter the shading, the better health ranking.
20 The darker -- Mineral, Nye, White Pine in Lyon -- the worst
21 rankings. And again, Lander's kind of at the middle of the pack
22 in terms of health outcomes.

23 This big messy pile of spaghetti looks at overall health
24 outcomes. And I encourage you to look at the thick, dark green
25 bar there and how these rankings have changed over time.

26 It was really nice to see that from 2014 to 2016 your
27 metrics im- -- improved for Lander County. They dipped a little
28 bit in -- in recent years. But there was some im- --
29 improvement in the -- in the recent last couple of years.

30 The county rankings also look at health factors so that,
31 again, what's driving mortality and morbidity in your community?

32 And -- and the rankings emphasize health behaviors such as
33 tobacco use, alcohol consumption. It also -- health factors also
34 look at, again, access to care, uninsured, as well as social
35 determinants of health, high school graduation, childhood poverty,
36 and -- and so forth.

37 These set of rankings Lander scores a little bit better,
38 again a slight drop versus the previous year. But, again, about
39 middle of the pack including rural counties in the state.

40 Go through that one more, Jordan.

1 Very, very messy diagram. But, again, kind of what I would
2 highlight is what we see in -- in this particular data is a fairly
3 stable rankings in which Lander County did well in -- in previous
4 years but has kind of hovered somewhere between a ranking of -- of
5 four and nine on health factors.

6 Now, this is the slide I really want to highlight a few
7 things. And, again, how you compare with other Nevada counties.
8 What -- what this highlights is I've showed you that your most
9 recent ranking on health outcomes -- and that is a measure of --
10 of mortality rates, self-reported health, and so forth -- is an 11
11 out of 17 counties on health factors.

12 Again, this is a -- a combination of social determinants,
13 clinical care, health behaviors, and so forth. A ranking of
14 about seven. But what I wanted to highlight with this diagram
15 is that in thinking about population health in Lander County and
16 what you might do as policy makers to improve population health,
17 we've got some great comparisons with what I would consider
18 your -- some of your peers. Now, Carson City and Washoe
19 aren't necessarily your peers, heavily populated urban areas.,

20 But when we look at neighboring or closely neighboring
21 counties such as Eureka, Pershing, Lyon, and so forth, you can see
22 a considerable amount of a variation across counties in terms of
23 both health outcomes and what's driving those particular health
24 outcomes.

25 What I wanted to also share with you from that set of county
26 rankings are a couple of highlights from that data that I wanted
27 to bring to your attention so that when you think about what could
28 we do to improve our rankings over the next three to five year?
29 What should we focus on?

30 A couple of things that jumped out in the data were kind of
31 stubbornly high adult smoking prevalence, a little -- little under
32 one in five adults in your county still report that they smoke.
33 Slightly better than the -- the state average, but still an
34 opportunity to -- for improvement.

35 Adult obesity is relatively high and rising, closely related
36 to the fact that one in five report that they are not physically
37 active at all.

38 And then finally, I wanted to highlight a pr- -- very -- very
39 high number. And that is that when we looked at mortality related
40 to alcohol, about one in three of those are related to alcohol

1 consumption, which is not surprising because you're also reporting
2 one in five adults with excessive drinking.

3 Here's a little bit of data. Lander County is the dark red
4 line in this.

5 And here we're looking at adult obesity. This is kind of a
6 slide that looks very similar across most counties of Nevada, and
7 that is kind of a slow but steady increase in adult obesity. And
8 what this points to is that Lander is no exception in this regard.
9 And, in fact, the current data has -- the most current data, which
10 was 2014 data, has Lander above both the state and U.S. average.

11 We look at health outcomes and population health status in
12 your county. It's also closely and obviously related to clinical
13 care. And some of this has nothing to do with quality of care.
14 Your hospital here actually fares quite well in terms of quality
15 rankings. What we're really thinking about here are a couple of
16 things.

17 One, Lander, like almost every rural county in the state,
18 faces some pretty severe shortages of health professionals. The
19 one that concerns me the most is mental health professionals,
20 availability of psychiatrists, psychologists, clinical social
21 workers, and so forth.

22 But you're also -- the data also pointed to a -- a -- very
23 low rates of what we refer to generally as chronic disease
24 management and including, for example, individuals just
25 self-monitoring diabetes and other chronic conditions.

26 And then finally, really concerned that you had very low
27 preventive services use, including mammography screening. And
28 we look at those mammography screening rates as compared again
29 to Nevada and U.S. average. As you see that red line, and it's --
30 it's considerably lower and has been -- it's a pattern of being
31 lower than both U.S. and state rates.

32 And then finally, there are things well outside clinical care
33 setting, well outside of public health, that are driving
34 population health in your community, point to high school
35 graduation rates that are below both state and national averages,
36 injury deaths, and childhood poverty.

37 Lander County is -- has been fortunate in that it's weathered
38 the great recession that took place, starting in 2008, better than
39 most Nevada Counties. But one of the things that was pretty
40 striking about that was, again, kind of stubborn, a flat and

1 almost increase in childhood poverty in this -- this county.

2 And you can, again, see how you compare. While it's lower
3 than the state and national metrics, it -- it remains well over 10
4 percent, and that's been the case. Again, something very
5 influential and consequential for population health.

6 I now want to kind of turn to a little bit of information
7 that I particularly wanted to share with respect to public health.

8 And -- and I'm going to give you kind of the punchline first,
9 and that is in urban areas of Nevada, those three counties, Clark,
10 Carson City, and Washoe County, have local health departments
11 that are primarily those jurisdictions that -- that have local
12 health departments, government public health. All rural counties
13 of the state do not.

14 Now I'm going to share with you the information at the close
15 of my presentation from five counties that have activated boards
16 of health. Their county commissioners regularly close their
17 commission meeting and reconvene to open up their board of health.
18 And what you'll get a nice sense of is the issues that are now on
19 the radar screen of those county commissioners and their boards of
20 health.

21 Briefly, when I speak of public health, I -- this is actually
22 part of a lecture that I'm -- I'm giving next week to my undergrad
23 class at UNR. The operative words are preventing, promoting, and
24 protecting. So the idea behind public health is you address
25 breast cancer mortality in Lander County by paying attention to
26 what can be done to prevent breast cancer in the first place. And
27 then mammography cancer-screening rates really leap out at
28 you.

29 You prevent lung cancer and COPD and other lung-rel- --
30 related disorders when you address tobacco use upstream.

31 One of the things that really concerns me in Nevada is
32 e-cigarette use among young people, like some counties where one
33 in three kids have tried an e-cigarette in the last month.

34 Why on earth we're allowing that to happen and its
35 potential for increasing tobacco use among kids, again, is a
36 major concern of mine.

37 Jordan, I'm going to have you roll through that pretty
38 quickly, as well as that.

39 And just mentioned earlier, we live in -- nationally, we
40 live and operate within a federal system that assigns a number

1 of prominent roles to both the federal government and state
2 government. But by and large in the U.S., government public
3 health, that is, some of the activities listed here, are largely
4 consigned to states and counties.

5 And that is to say most public health activities in the areas
6 of prevention, health promotion, and disease control lie squarely
7 with states and localities. And that puts some interesting
8 burdens on counties such as Lander County and other rural counties
9 that rely heavily on Carson City for the provision of public
10 services. Your restaurant inspections, community health nursing,
11 a number of public health activities are actually provided by
12 state government and -- and not county or local health departments
13 as is the case in urban areas of the state.

14 Just list -- I'm going to go through this quickly.

15 Listed some of the federal agencies charged with public
16 health activities. The Centers for Disease Control and
17 Prevention, the Food and Drug Administration and so forth.

18 We actually, in this country, have over 2500 local health
19 departments.

20 Again, Nevada, Utah, and a couple of other western states are
21 quite unique, though, in that that doesn't necessarily mean every
22 county has a health department. Every county in Florida has a
23 health department, not necessarily the case in -- in Nevada.

24 All of these -- information is contained in -- in the slide
25 deck and the handout I've shared with you.

26 And really where I want to take you -- Jordan, if you'll go
27 through a couple of more slides. There's your local public health
28 authorities.

29 The one more.

30 Where I wanted to kind of take this discussion is around
31 county boards of healths in Nevada.

32 Most of what you are authorized to do under Nevada Revised
33 Statutes is contained in NRS 429.280.

34 Your board of health and rural communities consists of your
35 county commissioners, your local sheriff. That goes back almost a
36 century in history of quarantine and powers and so forth and
37 duties. Ergo, the -- the sheriff is part of your board of health.

38 As well as finally, your county health officer, which in a
39 number of counties is a physician, typically associated with a
40 local hospital or clinic.

1 And then there are administrative duties assigned to the
2 health officers, the chair of the board of health, and your county
3 clerk, which is the clerk of your board of health.

4 Here are some of the duties. Again, these are -- these are
5 outlined in detail in NRS.

6 In most counties, again, that health officer is an individual
7 who has a doctorate degree in medicine or osteopathic medicine.
8 But that's not always the case. In some counties it's a -- a
9 community or a -- a local -- a community health nurse. In Elko
10 County, it's actually a dentist associ- -- associated with the
11 federally qualified health service.

12 But the important thing is that it's an in- -- individual
13 again whose background and training lies in public health and --
14 and health care.

15 And, again, you can -- you see some of the duties of the
16 local health officer.

17 In those counties that I've been working with, most don't
18 have this -- this almost looks like a health department org chart.
19 This is the case in the county I live in, in Washoe County.
20 They actually have a -- a local health department whose employees
21 oversee environmental health, some clinical services, and,
22 importantly, disease surveillance, what's happening in the
23 community.

24 When we have a case of West Nile virus, it's in -- in --
25 that becomes apparent, it's usually because we have a detailed
26 disease surveillance that, again, is a function of that county
27 health department.

28 Counties like Lander, again, rely on the state for that type
29 of information.

30 Go ahead, Jordan.

31 I wanted to close by mentioning a couple of -- of documents
32 that I've shared with you.

33 One is a -- a great document. It's the purple one. It's
34 actually produced by the county health rankings people, that I
35 wanted to share with you.

36 There will not really be a test on this tomorrow.

37 But what's pretty cool about this book is that a lot of
38 documents like this in public health are kind of biased towards
39 addressing issues in urban areas of the state.

40 What this document provides for you -- and I encourage you to

1 consider some of the recommendations and strategies, are what work
2 well in rural areas of the country.

3 And I've mentioned a couple of time -- a couple of times my
4 concern about your adult smoking prevalence rate in here.

5 If you look at page 14 of this document, outlines a number
6 of strategies that you as policy makers in this county can --
7 can consider.

8 They include smoke-free policies for indoor areas, tobacco
9 access restrictions for minors, e-cigarette regulation, tobacco
10 cessation interventions, and so forth, evidence-based practices
11 that have worked in other rural communities and that I encourage
12 you to look at in -- in closer detail.

13 Also wanted to mention that I've been part of the creation
14 recently -- it's been less than two years old -- of National
15 Association of Local Health Officials. And that includes your
16 district health officers in Clark, Carson City, and Washoe
17 Counties. But this also includes health officers from rural
18 counties. The health officer from Elko, White Pine, and a couple
19 of other rural counties are part of that. I can facilitate that
20 conversation and encourage your health officer to be a part of
21 that association.

22 Finally, in your packet, what I put together kind of at the
23 last minute but something that I thought you would find very
24 interesting and wanted to share with you, are five counties in the
25 state of Nevada, Churchill, Douglas, Elko, Lyon, and White Pine
26 Counties whose county commissions have convened at least one board
27 of health meeting. Again, it usually takes place during a
28 regularly scheduled county commission meeting where they close the
29 commission meeting, reconvene as a board of health with the
30 sheriff and with the local health officer presiding. But this is
31 going to give you a wonderful flavor of the types of issues that
32 those five counties are now looking at that -- that formerly were
33 not on their radar screen.

34 One of the things Churchill County now does as a regular
35 part of their board of health meeting is -- this got me in
36 trouble with the state -- but I suggested that they ask the
37 state to come and report on those restaurant inspections and
38 other environmental health activities. They now ask the state
39 to come in and routinely report on communicable diseases and
40 what their community health nurse might be doing to address

1 those.

2 They also asked the state to come in and speak on issues --
3 timely issues like Zika. I don't think you're going to have a
4 Zika problem, fortunately, in Lander County. But you do have a
5 number of communicable diseases that kind of ebb and flow with
6 seasons. They now ask the state to do this.

7 If you look through these agendas, you will also see sets
8 of issues that are common to rural communities -- mental health,
9 behavioral health issues, opioid epidemic has touched almost
10 every county in the state.

11 But some counties looking at specific issues that are
12 problematic to those commissioners. Churchill has spent last
13 couple of years focusing on teen pregnancy and what they might do
14 to reduce those rates and all of the as- -- associated health care
15 costs and burden that come with that.

16 So urge you to peruse this and, again, kind of get a sense on
17 what the potential might be for this county were you to assemble
18 or convene that board of health.

19 I wanted to conclude by giving you my contact information.
20 I'm out -- based in Reno but travel frequently throughout the
21 rural parts of the state on a couple of grants I oversee. I
22 continue to work with Battle Mountain Hospital on a -- a number
23 of issues. And I'm more than happy to come out again, if it's
24 your pleasure, to speak on strategies you might take as policy
25 makers for this county to improve population health so that the
26 next time I come back and present on rankings, I'll be able to
27 report an improvement on some of those indicators.

28 COMMISSIONER BAKKER: Okay.

29 JOHN PACKHAM: And I'm happy to answer any questions you
30 might have.

31 CHAIRMAN MILLS: I have -- I have a couple.

32 JOHN PACKHAM: Okay. Good.

33 CHAIRMAN MILLS: First I'd like to rec- -- I neglected to
34 recognize that our public health nurse is here also.

35 So we're all --

36 JOHN PACKHAM: (Indiscernible.)

37 ABBY BURKHART: Nice to meet you.

38 CHAIRMAN MILLS: We're all trying to work together on this

39 --

40 JOHN PACKHAM: We've talked --

1 CHAIRMAN MILLS: -- and make us --
2 JOHN PACKHAM: -- on the --
3 CHAIRMAN MILLS: -- all --
4 JOHN PACKHAM: -- phone.
5 CHAIRMAN MILLS: -- good.
6 JOHN PACKHAM: We've talked on the phone. So --
7 CHAIRMAN MILLS: So my first question is --
8 JOHN PACKHAM: Yeah.
9 CHAIRMAN MILLS: -- as -- as the state of Nevada has
10 legalized marijuana, do you project any health problems or
11 concerns with the use of marijuana -- marijuana in the state?
12 JOHN PACKHAM: My primary concern with that is whatever you
13 make legal and normal for adults, you're going to have kids that
14 are going to be -- be curious.
15 That's my -- that's one of my big concerns -- primary
16 concerns. As a public health pr- -- and this is my view, not
17 necessarily the consensus among public health -- my view is that
18 better legal and regulated than illegal and unregulated.
19 So there is actually an opportunity for us to think about
20 what we can do based on what we've learned from alcohol control
21 and tobacco control and some of the stuff we haven't done in those
22 particular areas, again, to keep it out of the hands of kids, to
23 prevent misuse, particularly impaired driving. You -- I showed
24 some impaired-driving statistics that are related to alcohol use
25 in this county. I have an equal concern with marijuana.
26 But if you think about -- and then I'll just -- a final
27 concern, almost an editorial point.
28 The way we set up legal marijuana in the state is that we
29 assigned all of the regulations to the Department of Taxation,
30 which is kind of weird because they don't have very many people
31 trained in public health to be thinking about regulation and
32 even less people paying attention to what's happening in the
33 rural counties.
34 I don't believe you have any dispensaries in Lander County.
35 I don't know if you have any within 200 miles, almost, of Lander
36 County.
37 But you have more people using marijuana now in your county
38 as a result of that change in law.
39 And, again, I think those local boards of health that have
40 convened are paying much more attention to it than they were a

1 couple years ago.

2 CHAIRMAN MILLS: Okay. I was --

3 COMMISSIONER CLARK: I have a --

4 CHAIRMAN MILLS: -- also -- I was g- -- I was also

5 wondering about any programs you might have, but I think you

6 kind of answered that through --

7 JOHN PACKHAM: Okay.

8 CHAIRMAN MILLS: -- this and some other comments you made

9 that -- the other question I had was you said one in three kids

10 are using e-cigarettes.

11 JOHN PACKHAM: Uh-huh.

12 CHAIRMAN MILLS: And I guess this -- this also goes along

13 with alcohol or marijuana or other things. And in preventing

14 that, do you have any idea what -- what are the better tactics?

15 Is it -- is it a legal punishment system? Or a social -- more

16 of a social approach towards, you know, you shouldn't --

17 JOHN PACKHAM: Well, --

18 CHAIRMAN MILLS: -- do --

19 JOHN PACKHAM: -- I think --

20 CHAIRMAN MILLS: -- that.

21 JOHN PACKHAM: -- I think it's all of the above. I mean,

22 every --

23 CHAIRMAN MILLS: Okay.

24 JOHN PACKHAM: It seems like every legislative session

25 there's legislation proposed or introduced to put the burden on

26 the kid or the parent of the kid.

27 I think a public health approach recognizes that that's part

28 of the solution but also thinks it's incumbent on easy access to

29 e-cigarettes, whether it's convenience stores or gas stations or

30 wherever kids are getting that.

31 It's also discouraging public use of it.

32 A couple of years ago UNR -- the entire campus went

33 tobacco-free. So you can't find an ashtray on campus. But more

34 importantly, you don't see people smoking. You don't see people

35 using e-cigarettes, which was not the case when I came to that

36 university 20 years ago. It was rampant. People were smoking in

37 buildings prior to the Clean Indoor Air Act and others.

38 So -- but part of our approach in public health is --

39 and -- and we run the risk of being the nanny state when we --

40 we say this, --

1 CHAIRMAN MILLS: Right.

2 JOHN PACKHAM: -- but discouraging use in all places of
3 employment. And the big -- the big one is casinos, obviously,
4 in this state. But also discouraging use in public parks and
5 places where people are recreating and ideally doing things to
6 improve their behavior.

7 Washoe County, Reno, and Sparks recently approved -- or are
8 in the process. Sparks did. The others are considering it --
9 approving ordinances prohibiting smoking and e-cigarette use in
10 all parks, again, kind of with the idea of reducing exposures,
11 but more importantly making it one more part of a community in
12 which that behavior is not normal.

13 That's something that you can consider.

14 I think you'll -- you'll hit some ob- -- obstacles, --

15 CHAIRMAN MILLS: Yeah.

16 JOHN PACKHAM: -- certainly. But it's part -- part of the
17 evidence base about what works, what might be considered.

18 CHAIRMAN MILLS: Thank you.

19 JOHN PACKHAM: Uh-huh.

20 COMMISSIONER WAITS: Dr. Packham, thank you.

21 JOHN PACKHAM: Yeah.

22 COMMISSIONER WAITS: I did have a quick question.

23 JOHN PACKHAM: Yeah.

24 COMMISSIONER WAITS: And -- and we always appreciate your
25 update. Thank you.

26 And this was just a clarification. When you were talking
27 about the alcohol-impaired deaths, --

28 JOHN PACKHAM: Uh-huh.

29 COMMISSIONER WAITS: -- it was at 27 percent. And I know
30 some of that's certainly can -- it's from illnesses and
31 continuing drinking. But I'm assuming some of that is from
32 accidents too. So my --

33 JOHN PACKHAM: Oh, yeah. And I should -- that -- that's
34 act- -- act- -- alcohol-related motor vehicle --

35 COMMISSIONER WAITS: Okay.

36 JOHN PACKHAM: -- deaths.

37 COMMISSIONER WAITS: With that, then, --

38 JOHN PACKHAM: Yeah. One of the things we were looking at
39 or public health has looked at for a long time is taking that
40 mortality data from the -- the, you -- you know, when -- when

1 somebody dies in a car wreck, whether it's the driver or someone
2 else, was alcohol involved? And it's basically saying a little
3 less than one in three are -- are tied to alcohol in -- in some
4 way or another.

5 COMMISSIONER WAITS: Okay. So my clarification is --
6 JOHN PACKHAM: Yeah.

7 COMMISSIONER WAITS: -- this. If we have someone die on
8 Highway 80 right here but they're not from Lander County, does
9 that go towards the Lander County?

10 Or if -- if I'm traveling in Churchill and I'm drinking but
11 I live in Lander, does that come back and is that part of the
12 percentage for --

13 JOHN PACKHAM: No, no.

14 COMMISSIONER WAITS: I mean --

15 JOHN PACKHAM: It's --

16 COMMISSIONER WAITS: Where do you get --

17 JOHN PACKHAM: Let --

18 COMMISSIONER WAITS: -- your figures from?

19 JOHN PACKHAM: I -- I get them from somebody else. I don't
20 --

21 How's that for dodging your question?

22 No. All that mortality data is based on county of residence.
23 Okay? So regardless of --

24 COMMISSIONER WAITS: Regardless of where I'm killed, if I
25 live in -- in Lander --

26 JOHN PACKHAM: Right.

27 COMMISSIONER WAITS: -- County and --

28 JOHN PACKHAM: Right.

29 COMMISSIONER WAITS: -- I'm in an alcohol- --

30 JOHN PACKHAM: Right.

31 COMMISSIONER WAITS: -- -related accident, it will come
32 back --

33 JOHN PACKHAM: E- -- e- --

34 COMMISSIONER WAITS: -- that's my --

35 JOHN PACKHAM: -- exactly.

36 COMMISSIONER WAITS: -- 27 --

37 JOHN PACKHAM: So --

38 COMMISSIONER WAITS: -- percent?

39 JOHN PACKHAM: -- that if you -- if you have lung cancer
40 and ultimately die at Renown or a Las Vegas hospital, it's

1 counted as a -- a Lander -- Lander County cause of --
2 COMMISSIONER WAITS: Okay.
3 JOHN PACKHAM: -- death related to --
4 COMMISSIONER WAITS: Okay. So these other accidents we
5 have when they're not residents don't count against the county?
6 JOHN PACKHAM: Right.
7 COMMISSIONER WAITS: Thank you.
8 JOHN PACKHAM: Right. And you had plenty of them.
9 COMMISSIONER CLARK: I've got a question.
10 JOHN PACKHAM: Yeah.
11 COMMISSIONER CLARK: It really aggravates me that we're at
12 a negative number with all that we do here in Lander County.
13 JOHN PACKHAM: Uh-huh.
14 COMMISSIONER CLARK: And we fund our health nurse. We
15 don't take money from the state. Just so you know that.
16 You said 31 percent in Lander County are obese.
17 JOHN PACKHAM: Uh-huh.
18 COMMISSIONER CLARK: Okay.
19 Are you using the BMI chart?
20 JOHN PACKHAM: That data comes from a -- that data comes
21 from a survey that's undertaken every year by the Centers Dis-
22 -- for Disease Control. Actually, it's administered by some
23 folks I know at UNR. But it's based on self-reported
24 information that individuals give as a part of the survey. And,
25 yes, it's -- it's based on the -- the BMI calculation, which --
26 COMMISSIONER CLARK: Because that BMI chart, in -- in my
27 opinion, is just -- it's ridiculous. I mean, a -- a person my
28 size needs to weigh 154 pounds.
29 JOHN PACKHAM: Uh-huh.
30 COMMISSIONER CLARK: I'd lose 46 pounds to try to meet that
31 goal.
32 JOHN PACKHAM: Yeah.
33 COMMISSIONER CLARK: That's unhealthy.
34 JOHN PACKHAM: Yeah. Well, the -- that's another
35 discussion for another day. But the -- no, no. But I -- I will
36 acknowledge that the BMI is -- one of the reasons the BMI is
37 used is because it allows us to track change in obesity over
38 time if we use the same mea- -- measure.
39 Most football players would be considered obese.
40 COMMISSIONER CLARK: Yeah.

1 JOHN PACKHAM: That is muscle-dense. Run- -- running backs
2 at UNR are an inch or two shorter than I am, but they're all
3 muscle and about 210 pounds. Okay. That would be considered
4 obese.

5 But in general population terms, I think the figures that I
6 show, you know, even if it's an imperfect instrument, by all
7 accounts, Lander County and most other counties in the state are
8 seeing more obesity.

9 And --

10 COMMISSIONER CLARK: Yeah, I --

11 JOHN PACKHAM: -- I think -- I think the concern is that
12 means more people presenting at your hospital with heart issues,
13 more individuals in your communities with diabetes, --

14 COMMISSIONER CLARK: Right.

15 UNIDENTIFIED PARTICIPANT: -- obesity-related cancers, and
16 so forth, many of which can be prevented.

17 Okay.

18 COMMISSIONER CLARK: Yeah. I just know --

19 JOHN PACKHAM: Imperfect measure. I -- I would agree.

20 COMMISSIONER CLARK: We only have 30 per- -- 38 percent of
21 the women in the Lander County --

22 JOHN PACKHAM: Uh-huh.

23 COMMISSIONER CLARK: -- that are getting mammograms?

24 JOHN PACKHAM: Yeah. That's a -- that's a measure that
25 looks at that segment of the female adult population that should
26 be getting mammograms.

27 I now believe -- that's changed recently. So I --

28 COMMISSIONER CLARK: Right. To forty.

29 JOHN PACKHAM: -- believe it's between 50 and 70. Don't
30 hold me to that. But, yeah, that's a -- that's a stunningly low
31 number. And it -- and it wasn't an -- an aberration in the last
32 year of data. I think that trend line was --

33 COMMISSIONER CLARK: We have --

34 JOHN PACKHAM: -- was --

35 COMMISSIONER CLARK: -- we have the van. You know, the van
36 comes. How -- how do we -- how do we move that number up?

37 JOHN PACKHAM: I think you -- I think you can start by
38 initiating a conversation with the -- the hospital, among other
39 things. But I -- I think it's -- in some of the -- in some
40 parts that's not necessarily a -- a hospital issue. They can

1 absolutely help you with that as -- as well as Nevada Health
2 Centers that does run the -- the mammo vans and -- and so forth.

3 In a lot of communities, one of the positive outcomes of
4 the Affordable Care Act was that that type of preventive
5 services, all insurance products had to cover a -- a mammography
6 cut without any cost sharing or copays. So in a lot of areas of
7 the state, we -- we saw a nice increase regardless of where that
8 stood in 2012 or 2013 or 2014 as a result of eliminating that
9 barrier. Okay.

10 And even with the elimination of that barrier with the
11 Affordable Care Act, again, your numbers -- numbers are flat.

12 I -- I don't have an explanation for why that is low and
13 why that continues to remain flat. But it's an opportunity for
14 you.

15 COMMISSIONER CLARK: Yeah. I -- and -- and who is our --
16 who's our health doctor?

17 KEITH WESTENGARD: Well, our health -- the health officer
18 is the health -- is Abby, the health nurse.

19 COMMISSIONER CLARK: Okay.

20 KEITH WESTENGARD: At this point.

21 COMMISSIONER WAITS: Thank you.

22 JOHN PACKHAM: Yep.

23 UNIDENTIFIED PARTICIPANT: And we've got a question.

24 CHAIRMAN MILLS: Let's open up for public comment.

25 UNIDENTIFIED PARTICIPANT: (Indiscernible.)

26 CHAIRMAN MILLS: Come on --

27 MICKEY YARBRO: Mickey --

28 CHAIRMAN MILLS: -- up so we --

29 MICKEY YARBRO: Mickey --

30 CHAIRMAN MILLS: -- can --

31 MICKEY YARBRO: -- Yarbros.

32 CHAIRMAN MILLS: -- hear you. We need you to move forward
33 so we can hear you on the --

34 MICKEY YARBRO: Well, you need to get the speakers fixed in
35 here too, huh?

36 CHAIRMAN MILLS: That's right.

37 MICKEY YARBRO: Yeah. Okay. Question.

38 On the mammogram, like Art was talking about, what if a
39 person doesn't get it here in Battle Mountain at the -- at the
40 home -- the mobile unit coming through?

1 What if they go to Elko or Reno or someplace like that and
2 it's not recorded here in Lander County?

3 JOHN PACKHAM: It would sh- -- it would show up in your --
4 in your stats.

5 MICKEY YARBRO: How will it?

6 I mean, if my wife -- they don't have one here. Okay?
7 They've got one in Elko.

8 JOHN PACKHAM: Uh-huh.

9 MICKEY YARBRO: We don't use the one in Elko. We use the
10 one in Reno.

11 JOHN PACKHAM: Uh-huh.

12 MICKEY YARBRO: How do you know she went to Reno from
13 Lander County to --

14 JOHN PACKHAM: Well, because the -- the data that --
15 that that statistic came from, came from -- it's kind of a
16 rolling survey that they do. And they're not -- they don't ask
17 you where -- where you received that service. They just ask you
18 whether you've had that or not. So that same survey is asking
19 about colonoscopies, influenza immunizations, mammography, if
20 you're a woman that falls within that -- that particular age.
21 And it's not really asking where you -- where you got that
22 service.

23 Now, if your wife received that service in Reno or Elko,
24 it's -- that's the exception to the -- the -- the rule.

25 I mean, a minority of women who should be getting
26 mammographies are.

27 And --

28 MICKEY YARBRO: Well, I'm -- I'm -- I guess what I'm asking
29 is, is like Art was saying, if there's a hundred women goes out
30 of town to get it done, --

31 JOHN PACKHAM: Uh-huh.

32 MICKEY YARBRO: -- and it's not reported in Lander County's
33 records as getting it done because they didn't see a doctor
34 here -- okay --

35 JOHN PACKHAM: Uh-huh.

36 MICKEY YARBRO: -- then how would you know --

37 JOHN PACKHAM: It -- it would still show --

38 MICKEY YARBRO: I mean --

39 JOHN PACKHAM: -- up -- it would still show up in that
40 data, a- -- again, because the -- the way that data is collected

1 is not -- is not looking at medical records. It's actually
2 asking adults --
3 MICKEY YARBRO: I know --
4 JOHN PACKHAM: -- who -- who were surveyed whether you've
5 had that procedure or not --
6 MICKEY YARBRO: From Lander --
7 JOHN PACKHAM: -- regardless --
8 MICKEY YARBRO: -- County --
9 JOHN PACKHAM: -- of where --
10 MICKEY YARBRO: -- from --
11 JOHN PACKHAM: -- you got it. Yeah. Yeah.
12 MICKEY YARBRO: It wasn't -- that's -- they would have it
13 age range just from Lander County, this person came from -- to
14 Reno to get it done, --
15 JOHN PACKHAM: Uh-huh.
16 MICKEY YARBRO: -- and they're from Lander County.
17 JOHN PACKHAM: Uh-huh.
18 MICKEY YARBRO: That's how you record it.
19 JOHN PACKHAM: Yeah.
20 MICKEY YARBRO: Okay.
21 JOHN PACKHAM: It -- it -- it will still show up in the
22 data, regardless. Yeah.
23 MICKEY YARBRO: And that's pretty much with everything is
24 in your graph up --
25 JOHN PACKHAM: Uh-huh.
26 MICKEY YARBRO: -- there?
27 COMMISSIONER CLARK: That -- the other thing about --
28 JOHN PACKHAM: But you have --
29 COMMISSIONER CLARK: -- that --
30 JOHN PACKHAM: -- a -- you have a substantial barrier to
31 women getting just a -- a solid evidence-based -- I -- I spoke
32 with a -- a cousin who recently had a mammography. And she was
33 able to catch a -- a stage IV cancer. And her prognosis is --
34 is remarkable considering how lethal that was.
35 But had that been delayed a month or two months or a half a
36 year, which I'm concerned is happening --
37 MICKEY YARBRO: Yeah.
38 JOHN PACKHAM: -- in this community, those are healthcare
39 costs and -- and burdens to individuals and families that,
40 again, are preventable. (Indiscernible.)

1 COMMISSIONER CLARK: But what if it --
2 MICKEY YARBRO: Yeah. And I agree. Absolutely.
3 It needs to be done.
4 I'm not saying that. But I was just wondering how you
5 recorded, you know.
6 JOHN PACKHAM: Yep.
7 MICKEY YARBRO: Out of Lander.
8 JOHN PACKHAM: Yeah.
9 COMMISSIONER CLARK: That brings up another question after
10 listening to Mickey. I know people in town that their insurance
11 directs them to go to Reno for tests.
12 So I guess just the negative number just aggravates me.
13 JOHN PACKHAM: Yeah.
14 COMMISSIONER CLARK: I know how hard we try. And I know
15 how hard the hospital tries.
16 JOHN PACKHAM: Well, --
17 COMMISSIONER CLARK: And --
18 JOHN PACKHAM: -- I -- I should have disclosed. I'm also
19 of the PEBP board, which is basically being on the board of an
20 insurance company, at the end of the day.
21 And I know that PEBP now asks its members to get all of
22 their lab work done at a freestanding lab, which is maddening
23 for me because you have a lab already in this -- this town.
24 It's not freestanding --
25 MICKEY YARBRO: Right.
26 JOHN PACKHAM: -- and they charge more, but that's because
27 of low volume. But it's based at the hospital. There's no
28 reason why an individual should drive to Elko or Reno to get lab
29 work that they can get --
30 MICKEY YARBRO: True.
31 JOHN PACKHAM: -- two miles north of -- of this building.
32 MICKEY YARBRO: Yeah. Yeah.
33 JOHN PACKHAM: Yeah.
34 MICKEY YARBRO: No. I agree with that.
35 JOHN PACKHAM: Yeah.
36 MICKEY YARBRO: Yeah. I agree with that.
37 Our hospital is -- to me, is rated, to me, higher than what
38 you might have rated it over here.
39 JOHN PACKHAM: Uh-huh.
40 MICKEY YARBRO: You know.

1 JOHN PACKHAM: Yeah.
2 MICKEY YARBRO: I think.
3 JOHN PACKHAM: Yeah.
4 MICKEY YARBRO: Because I've never been there without
5 getting the perfect --
6 JOHN PACKHAM: Yeah.
7 MICKEY YARBRO: -- treatment and everything, you know, --
8 JOHN PACKHAM: Yeah.
9 MICKEY YARBRO: -- and such.
10 JOHN PACKHAM: Yeah. Most of the stuff on clinical cares
11 are -- they're -- they're not any indictment of the hospital.
12 You guys have workforce shortages. If the hospital loses one
13 physician, you're in trouble. Okay. If Renown loses one
14 physician, it's a rounding error. But it's significant here
15 when you already struggle to -- to find physicians and no health
16 providers (indiscernible).
17 MICKEY YARBRO: Okay.
18 JOHN PACKHAM: Okay?
19 CHAIRMAN MILLS: Do we have any other public comment?
20 (No comment.)
21 CHAIRMAN MILLS: Okay.
22 Thank you --
23 JOHN PACKHAM: (Indiscernible.)
24 CHAIRMAN MILLS: -- for your time.
25 JOHN PACKHAM: Absolutely.
26 CHAIRMAN MILLS: Appreciate it. Very interesting.
27 JOHN PACKHAM: Yeah. My contact information, you now know
28 where to find me.
29 COMMISSIONER CLARK: Thank you.
30 JOHN PACKHAM: Thank you.
31 COMMISSIONER BAKKER: Thank you.
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1 2) Discussion only regarding a presentation from Nevada Chapter
2 of the American Planning Association and the Nevada
3 Leadership Program - UCED regarding the February 2017 Nevada
4 Planning Guide and professional development opportunities
5 offered by the chapter and Nevada Leadership Program by Fred
6 Steinmann, and all other matters properly related thereto.
7

8 CHAIRMAN MILLS: Okay. We will move on to Item Number 2.
9 Discussion only regarding the presentation from Nevada Chapter
10 of the American Planning Association and Nevada Leadership
11 Program - UCED regarding February 2017 Nevada Planning Guide and
12 professional development opportunities offered by the chapter
13 and Nevada Leadership Program by Fred Steinmann, and all other
14 matters properly related thereto.

15 Mr. Steinmann, just a question on this. You are also -- you
16 have Item Number 3. Do you want me to open these both at once so
17 you can discuss everything at one time? Or do you want that
18 separately?

19 FRED STEINMANN: Probably separately. Mike Harper is with
20 me, with the Nevada Chapter of the American Planning Association
21 for Number 2. And then I have another --

22 CHAIRMAN MILLS: Okay.

23 FRED STEINMANN: -- person to join for Number 3.

24 CHAIRMAN MILLS: We'll do it -- we'll do it separately,
25 then.

26 FRED STEINMANN: Well, thank you, Commissioner, members of
27 the Lander County Board of County Commissioners. For the
28 record, my name is Fred Steinmann. I'm an assistant research
29 professor with the University Center for Economic Development,
30 part of the College of Business at the University of Nevada,
31 Reno.

32 With me today is Mike Harper. Mike is a senior fellow with
33 the American Planning Association and a member of the Nevada
34 Chapter of the American Planning Association.

35 And on behalf of both the chapter as well as the Center for
36 Economic Development, it's our pleasure to present each one of you
37 your very own printed and bound copy of the February 2017 Nevada
38 Planning Guide.

39 The Nevada Planning Guide itself was developed jointly
40 between faculty at the university as well as representatives from

1 the Nevada Chapter of the American Planning Association.

2 The purpose is really to -- in one document -- provide
3 general but to a certain degree in depth information and reference
4 material regarding planning theory and practices in the state of
5 Nevada as well as related information pertaining to the
6 administration of local government throughout the state.

7 Both the chapter and the University Center for Economic
8 Development and specifically my program in the center, the Nevada
9 Leadership Program, share a similar mission of outreach and
10 education. And that is why both the Nevada Leadership Program and
11 the Center for Economic Development partnered with the Nevada
12 Chapter of the American Planning Association to produce this
13 planning guide.

14 Currently, faculty and representatives for both the chapter
15 and the Center for Economic Development are in the process of
16 providing a free copy of the Nevada Planning Guide to every single
17 county commissioner, city council member, and planning
18 commissioner by county and city in the entire state of Nevada.

19 Lander County is, I believe, our sixth to last county to
20 check off. So we're -- we're closing in on the finish line.

21 We'll also be going before the Lander County Planning
22 Commission, I believe, on July 25th also to present the planning
23 guide to them.

24 There's some additional information kind of in the front
25 jacket of the planning guide, information about the chapter
26 itself, how to become a member, but also information about our
27 upcoming state conference, which will be held in October -- 4, 5,
28 and 6, I believe, or 8, 9, and 10. Sorry. Eight, nine and ten of
29 this year, in partnership with our brothers and sisters at the
30 University of Nevada, Las Vegas.

31 There's also some information about what we do at the
32 University Center for Economic Development as well as the Nevada
33 Leadership Program.

34 Commissioner Waits is a proud alum of some of our Nevada
35 Leadership Program workshops and training programs that we've
36 had in the past.

37 And certainly both the center and the Nevada Leadership
38 Program, we always stand by ready to assist and provide assistance
39 to local governments throughout the state and over a wide variety
40 of areas, be it professional development and training, or more in

1 depth strategic economic development, strategic planning efforts,
2 or just general assistance in the world of economic development
3 and economic impact analysis.

4 But all that information is, again, incor- -- included in the
5 front jacket of your very own copy of the Nevada Planning Guide.

6 And with that, I'll kick it to Mike Harper, again, senior
7 fellow with the American Planning Association, member of the
8 Nevada Chapter to talk about the Nevada APA in a few short
9 minutes.

10 MIKE HARPER: Well, good morning, Commissioners. My name
11 is Mike Harper. I am a representative of the Nevada Chapter of
12 the American Planning Association.

13 It's been ten years since I've had the opportunity to present
14 before a board of county commissioners. I worked 32 years for
15 Washoe County as a planning manager.

16 I like your building. It's very, very nice and much better
17 setup than some of the commissioner chambers I have the
18 opportunity to present.

19 The chapter is associated with the National Association of
20 American Planning Association and its professional arm, which is
21 the American Institute of Certified Planners.

22 Its membership is primarily made up of public and private
23 planners, mostly those who work in the planning field, although
24 they do work in other areas such as transportation planning and
25 economic development, such as what Fred has worked in in the
26 past.

27 But our membership also includes planning commissioners and
28 other appointed officials, such as board of adjustment members
29 in the state of Nevada.

30 And finally, we have a fair number of elected officials
31 both at the local, state, and federal level.

32 Excuse me.

33 The American Planning Association and the Nevada Chapter both
34 registered as nonprofit educational organizations in the -- at the
35 federal level. It's a 501(c)(3). And in Nevada, we're registered
36 with the state of Nevada secretary of state as a public
37 educational organization.

38 Fred kind of covered most of what the chapter has done.
39 Our -- our most recent publication, as he mentioned, is what you
40 have before you. Honestly, there is no test that we will ask you

1 to take. But we would ask you, though, to use it basically as a
2 reference guide. As you mentioned, we've been providing it to
3 planning commissioners also. We update that document every two
4 years, after the legislature has met, to see if there are changes
5 both through the state legislation that may affect some of the
6 planning practices at your planning commission and ultimately you
7 might be required or would be encouraged to use. In addition, we
8 try to update it on a fairly regular basis with city and federal
9 and state court decisions because those can, again, affect some of
10 the decisions.

11 For instance, one of the things that we have mentioned and
12 you probably are aware is the Lyon County action regarding your
13 -- your use of your private phones. If you conduct public
14 business on that private phone, it all of sudden becomes a piece
15 of public information that can be accessed.

16 So what -- what you might do? Well, you might, in fact,
17 give yourselves a phone that is only used by the public for
18 public business.

19 And those are kind of some of the things that we try to keep
20 our members and those who are interested in planning and other
21 issues that relate to planning up to date.

22 As men- -- mentioned by Fred, we do have annual conference.
23 It is in Las Vegas. And we do invite those who may be interested
24 in planning. We try not to make it just a professional planning
25 conference but to invite those who might be interested in
26 planning.

27 Oftentimes we have a track that deals only with planning
28 commission issues. And elected officials sometimes will find
29 themselves also involved in that.

30 One of the programs that we are establishing this year at
31 the conference deal with mayors of smaller communities and some
32 of the issues that they're dealing with. As well as issues that
33 mayors of larger communities might also be dealing with. So
34 those are two programs that you might be interested in if -- if
35 you find yourself wanting to become more involved in that
36 particular area.

37 And one of the things that we want to mention to you is that
38 one of our new initiatives is a new conference -- or not -- excuse
39 me -- a new conference -- a new planning commissioners workshop
40 that we intend to commence early next year that will be based

1 primarily on some of the documentation that we provide you. But
2 to give your planning commissioners, both new and current ones, an
3 opportunity to maybe be brought up to speed on certain things, to
4 talk about some issues that might be of importance to them, and
5 for an interaction between both professionals who help -- we
6 hope -- those organizations and the planning commissioners that we
7 serve as well as the elected officials.

8 It was interesting in listening to Dr. Packham that one of
9 the initiatives that the National American Planning Association
10 has been looking at is the relationship between land use
11 planning and health, how -- how -- how planning practices, how
12 planning design can, in fact, help encourage health in some of
13 the areas that he was talking about, especially in things such
14 as obesity and areas of more activity.

15 And, for instance, the City of Reno, as you may be aware,
16 just initiated a free -- free -- well, for a time being -- but a
17 bike system which you can basically rent a bike at very little
18 charge and then just leave it someplace. I've noticed some of
19 them parked in my neighborhood lately. So --

20 So with that -- and we don't want to take up a great deal
21 of your time -- thank you very much for the opportunity to visit
22 with you about the American Planning Association.

23 It's a professional organization, American Institute of
24 Certified Planners and, of course, the Nevada Chapter of the
25 American Planning Association.

26 If you Google Nevada Chapter of American Planning
27 Association, you will find the website. And there's a great
28 deal of information on it, including this particular document
29 that we've handed to you. So if you're more comfortable reading
30 something on the web rather than paging through that or look
31 at -- want to excerpt something and present it to something,
32 that is an opportunity that's on our website.

33 I'll be glad to answer any questions about the planning
34 association or any of the things that we've been doing recently or
35 that we prepare -- propose to be doing in the next few months.
36 And, again, thank you very much.

37 CHAIRMAN MILLS: Okay. Just a -- just a quick question.
38 I -- I -- just thumbing through this, I noticed that you had a
39 chart in here on the number of counties that had any im- --
40 improvement districts. And there's -- it looks like a sizable

1 sum spent on --

2 MIKE HARPER: Yeah.

3 CHAIRMAN MILLS: -- these improvement districts, like --

4 MIKE HARPER: Yes.

5 CHAIRMAN MILLS: -- almost --

6 MIKE HARPER: Improvement districts --

7 CHAIRMAN MILLS: -- \$3 billion.

8 MIKE HARPER: -- are very popular. Douglas County, for
9 instance, has, I think, over 20 --

10 FRED STEINMANN: Twenty general.

11 MIKE HARPER: -- improvement districts.

12 They were a way for many counties including Washoe County, in
13 the 1970s, to provide for local services such as sewer or water
14 services without obligating the general taxpayer.

15 What Washoe County found out, though, is that in many
16 instances it was more expensive to operate a general improvement
17 district than it was to actually set up its own county
18 department of water and sewer, which eventually was transferred
19 to a more regional organization.

20 But GIDs and other types of improvement districts are
21 pretty popular in the state of Nevada. And if properly managed,
22 especially by a board of county commissioners, because they're
23 the ones who establish them, they can be very effective.

24 If they're not properly managed, they can be real drains on
25 -- on the public conference. So --

26 FRED STEINMANN: It's a good -- good lead-in to the next
27 agenda item as I'll be talking about some of the work that we do
28 at the University Center for Economic Development.

29 But we included that chapter in the Nevada Planning Guide
30 largely due to the request from local governments about
31 exploring alternative approaches to financing local government
32 services.

33 Lander County, like every local government in Nevada, you
34 know, came out of the great recession with fewer dollars, you
35 know, than prior to the recession. And as a result of the
36 subsequent recovery, local governments throughout the state of
37 Nevada really just have not had the resources at the local level
38 to fund increased demand for services.

39 So we developed that chapter really to begin a conversation
40 throughout the state on what county governments and municipal

1 governments in particular can do to isolate certain expenses that
2 their general fund would historically be tied to.

3 General improvement districts, special assessment
4 districts, tax increment areas, redevelopment agencies are just
5 a few of the many tools that are permitted by state law to local
6 governments to use to fund various local government services.

7 CHAIRMAN MILLS: Okay.

8 Does the commission have any questions?

9 COMMISSIONER CLARK: No.

10 CHAIRMAN MILLS: Open up for public comment.

11 Any public comment?

12 (No comment.)

13 CHAIRMAN MILLS: Okay.

14 FRED STEINMANN: Easiest presentation --

15 COMMISSIONER BAKKER: Thank you.

16 FRED STEINMANN: -- (indiscernible).

17 COMMISSIONER WAITS: Thank you.

18 CHAIRMAN MILLS: We'll go ahead and move on to Item
19 Number --

20 MIKE HARPER: Yes.

21 CHAIRMAN MILLS: -- 3.

22 MIKE HARPER: You want your (indiscernible).

23 FRED STEINMANN: No. I've got that to do.

24
25 **3) Discussion and update concerning the 2014 County Economic**
26 **Development Strategy Assessment and possible workshop**
27 **regarding local government "tool box" by Fred Steinmann, and**
28 **all other matters properly related thereto.**
29

30 CHAIRMAN MILLS: Discussion and update concerning 2014
31 County Economic Development Strategy Assessment and possible
32 workshop regarding local government "tool box" by Fred
33 Steinmann, and all other matters properly related thereto.

34 FRED STEINMANN: Another -- another round of handouts.

35 CHAIRMAN MILLS: Okay.

36 COMMISSIONER ALLAN: Thank you.

37 FRED STEINMANN: Thank you, Commissioner. And,
38 Commissioners, again, for the record, Fred Steinmann, assistant
39 research professor with the University Center for Economic
40 Development, part of the University of Nevada, Reno and the

1 College of Business.

2 PAULA TOMERA: Paula Tomera, board member for the Lander
3 County Economic Development Authority.

4 FRED STEINMANN: Thank you for having me here today. I
5 asked Paula to join me primarily just as the representative from
6 the Lander Economic Development Authority as this item really
7 pertains to the efforts that the Lander Economic Development
8 Authority have undertaken over the last four to five years.

9 And before you, you should have four separate items. The
10 first and probably most important one right now is the
11 University Center for Economic Development Technical Report
12 2017-18-23, an assessment of the 2014 Lander County
13 Comprehensive Economic Development Strategy as well as flyers
14 and agendas for previous and upcoming Nevada Leadership Program
15 training activities.

16 Today's presentation to the Board of County Commissioners is
17 pretty much required under U.S. Code of Federal Regulations Title
18 13, which covers the U.S. Economic Development Administration's
19 Comprehensive Economic Development Strategy.

20 The comprehensive economic development strategy as outlined
21 in Title 13 of the Code of Federal Regulations is typically
22 required of local governments, counties, municipalities, and even
23 state governments, for those government agencies wishing to apply
24 for federal nonentitlement, competitive economic development
25 grants throughout all federal agencies in the federal government.

26 And that really stems from the American Recovery and
27 Reinvestment Act that came out of the great -- great recession in
28 that the federal government realized that during the recession and
29 really into the recovery period, there was more demand for federal
30 dollars than the federal government had. And requiring that local
31 governments and state agencies have an existing comprehensive
32 economic development strategy in place is a good way to
33 essentially, you know, sort through would-be applicants for those
34 federal funds.

35 So as kind of part of the Lander Economic Development
36 Authority's continued efforts to pursue economic efforts in
37 Lander County throughout the county, LEDA, the Lander Economic
38 Development Authority, contracted with the University Center for
39 Economic Development as well as University of Nevada Cooperative
40 Extension here in Lander County in 2013 and '14 to complete a

1 five-year comprehensive economic development strategy.

2 Here we are, four years later, you know, from adoption.
3 And we're kind of at the tail end of the five-year strategic
4 planning horizon that is covered within the Comprehensive
5 Economic Development Strategy itself.

6 Every year LEDA has completed an annual evaluation of the
7 CEDS and submitted that evaluation to EDA, the Economic
8 Development Administration, to keep the document current. But
9 at the fourth year, as you move into the prefinal year, you're
10 really required to do one final comprehensive assessment of the
11 CEDS and just kind of get a general sense of what was
12 accomplished and what still needs to be done as the organization
13 moves forward in potentially developing a new CEDS.

14 The 2014 CEDS itself was, again, developed in 2013 and '14
15 through a series of public workshops that I helped facilitate in
16 partnership with then-extension educator Rod Davis for UNCE
17 Lander County. LEDA, as -- acting as the CEDS committee,
18 adopted the document on February 5th, 2014. And then it was
19 subsequently adopted and approved by the Lander County Planning
20 Commission on March 12th, 2014, and then the Lander County Board
21 of County Commissioners on March 13th, 2014.

22 The CEDS itself is divided into eight primary issue areas
23 ranging from business attraction, business creation, to economic
24 development marketing as well as focusing on capital improvements
25 and better coordination between LEDA and other economic
26 development groups and the policies and procedures in the planning
27 initiatives undertaken by the county government. Within those
28 eight issue areas are ten total strategic economic development
29 goals. And on back -- and back on March 2nd, 2018, with Paula
30 and the rest of the LEDA board, Commissioner Mills, I facilitated
31 about a half day, three-quarter day workshop simply to evaluate
32 the eventual implementation of the CEDS document and how much of
33 the actual individual goals were achieved.

34 It's good to note -- and you'll see it in the summarized
35 document itself -- that really LEDA, in partnership with Lander
36 County, with the Chamber of Commerce here as well as in Austin,
37 with the Convention & Tourism and visitors authority, with
38 partners such as the Northeastern Nevada Regional Development
39 Authority, state agencies and University of Nevada Cooperative
40 Extension, and various other groups, a lot of progress and

1 achievement has actually been made on each one of those ten
2 individual goals, especially when compared to where the county
3 was back in 2013 and '14 just kind of emerging into a period of
4 recovery from the great recession.

5 I think what was kind of telling in some of the results of --
6 from the workshop, that the completed strengths, weaknesses,
7 opportunities, and threats analysis that we did on May 2nd,
8 2018, really identified very similar strengths, weaknesses,
9 opportunities, and threats from the initial SWOT analysis that was
10 completed back in 2013 and '14.

11 With the caveat that the strengths has been strengthened over
12 the last four years, that the -- that several opportunities have
13 been taken advantage of, and several of the weaknesses that were
14 identified back in 2013 and '14 have been mitigated to a certain
15 degree, which again signals real progress on LEDA's part and, of
16 course, on part of the larger partners of actually, you know,
17 making progress and implementing the CEDS itself.

18 As I mentioned my previous presentation, we'll also be taking
19 this to the planning commission at the July 25th meeting. And
20 with their receipt of the document, your receipt, as well as any
21 comments that you'd like to provide, I'll then be submitting on
22 behalf of LEDA this technical report to the U.S. Economic
23 Development Administration with a cover letter essentially saying
24 that LEDA is confident that the goals identified within the 2014
25 Lander County Comprehensive Economic Development Strategy have
26 been achieved more or less over the previous four years and that
27 LEDA, acting as the CEDS committee will, over the next year,
28 explore the potential of developing a new comprehensive economic
29 development strategy for the next five years moving forward.

30 Kind of along in that vein, as part of this presentation, you
31 do have three additional handouts which are agendas, flyers of
32 previous Nevada Leadership Program workshops as well as an
33 upcoming fundamentals of the comprehensive economic development
34 strategy two-day workshop that the University Center for Economic
35 Development, myself, Tom Harris, and others will be facilitating
36 in Tonopah, Nevada, September 26 and 27th in partnership with USDA
37 Rural Development, the Nevada Intertribal -- or the Intertribal
38 Council of Nevada, the U.S. Economic Development Administration,
39 and the Nevada Governor's Office of Economic Development.

40 The purpose of that two-day workshop in Tonopah is to

1 really help local governments develop a working outline of a
2 full comprehensive economic development strategy that they can
3 take back to their local community, complete, finish, and then
4 support -- and then submit to EDA for approval.

5 Nevada ranks pretty much bottom of the list when it comes to
6 communities covered by an act of comprehensive economic
7 development strategy, which means we're leaving federal economic
8 development dollars to go to other states.

9 In working with USDA Rural Development, the Economic
10 Development Administration, GOED, and the Intertribal Council of
11 Nevada, that's a trend that we want to reverse, and this workshop
12 in September is part of that.

13 If you're representing a tribal community, registration is
14 free.

15 If you're representing anybody else, it's only \$25 for the
16 full two-day workshop.

17 So I would strongly encourage potential representatives from
18 LEDA, other government agencies here in Lander County and
19 northeastern Nevada to attend the workshop.

20 I've also included two examples of two past financing local
21 government tool kit workshops. This is something that Kyla
22 Bright asked me to bring to the attention of the Board of County
23 Commissioners as well as LEDA and potentially the planning
24 commission and potentially do a similar type workshop here in
25 Lander County for the Board of County Commissioners, the
26 planning commission, LEDA, and staff for the county government.

27 The financing local government tool kit workshop really gets
28 into the nitty-gritty details of how to use special assessment
29 districts, general improvement districts, tax increment areas, and
30 a host of other approaches that the legislature has permitted
31 local governments to use as an alternative to relying on general
32 fund revenue to fund government services.

33 That's kind of my presentation in a nutshell. I know it's
34 a bit of an information dump and overload, but I wanted to move
35 through it quickly to respect the time on agenda. Paula and I
36 would certainly be happy to take any questions, comments that
37 you might have regarding the CEDS update, the upcoming workshop,
38 or the past financing local government tool kit workshops.

39 COMMISSIONER BAKKER: Any questions?

40 COMMISSIONER WAITS: Well, thank you.

1 I mean, it's always things that we -- we need to attend, we
2 need to do. Unfortunately, your workshop in September hits our
3 commission day, but you probably knew that.

4 So how would it be for attending half or something like that?

5 We'd still be better off than not at all?

6 FRED STEINMANN: Very much so.

7 COMMISSIONER WAITS: Okay.

8 FRED STEINMANN: We don't have a single-day rate, but that
9 \$25, I -- I -- I don't know.

10 COMMISSIONER WAITS: No, that's okay.

11 FRED STEINMANN: We'll have too --

12 COMMISSIONER WAITS: You don't have to --

13 FRED STEINMANN: -- much --

14 COMMISSIONER WAITS: -- prorate.

15 FRED STEINMANN: -- pushback.

16 COMMISSIONER WAITS: Yeah.

17 FRED STEINMANN: But even if you're just able to attend one
18 of the days, either the first or the second day, it's really
19 designed in a module format. We'll be using USDA Rural
20 Development Stronger Economies Together strategic economic
21 development curriculum. And we have different modules on each
22 day. So you can really kind of drop in or drop out at any
23 point.

24 And it's just to get you started so you can go back to the,
25 you know, the local community, you know, and complete the work
26 of developing the full CEDS.

27 CHAIRMAN MILLS: Okay. Let's open for public comment.

28 (No comment.)

29 CHAIRMAN MILLS: Okay.

30 Thank you very much for your time.

31 COMMISSIONER BAKKER: Thank you.

32 FRED STEINMANN: Thank you.

33 COMMISSIONER WAITS: Thank you.

34 COMMISSIONER CLARK: Thank you.

35 COMMISSIONER ALLAN: Do you want a break?

36 CHAIRMAN MILLS: You want a break?

37 Okay. We'll take a break real quick.

38
39 (Break taken between 10:18 a.m. and 10:32 a.m.)
40

1 CHAIRMAN MILLS: Call this meeting back to order.

- 2
3 4) Discussion and possible action regarding the purchase of land
4 and existing 3840-square-foot hangar, APN 003-092-24 191 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 by
7 the Town of Kingston volunteer fire department for a new fire
8 station, and all other matters properly related thereto.
9

10 CHAIRMAN MILLS: We are on Item Number 4. Discussion and
11 possible action regarding the purchase of land and ex- -- and
12 existing 3,840-square-foot hangar, APN 003-092-24 191 aka 101
13 Toiyabe Street, consisting of 1.34 acres, at the Kingston
14 Airport in an amount not to exceed \$40,000 to be utilized by the
15 Town of Kingston volunteer fire department for a new fire
16 station, and all other matters properly related thereto.

17 KEITH WESTENGARD: Commissioners, if you'll remember, at a
18 previous meeting, the Town of Kingston did approach the
19 commission regarding this property at the airport in Kingston
20 with a hangar on it for use with their fire department.

21 The direction from you to me was to get a -- an appraisal
22 done.

23 I contacted our appraiser, our county-recognized appraiser.
24 He did do an appraisal. And the appraiser -- appraisal came in at
25 \$55,000, which is in your backup.

26 The owner of the property wants \$40,000 of it. There -- we
27 do have money in both budgets to make this purchase for the Town
28 of Kingston or with the Town of Kingston with your approval.

29 COMMISSIONER BAKKER: My only question. Would -- if we
30 purchase this land, it -- will it remain in the county's
31 ownership? Or how's that going to work?

32 COMMISSIONER WAITS: Yeah.

33 KEITH WESTENGARD: I --

34 COMMISSIONER WAITS: Let's clarify where the money's
35 actually coming --

36 KEITH WESTENGARD: O- -- o- --

37 COMMISSIONER WAITS: -- from.

38 KEITH WESTENGARD: Okay. So part of the money, 20,000, is
39 going to come out of the county budget. And the other 20- is
40 out of the --

1 CINDY BENSON: That was last year's budget. Kingston only
2 budgeted in their acquisition fund 10,000 this year.
3 KEITH WESTENGARD: Oh. Okay.
4 COMMISSIONER WAITS: We need to identify Cindy for the --
5 CINDY BENSON: Sorry.
6 COMMISSIONER WAITS: -- record.
7 CINDY BENSON: Cindy Benson, for the record.
8 KEITH WESTENGARD: So with that being said, what Cindy
9 just -- just brought up, and I -- I'll apologize. I was not
10 aware of -- of that.
11 It would be a 30 -- 30/10 split. Thirty thousand from the
12 county, 10- from the Town of Kingston.
13 COMMISSIONER BAKKER: Yeah. But who's retaining ownership?
14 KEITH WESTENGARD: And -- and I would -- I would suggest
15 that the county retain ownership --
16 COMMISSIONER BAKKER: Okay.
17 KEITH WESTENGARD: -- or recommend that the county retain
18 the ownership.
19 COMMISSIONER WAITS: Is there somebody from Kingston?
20 COMMISSIONER BAKKER: Shannon, are you there? Or,
21 Miteshell, who's there from Kingston?
22 SHANNON BERUMEN: Yes. This is Shannon, deputy clerk with
23 Town of Kingston.
24 COMMISSIONER BAKKER: Okay.
25 Did you have a question, Patsy?
26 COMMISSIONER WAITS: Yes. If we go 10-, that's coming out
27 of the Kingston budget where?
28 CINDY BENSON: That's up to them, but it -- they do have
29 10,000 in their -- in their -- their acquisition fund.
30 COMMISSIONER WAITS: So, Shannon, if we take 10,000 out of
31 your acquisition fund and then the county pays the other 30-, do
32 you think there's any problem with us keeping it in the county
33 name, is what they're asking?
34 SHANNON BERUMEN: No.
35 The board had already discussed that. And they -- they
36 are -- they are fine if it stays in Lander County's name. There's
37 no problem with that.
38 COMMISSIONER BAKKER: Okay. I just think, you know, to
39 make sure everything's protected.
40 SHANNON BERUMEN: Sure.

1 COMMISSIONER BAKKER: So...
2 Okay. With that, I'll make a motion to approve the purchase
3 of land exis- --
4 COMMISSIONER WAITS: No. Go ahead. But you need to put
5 his name on it.
6 COMMISSIONER BAKKER: Okay.
7 Let me -- hold on, Patsy. I'll make a motion to approve the
8 purchase of land existing, 3,840-square-foot -- for a three
9 hundred -- 3,840-square-foot hangar for the Town of Kingston Fire
10 Company, APN 003-092-24 191 also known as 101 Toiyabe Street,
11 consisting of 1.34 acres, at the Kingston Airport in an amount not
12 to exceed 40,000 to be utilized for the Town of Kingston Fire
13 Company.
14 COMMISSIONER WAITS: I'll second that motion.
15 CHAIRMAN MILLS: Okay. Sean made a motion. Patsy
16 seconded.
17 Do we have any public comment?
18 Come on up.
19 MICKEY YARBRO: It's been a while since I've been here, so
20 I've got a lot of questions as you guys go along. It's
21 interesting. Again.
22 You're buying a building, which I --
23 COMMISSIONER WAITS: Commissioner?
24 MICKEY YARBRO: -- which I have --
25 COMMISSIONER WAITS: Excuse me.
26 MICKEY YARBRO: I'm Mickey Yarbrow. Okay. Yeah.
27 You're purchasing a building, which is fine. I don't have a
28 problem with that at all.
29 But now are you going to have to maintain it? And is there a
30 lot of extra work that's got to be done before the fire department
31 can move into it that's going to come from somewhere? The money's
32 going to come from somewhere?
33 COMMISSIONER WAITS: Thank you, Commissioner.
34 We -- actually, we have discussed this. And there --
35 there's some things that need to be done. And Kingston did that
36 in their first presentation when we looked at doing this before
37 the appraisal.
38 MICKEY YARBRO: Okay.
39 COMMISSIONER WAITS: So they will be paying for that.
40 MICKEY YARBRO: All right. Okay.

1 Just a question. I thought --
2 COMMISSIONER WAITS: Right.
3 MICKEY YARBRO: -- down the road that, if it comes up,
4 well, we thought it was ready to go and it wasn't, you know.
5 So...
6 COMMISSIONER WAITS: No. It's not quite. And, Shannon,
7 do you -- do you want to just give us a quick synopsis on that
8 again of the things -- was it insulation? Or what did you have
9 to do on it?
10 SHANNON BERUMEN: Yeah.
11 The first thing that we're going to do is get it ready for
12 winter so we can store fire trucks down there so we can put the
13 am- -- keep the ambulance up at the -- the fire hall.
14 Then that's going to be done with Kingston's fundraising
15 money. They have \$30,000 in a fundraising fund that we've
16 accumulated over the years doing our picnics and our St. Patrick's
17 Day. So we would -- we will be using that money to insulate, fix
18 the -- get the doors -- they -- they work. They just need to be
19 cleaned and greased and all that kind of stuff. And money for
20 winter.
21 MICKEY YARBRO: Okay. All right. That's great. I --
22 that's all I was wanting to find out.
23 COMMISSIONER BAKKER: Yeah. They did a presentation --
24 what? -- two meetings ago, Mickey. And they explained
25 everything that they wanted to do. And before we had the
26 appraisal ordered. So...
27 MICKEY YARBRO: Okay.
28 COMMISSIONER WAITS: Thank you. But it's nice to have on
29 the record. And thank you --
30 MICKEY YARBRO: All right.
31 COMMISSIONER WAITS: -- for being here.
32 MICKEY YARBRO: Thank you.
33 CHAIRMAN MILLS: Okay. Do we have other -- other public
34 comment?
35 (No comment.)
36 CHAIRMAN MILLS: Okay. 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 5) Discussion and possible action to approve/disapprove
4 Resolution 2018-11 amending Resolution 2017-10 approving and
5 adopting the inclusion of production (infusion and
6 extraction), and all other matters properly related thereto.
7

8 CHAIRMAN MILLS: Item Number 5. Discussion and possible
9 action to approve/disapprove Resolution 2018-11 amending
10 Resolution 2017-10 approving and adopting the inclusion of
11 production, infusion and extraction, and all other matters
12 properly related thereto.

13 Ted, I believe this one's yours.

14 DISTRICT ATTORNEY HERRERA: Commissioners, approximately
15 five, six months ago, the vice chair and myself called up the
16 Department of Taxation to try to gather some information when --
17 when we were working on the ordinance.

18 And Department of Taxation at that time -- because we wanted
19 to include infusion and extraction. We said if we were going to
20 do this, the county was going to do this, to -- in order to make
21 money, that's where the money is.

22 They informed us at that time that we would only get two
23 licenses for Lander County and that infusion and extraction really
24 was part of cultivation. That -- they gave us that impression.

25 Calling them back last week, they changed their ideas and
26 their views.

27 In fact, they now say that we can give out as many
28 licenses -- the county licenses as they give out in the state. So
29 if they give three, we can give three. They give six, we can give
30 six.

31 And now that production is necessary to get total infu- --
32 total infusion and extraction, we have to add production to
33 cultivation. Even though cultivation has a small amount of
34 extraction in it, to get the full bore, you have to have
35 production.

36 And that they've given two, if not three, state licenses
37 for -- for Lander County for production and cultivation.

38 So for us to achieve the original purpose that the
39 commissioners wanted to do, and that is to allow cultivation with
40 infusion and extraction, we have to amend the resolution to

1 include production, infusion and extraction.
2 And it's just a small amendment. And the state's all for it
3 because they've already given the state licenses for it.
4 And they thought -- based on our earlier conversation, they
5 thought that's what we wanted. Well, they knew that's what we
6 wanted. And yet we're going to have to make this amendment to
7 achieve it.
8 COMMISSIONER BAKKER: To match the state?
9 DISTRICT ATTORNEY HERRERA: Yes.
10 COMMISSIONER BAKKER: Yeah.
11 COMMISSIONER WAITS: Okay. I understand the amendment.
12 But that brings up a -- a -- a concern, then, if -- if I'm
13 understanding it right, because when we -- when we voted, didn't
14 we vote for two facilities? Didn't we have that --
15 DISTRICT ATTORNEY HERRERA: Yeah, but that wasn't in -- we
16 didn't know for sure what the state would give us. They had
17 told us we'd get two. So we --
18 So -- so --
19 COMMISSIONER WAITS: But I'm saying, does anything need to
20 be corrected in that? Or are we still going to do the two
21 because we said two?
22 DISTRICT ATTORNEY HERRERA: No, we're not limited because
23 we didn't -- we didn't put that in --
24 COMMISSIONER WAITS: We didn't.
25 DISTRICT ATTORNEY HERRERA: We didn't put it in the -- in
26 either the resolution or in --
27 COMMISSIONER WAITS: Or the motion?
28 DISTRICT ATTORNEY HERRERA: -- in the ordinance because we
29 didn't know for sure.
30 COMMISSIONER WAITS: Okay.
31 DISTRICT ATTORNEY HERRERA: We were still waiting for --
32 COMMISSIONER WAITS: Cool.
33 DISTRICT ATTORNEY HERRERA: -- something from the state.
34 What if they only gave us one? Or -- but now --
35 COMMISSIONER ALLAN: Didn't --
36 DISTRICT ATTORNEY HERRERA: -- they're -- they're --
37 COMMISSIONER ALLAN: Didn't --
38 DISTRICT ATTORNEY HERRERA: -- giving us -- we're -- we're
39 allowed to have -- to give as many as they've given out.
40 COMMISSIONER WAITS: Right.

1 DISTRICT ATTORNEY HERRERA: And so there's going to be
2 three applicants to Lander County because they've -- they've
3 approved three applicants.
4 COMMISSIONER WAITS: Okay. And --
5 COMMISSIONER ALLAN: But didn't we approve one for the
6 north and one for the south?
7 COMMISSIONER WAITS: That was my next --
8 DISTRICT ATTORNEY HERRERA: Yes.
9 COMMISSIONER WAITS: -- question. Yes, I th- -- I thought
10 we had it --
11 COMMISSIONER ALLAN: We did.
12 DISTRICT ATTORNEY HERRERA: There's been one applicant for
13 -- for Austin and three -- you've noted three applicants. One
14 --
15 COMMISSIONER WAITS: Uh-huh.
16 DISTRICT ATTORNEY HERRERA: -- applicant --
17 COMMISSIONER WAITS: Okay.
18 DISTRICT ATTORNEY HERRERA: -- applied for two --
19 COMMISSIONER WAITS: No. I --
20 DISTRICT ATTORNEY HERRERA: -- licenses.
21 COMMISSIONER WAITS: -- understand.
22 DISTRICT ATTORNEY HERRERA: Okay. And there's three sites
23 in -- in Battle Mountain -- have Battle Mountain. And one --
24 COMMISSIONER WAITS: Okay.
25 DISTRICT ATTORNEY HERRERA: -- site -- and this is the
26 state, what the state's done.
27 COMMISSIONER ALLAN: Well, I still think that we've
28 basically approved two: one for the south, one for the north.
29 COMMISSIONER WAITS: I thought we did too. But he's --
30 COMMISSIONER ALLAN: And --
31 COMMISSIONER BAKKER: It's not in the ordinance.
32 COMMISSIONER WAITS: We're going to have to do some
33 research on --
34 COMMISSIONER ALLAN: I think --
35 COMMISSIONER WAITS: -- that.
36 COMMISSIONER ALLAN: -- that we --
37 DISTRICT ATTORNEY HERRERA: Well, --
38 COMMISSIONER ALLAN: -- need to see --
39 DISTRICT ATTORNEY HERRERA: -- if --
40 COMMISSIONER ALLAN: -- that first to make sure, to go back

1 through the minutes to make sure.
2 DISTRICT ATTORNEY HERRERA: You -- you -- you've approved
3 two sites, whi- -- which is technically four licenses.
4 Do you understand what I mean by that?
5 COMMISSIONER ALLAN: No. Explain that.
6 DISTRICT ATTORNEY HERRERA: Okay. Right now we are in the
7 medical marijuana cultivation license phase.
8 They have not give out -- given out -- because the
9 application wasn't open at that time for recreation.
10 You've approved recreational and medical. Each one takes a
11 different license, but it can be done at the same site, --
12 COMMISSIONER WAITS: Okay.
13 DISTRICT ATTORNEY HERRERA: -- by the same company, by the
14 same person.
15 COMMISSIONER ALLAN: Okay.
16 COMMISSIONER WAITS: Yeah. I don't --
17 COMMISSIONER BAKKER: That's got --
18 COMMISSIONER WAITS: -- really --
19 COMMISSIONER BAKKER: -- nothing to do with approving this
20 resolution for --
21 DISTRICT ATTORNEY HERRERA: No.
22 COMMISSIONER BAKKER: -- production anyway --
23 COMMISSIONER WAITS: No.
24 COMMISSIONER BAKKER: -- today.
25 COMMISSIONER WAITS: No. This is --
26 DISTRICT ATTORNEY HERRERA: No.
27 COMMISSIONER WAITS: -- completely --
28 DISTRICT ATTORNEY HERRERA: No.
29 COMMISSIONER WAITS: -- separate. We just --
30 CHAIRMAN MILLS: Yeah.
31 COMMISSIONER WAITS: -- need to look --
32 COMMISSIONER BAKKER: So it's --
33 COMMISSIONER WAITS: -- at the rest of them,
34 understanding --
35 DISTRICT ATTORNEY HERRERA: But I'm --
36 COMMISSIONER WAITS: -- it --
37 DISTRICT ATTORNEY HERRERA: -- just giving --
38 COMMISSIONER WAITS: -- right.
39 DISTRICT ATTORNEY HERRERA: -- the update from the
40 Department of Taxation --

1 COMMISSIONER BAKKER: I know.
2 DISTRICT ATTORNEY HERRERA: Now they've completely changed
3 --
4 COMMISSIONER WAITS: Okay. But our sites are right. I
5 thought we had one of each, --
6 DISTRICT ATTORNEY HERRERA: Yeah.
7 COMMISSIONER WAITS: -- but there could be more licenses.
8 I understand.
9 DISTRICT ATTORNEY HERRERA: Yeah.
10 COMMISSIONER WAITS: Okay.
11 DISTRICT ATTORNEY HERRERA: We have -- we have two sites.
12 COMMISSIONER WAITS: Okay. Okay.
13 DISTRICT ATTORNEY HERRERA: We have a site within a -- a
14 mile and no more than ten out of --
15 COMMISSIONER BAKKER: Austin.
16 DISTRICT ATTORNEY HERRERA: -- Austin or Kingston or
17 Battle -- and Battle Mountain.
18 So --
19 COMMISSIONER WAITS: Okay.
20 DISTRICT ATTORNEY HERRERA: -- two sites. But I'm -- I'm
21 just letting you know that state licenses have been issued to
22 applicants: one in Austin and three in Battle Mountain. And
23 there's three applicants.
24 COMMISSIONER WAITS: Okay.
25 COMMISSIONER BAKKER: Okay.
26 CHAIRMAN MILLS: So just for clarification --
27 COMMISSIONER BAKKER: I'll make a --
28 CHAIRMAN MILLS: -- this change is only dealing with
29 infusion and extraction.
30 DISTRICT ATTORNEY HERRERA: That's it.
31 CHAIRMAN MILLS: Has nothing --
32 COMMISSIONER WAITS: Uh-huh.
33 CHAIRMAN MILLS: -- to do with how many or anything like --
34 DISTRICT ATTORNEY HERRERA: No. Has --
35 CHAIRMAN MILLS: -- that.
36 COMMISSIONER ALLAN: Yeah.
37 DISTRICT ATTORNEY HERRERA: -- nothing to do with any --
38 CHAIRMAN MILLS: So that's just -- just to be clear on --
39 DISTRICT ATTORNEY HERRERA: And --
40 CHAIRMAN MILLS: -- that.

1 DISTRICT ATTORNEY HERRERA: -- and -- and the application
2 will be coming in front of you. Right now Keith's office is
3 looking at it. The application will be coming in front of you
4 at the next agenda setting.

5 And at that time, that is when discussion should take place
6 about having licenses and stuff of that nature.

7 But with the application, when you approve the application,
8 if you approve the application, whether you modify it or whatever.

9 COMMISSIONER BAKKER: Okay.

10 I'll make a motion to approve Resolution 2018-11 amending
11 Resolution 2017-10 approving and adopt- -- and adopting inclusion
12 of production, infusion and extraction.

13 DISTRICT ATTORNEY HERRERA: You want to read the
14 resolution?

15 COMMISSIONER BAKKER: Do you have a copy of that?

16 COMMISSIONER ALLAN: I'll read the resolution.

17 DISTRICT ATTORNEY HERRERA: It's in the --

18 COMMISSIONER WAITS: I have a -- I have a question be- --
19 before you read it.

20 And I had called and asked for correction. Did that come
21 through on the correction of the wording?

22 UNIDENTIFIED PARTICIPANT: Yes.

23 COMMISSIONER WAITS: Okay. So the one we're signing is not
24 the one that's in the book. Okay.

25 Because there was a misspelling on that third paragraph --

26 DISTRICT ATTORNEY HERRERA: Okay.

27 COMMISSIONER WAITS: -- with the word "their" that I wanted
28 corrected.

29 DISTRICT ATTORNEY HERRERA: Okay.

30 COMMISSIONER WAITS: Okay.

31 Thank you.

32 COMMISSIONER BAKKER: I --

33 COMMISSIONER ALLAN: So --

34 COMMISSIONER BAKKER: In my motion. Summary: A resolution
35 of the Board of Lander County Commissioners amending Resolution
36 Number 2017-10 approving and adopting the inclusion of
37 production, infusion and extraction, in Lander County pursuant
38 to NRS Chapter 453A and 453D pending an ordinance change.

39 Resolution Number 2018-11.

40 Whereas in December 2017 Lander County submitted Resolution

1 2017-10 to the Department of Taxation to allow for mar- --
2 medical marijuana cultivation.

3 And whereas Lander County would like to include production,
4 infusion and extraction, to its cultivation facility, both
5 medical and recreational.

6 Now therefore be it resolved, the Board of County
7 Commissioners of the County of Lander hereby resolve, finds, and
8 declares that along with medical and recreational cultivation
9 facilities, there will be inclusions of production, infusion and
10 extraction.

11 Passed and adopted this 12th day of July, 2018.

12 And authorize the chair to sign.

13 DISTRICT ATTORNEY HERRERA: Well --

14 COMMISSIONER BAKKER: We're all going to, --

15 DISTRICT ATTORNEY HERRERA: Yeah.

16 COMMISSIONER BAKKER: -- I know..

17 DISTRICT ATTORNEY HERRERA: That's fine.

18 CHAIRMAN MILLS: Okay. Do we have a second?

19 COMMISSIONER CLARK: I'll second it.

20 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.

21 Do we have any public comment?

22 (No comment.)

23 CHAIRMAN MILLS: All in favor?

24 Aye.

25 COMMISSIONER CLARK: Aye.

26 COMMISSIONER BAKKER: Aye.

27 COMMISSIONER WAITS: Aye.

28 COMMISSIONER BAKKER: Opposed?

29 CHAIRMAN MILLS: Opposed?

30 COMMISSIONER ALLAN: Nay.

31 CHAIRMAN MILLS: Okay.

- 32
33 6) Discussion and possible action to approve/disapprove
34 Resolution 2018-12 authorizing the county to sell a 1998 Ford
35 F-550 4WD ambulance, VIN 1FDWE30F0WHA14522, to Newmont Mining
36 with a fair market value amount of \$15,000 pursuant to NRS
37 332.185, and all other matters properly related thereto.
38

39 CHAIRMAN MILLS: Moving to Item Number 6. Discussion and
40 possible action to approve/disapprove Resolution 2018-12

1 authorizing the county to sell a 1998 Ford F-550 four-wheel
2 drive ambulance, VIN 1FDWE30F0WHA14522, to Newmont Mining with a
3 fair market value amount of \$15,000 pursuant to NRS 332.185, and
4 all other matters properly related thereto.

5 KEITH WESTENGARD: So recently the -- the mine, Newmont,
6 had a -- a little incident with their mine ambulance. And it
7 was burned up.

8 I just wanted to make sure -- I didn't know if Kerry was
9 going to come or not. They said they might try to come.

10 Anyway, we were contacted about -- about selling them or --
11 or -- or loaning them an ambulance.

12 Through some -- some research and homework with the DA, we --
13 Ted found this NRS that was -- would allow us to sell the
14 ambulance once we deem it -- that it's no longer necessary. And
15 it's no longer used within the county because last year we did
16 buy -- the commission approved the purchase of two new ambulances
17 which are in the -- in service and in the county now.

18 So through discussion through some more homework, we did
19 come up with a fair market value of \$15,000 based on the age,
20 mileage of the current -- of this -- this ambulance.

21 And so through the NRS, we don't have to go to an -- an
22 auction as long as you approve it through this resolution that
23 I'll be happy to read into the record when you're ready.

24 COMMISSIONER ALLAN: My --

25 COMMISSIONER WAITS: Did --

26 COMMISSIONER ALLAN: -- only comment is, is I would have
27 liked to have seen the resolution -- or I mean not the
28 resolution, but the NRS statute in the backup material to be
29 able to read it with the backup.

30 KEITH WESTENGARD: If you'd like to table this, I'll get
31 the NRS and -- and I'll provide you a copy of it. I apologize
32 for that. I -- it should have been the backup and it wasn't.

33 COMMISSIONER WAITS: Keith, where do the funds go? Do they
34 go general? Or do they go designated EMS? Or --

35 KEITH WESTENGARD: Well, I -- that was the question I had
36 for you for the commission is -- is where you would like the
37 funding to go -- the 15,000.

38 We can put it wherever you like.

39 CHAIRMAN MILLS: Well, it's selling an ambulance. I'd like
40 the funds to go towards something that is ambulance-,

1 EMS-related.

2 KEITH WESTENGARD: Well, there's -- there's -- there's

3 always equipment. I mean, they're always upgrading, updating --

4 CHAIRMAN MILLS: Yeah. We're doing --

5 KEITH WESTENGARD: -- equipment.

6 CHAIRMAN MILLS: -- maintenance, equipment. We're doing --

7 KEITH WESTENGARD: There -- there's maintenance.

8 CHAIRMAN MILLS: There's a lot of ways --

9 KEITH WESTENGARD: Hopefully the --

10 CHAIRMAN MILLS: -- we can --

11 KEITH WESTENGARD: -- maintenance --

12 CHAIRMAN MILLS: -- spend that.

13 KEITH WESTENGARD: -- hopefully the maintenance costs are

14 going to go down. We do have two more on order, which will

15 bring -- bring our fleet to -- well, we'll still -- we're still

16 going to have one 1998 -- or I'm sorry -- one 2008 in the fleet

17 still.

18 But other than that, we'll be up in the '16, '17, '19 years

19 for our fleet.

20 COMMISSIONER ALLAN: I'll make a motion that we approve

21 Resolution Number 2018-12 of the Lander County Board of

22 Commissioners, a resolution directing the sale of personal

23 property of a public entity.

24 Whereas Nevada Revised Statute 332.185 states that personal

25 property may be sold if the property is no longer required for

26 public use and deems such action desirable and in the best

27 interest of the local government.

28 Now therefore it be resolved, the Lander County Board of

29 Commissioners does hereby authorize the sale of a 1998 Ford

30 F-550 four-wheel drive ambulance, VIN Number IFDWE30F0WHA14522

31 to Newmont Mining in a fair market value amount of \$15,000.

32 Be it further resolved, the Lander County Board of

33 Commissioners does hereby direct the funds to be allocated to the

34 Lander County fund 001-000-34060.

35 Passed and adopted this 12th day of July, 2018.

36 Authorize the chair to sign.

37 KEITH WESTENGARD: Unless you would like it to a different

38 fund.

39 COMMISSIONER WAITS: No, this is the EMS fund.

40 COMMISSIONER ALLAN: That is -- okay. That was my only --

1 that is the EMS fund.
2 KEITH WESTENGARD: That's what it is.
3 COMMISSIONER ALLAN: Okay.
4 KEITH WESTENGARD: Yes.
5 COMMISSIONER ALLAN: Nope.
6 KEITH WESTENGARD: Okay.
7 COMMISSIONER WAITS: Awesome.
8 COMMISSIONER BAKKER: Cindy, are you good with that?
9 CINDY BENSON: I'm good with that.
10 COMMISSIONER BAKKER: Okay.
11 COMMISSIONER WAITS: I'll second the motion.
12 CHAIRMAN MILLS: Okay. Judie made a motion. Patsy
13 seconded.
14 Do we have any public comment?
15 KEITH WESTENGARD: Yeah. I'd just like to point out,
16 Commissioner Allan, the VIN is one, not -- you used a --
17 COMMISSIONER ALLAN: I?
18 KEITH WESTENGARD: Yes. Thank you.
19 COMMISSIONER ALLAN: The first or --
20 KEITH WESTENGARD: The num- -- the first one is a -- is
21 number 1.
22 COMMISSIONER ALLAN: Oh, did I -- okay.
23 KEITH WESTENGARD: Just so it's straight in the record.
24 CHAIRMAN MILLS: Okay.
25 KEITH WESTENGARD: That's all.
26 Thank you.
27 CHAIRMAN MILLS: Okay. Other comments?
28 (No comment.)
29 CHAIRMAN MILLS: All in favor?
30 COMMISSIONER BAKKER: Aye.
31 CHAIRMAN MILLS: Aye.
32 COMMISSIONER WAITS: Aye.
33 COMMISSIONER ALLAN: Aye.
34 COMMISSIONER CLARK: Aye.
35
36
37
38
39
40

1 SHERIFF

2
3 7) Discussion and possible action regarding the hiring of a
4 temporary part-time food services worker for the Lander
5 County Sheriff's Office, whose employment is not to exceed
6 December 31, 2018, utilizing existing budgetary funds, while
7 the current part-time food service worker is on extended
8 medical leave, and all other matters properly related
9 thereto.

10
11 CHAIRMAN MILLS: Item 7. Discussion and possible action
12 regarding the hiring of a temporary part-time food service
13 worker for the Lander County Sheriff's Office, whose employment
14 is not to exceed December 31st, 2018, utilizing existing
15 budgetary funds, while the current part-time food service worker
16 is on extended medical leave, and all other matters properly
17 related thereto.

18 SHERIFF RON UNGER: Cool. Ron Unger, for the record.

19 And I think that pretty much says it all.

20 COMMISSIONER CLARK: What the --

21 CHAIRMAN MILLS: So is this --

22 COMMISSIONER CLARK: -- heck happened?

23 CHAIRMAN MILLS: -- is this still the same?

24 COMMISSIONER CLARK: What -- what happened this time, man?

25 SHERIFF RON UNGER: Oh, we have a -- our part-time employee
26 has to have some medical work done on their --

27 CHAIRMAN MILLS: So this is a different situation than the
28 last ones we've been doing?

29 SHERIFF RON UNGER: Absolutely.

30 CHAIRMAN MILLS: Okay.

31 COMMISSIONER CLARK: Yeah, this is the second time that
32 your kitchen help got hurt.

33 SHERIFF RON UNGER: No. Remember, the first one was in
34 that car wreck and --

35 COMMISSIONER CLARK: Oh.

36 SHERIFF RON UNGER: -- had her broken --

37 CHAIRMAN MILLS: Yeah.

38 SHERIFF RON UNGER: -- back. This one here is some
39 surgery. And she's going to be off for X amount of days or
40 time.

1 COMMISSIONER CLARK: Yeah.
2 SHERIFF RON UNGER: So we just need somebody to fill in
3 while she's off.
4 COMMISSIONER CLARK: Absolutely.
5 COMMISSIONER ALLAN: Does the next person realize how
6 dangerous it is to work for food service at the sheriff's
7 office?
8 SHERIFF RON UNGER: Yes, ma'am.
9 COMMISSIONER BAKKER: I'll make a motion to approve the
10 hiring of a temporary part-time food service worker for the
11 Lander County Sheriff's Office with the -- the employment is not
12 to exceed December 31st, 2018.
13 COMMISSIONER ALLAN: Second.
14 CHAIRMAN MILLS: Okay. Sean made a motion. Judie
15 seconded.
16 Do we have any public comment?
17 (No comment.)
18 CHAIRMAN MILLS: All in favor?
19 COMMISSIONER BAKKER: Aye.
20 COMMISSIONER ALLAN: Aye.
21 CHAIRMAN MILLS: Aye.
22 COMMISSIONER WAITS: Aye.
23 COMMISSIONER CLARK: Aye.
24 SHERIFF RON UNGER: Thank you very much.
25 COMMISSIONER WAITS: You bet.
26 KEITH WESTENGARD: Mr. Chairman, --
27 COMMISSIONER BAKKER: Thank you.
28 CHAIRMAN MILLS: Yes.
29 SHERIFF RON UNGER: Commissioners will be --
30 KEITH WESTENGARD: -- could -- could we real quickly jump
31 to Number 12. We need to get that in the paper for
32 advertisement purposes, depending on the date the commission
33 chooses for Austin.
34 And we have a --
35 CHAIRMAN MILLS: Okay.
36 KEITH WESTENGARD: -- deadline with the paper. And we
37 don't want to miss that advertising opportunity.
38 COMMISSIONER CLARK: Again.
39 KEITH WESTENGARD: Again.
40 CHAIRMAN MILLS: Again.

1 COMMISSIONER CLARK: Thank you.

2
3
4 COMMISSIONERS

5
6 12) Discussion and possible action to set a date and time for a
7 Lander County Board of Commissioners meeting to be held in
8 Austin, and all other matters properly related thereto.
9

10 CHAIRMAN MILLS: All right. We're move to Item Number 12.
11 Discussion, possible action to set a date and time for Lander
12 County Board of County Commissioners meeting to be held in
13 Austin, and all other matters properly related thereto.

14 COMMISSIONER BAKKER: First meeting in August?

15 COMMISSIONER WAITS: I would love the second meeting on the
16 23rd, personally.

17 COMMISSIONER BAKKER: Okay.

18 CHAIRMAN MILLS: Is there -- is there some rule about which
19 one of our meetings has to be in Battle Mountain? I don't know.
20 We have to have one every month in --

21 DISTRICT ATTORNEY HERRERA: And -- and it has to be --

22 CHAIRMAN MILLS: -- Battle Mountain.

23 DISTRICT ATTORNEY HERRERA: -- by ordinance. So it has
24 to -- and our ordinance sets out two meetings a month. We're
25 only required by NRS to have one.

26 So the second meeting can be outside the -- the county seat.

27 CHAIRMAN MILLS: Okay.

28 DISTRICT ATTORNEY HERRERA: If it's outside the county
29 seat, only certain things can be put on it that anything that
30 references ge- -- anything geological in Battle Mountain, for
31 instance, can't be put on the Austin one.

32 And it requires two full weeks of notice for public- -- by
33 publication in the local newspaper.

34 If that answers --

35 CHAIRMAN MILLS: So --

36 DISTRICT ATTORNEY HERRERA: -- your question.

37 CHAIRMAN MILLS: -- so you're saying that, if we do one
38 outside the county seat, it has to be the second meeting?

39 COMMISSIONER WAITS: No.

40 COMMISSIONER ALLAN: No.

1 DISTRICT ATTORNEY HERRERA: No.
2 CHAIRMAN MILLS: That's not --
3 COMMISSIONER WAITS: No.
4 CHAIRMAN MILLS: -- what you said?
5 DISTRICT ATTORNEY HERRERA: No.
6 COMMISSIONER WAITS: No.
7 CHAIRMAN MILLS: Okay.
8 DISTRICT ATTORNEY HERRERA: No. It could be either the
9 first or the second --
10 CHAIRMAN MILLS: All right.
11 DISTRICT ATTORNEY HERRERA: -- because the ordinance lists
12 the first and the second.
13 If it only listed one, then we'd have to do it differently.
14 CHAIRMAN MILLS: All right.
15 COMMISSIONER BAKKER: So August 23rd. I'll make a motion
16 to advertise to have our Austin meeting August 23rd starting at
17 10:00 a.m.?
18 COMMISSIONER WAITS: Ten gives all your people time to
19 leave here at 8:00 o'clock and still set up. But if --
20 COMMISSIONER BAKKER: Right.
21 COMMISSIONER WAITS: -- we have it earlier, they're before
22 their starting time. So --
23 CHAIRMAN MILLS: Yeah. Good point.
24 COMMISSIONER WAITS: Yeah.
25 COMMISSIONER BAKKER: So...
26 Second?
27 COMMISSIONER WAITS: I'll second.
28 CHAIRMAN MILLS: Okay. Sean made a motion. Patsy
29 seconded.
30 Do we have any public comment?
31 (No comment.)
32 CHAIRMAN MILLS: All in favor?
33 COMMISSIONER BAKKER: Aye.
34 CHAIRMAN MILLS: Aye.
35 COMMISSIONER ALLAN: Aye.
36 COMMISSIONER WAITS: Aye.
37 COMMISSIONER CLARK: Aye.
38 KEITH WESTENGARD: Thank you.
39
40

1 PUBLIC WORKS

2
3 8) Discussion and possible action to approve/disapprove the fee
4 schedule regarding hookup fees for the Battle Mountain water
5 line, and all other matters properly related thereto.
6

7 CHAIRMAN MILLS: Okay. We'll move back up to Item Number
8 8. Discussion and possible action to approve/disapprove the fee
9 schedule regarding hookup fees for Battle Mountain water line,
10 and all other matters properly related thereto.

11 Good morning, Bert.

12 BERT RAMOS: Good morning.

13 Bert Ramos.

14 So the fee schedule that we're proposing there is for the,
15 you know, the community of Battle Mountain. And it's for new
16 hookups on this water line to not be quite the burden. They have
17 the option to pay it at any time they'd like. But it -- it gives
18 them the option to make smaller payments monthly so they can still
19 hook up to our water.

20 COMMISSIONER ALLAN: Are there any changes on the rate?

21 BERT RAMOS: No.

22 COMMISSIONER ALLAN: It's just giving them the option to
23 pay it monthly.

24 BERT RAMOS: Yep.

25 CHAIRMAN MILLS: No -- no interest involved?

26 BERT RAMOS: No.

27 CHAIRMAN MILLS: Okay.

28 COMMISSIONER ALLAN: I'll make a motion that we approve the
29 fee schedule regarding hookup fees for the Battle Mountain water
30 line.

31 COMMISSIONER BAKKER: Second.

32 COMMISSIONER WAITS: Do -- do we need to make that any
33 clearer? Do we need to put "and payment arrangements for 24
34 months" or anything on that motion?

35 Counselor?

36 BERT RAMOS: I believe --

37 DISTRICT ATTORNEY HERRERA: I think --

38 BERT RAMOS: -- it's --

39 DISTRICT ATTORNEY HERRERA: -- you --

40 BERT RAMOS: -- in the fee schedule.

1 DISTRICT ATTORNEY HERRERA: If you attach the -- the -- the
2 paperwork to the motion --

3 COMMISSIONER ALLAN: Okay.

4 DISTRICT ATTORNEY HERRERA: -- by reference, I think that's
5 --

6 COMMISSIONER WAITS: Okay. Just reference the --

7 COMMISSIONER ALLAN: As referenced by the application of
8 water connect fee.

9 CHAIRMAN MILLS: Okay. Judie made a motion and Sean
10 seconded.

11 Do we have any public comment?

12 (No comment.)

13 CHAIRMAN MILLS: All in favor?

14 COMMISSIONER BAKKER: Aye.

15 COMMISSIONER ALLAN: Aye.

16 CHAIRMAN MILLS: Aye.

17 COMMISSIONER WAITS: Aye.

18 COMMISSIONER CLARK: Aye.

19 BERT RAMOS: Thank you.

20 CHAIRMAN MILLS: Thank you.

21 COMMISSIONER BAKKER: Mickey, you have a question?

22 MICKEY YARBRO: No. That's right.

23 COMMISSIONER BAKKER: Okay.

24
25 9) Discussion and possible action regarding the new golf course
26 well, and all other matters properly related thereto.

27
28 CHAIRMAN MILLS: Okay. Item Number 9. Discussion and
29 possible action regarding the new golf course well, and all
30 other matters properly related thereto.

31
32 8) Discussion and possible action to approve/disapprove the fee
33 schedule regarding hookup fees for the Battle Mountain water
34 line, and all other matters properly related thereto.

35
36 COMMISSIONER CLARK: Hold -- hold on just a second.

37 Can we go back to that -- to the previous. I'd like Bert
38 to go back to 8. Because I'd like Bert to explain what happens
39 in our community when we run water down in front of houses that
40 haven't had that. Would you explain what happens with wells and

1 so on?

2 BERT RAMOS: Sure. So if you -- if you have an existing
3 well that's -- that's located there, and -- and you're using
4 that well, you can continue using that well until the well
5 fails. You can -- you can replace pumps, and you can do
6 maintenance. You can't go drill a new well. I mean, when the
7 well fails, you have to go to the city water.

8 If you don't have an existing well, when the city water
9 comes by, you have to hook up. It's a requirement of the state.
10 It's -- it's just -- it's just that simple.

11 COMMISSIONER CLARK: And that's whether you have 40 acres,
12 20 acres, 5 acres, or an acre.

13 BERT RAMOS: Unless you have water rights. So there --
14 there are some --

15 COMMISSIONER CLARK: Okay.

16 BERT RAMOS: If -- if you have water rights on your -- on
17 your piece of ground, you can drill your well for -- for
18 agricultural use and -- and things of that nature. But that's
19 where things change a little bit, if you have water rights on
20 your piece of ground.

21 COMMISSIONER WAITS: In some places it's mandatory. When
22 the -- when the public water comes, you have to close your well.
23 So --

24 BERT RAMOS: Yes.

25 COMMISSIONER WAITS: -- it's good that we have it on the
26 record of --

27 COMMISSIONER CLARK: Yeah.

28 COMMISSIONER WAITS: -- what they're allowed.

29 COMMISSIONER CLARK: Thanks, Bert. I just wanted to touch
30 on that.

31

32 9) Discussion and possible action regarding the new golf course
33 well, and all other matters properly related thereto.

34

35 CHAIRMAN MILLS: Okay. We'll go back to Item Number 9
36 regarding the new golf course well.

37 BERT RAMOS: Okay. The new golf course well. So I kind of
38 gave you guys a brief update there in public comment on the last
39 commission meeting. And now that we have it on there, we've
40 moved out the drillers -- that well, we can get about 450

1 gallons a minute out of it. It is well below our arsenic
2 standard for municipal, but with -- with that low of a gallons
3 per minute I don't see the cost being worth trying to put it to
4 the system.

5 It gets pretty expensive when you build a -- you know, you
6 got to start chlorinating the water and pumping it to the system.

7 So with that said, it's going to be considerably cheaper
8 because we're mobing them guys out. We aren't paying for the --
9 the additional municipal standards to hook it up. But the well
10 is drilled to a municipal standard. If we ever wanted to put to
11 it the system later, it -- currently, it'll still serve the
12 purpose that the well was drilled for. We can put it in tandem
13 with the well that is there and service the golf course. Takes
14 about 400,000 gallons a day off of our -- off our system, which
15 is roughly 500 homes.

16 And that's kind of the long and short of it. If you guys
17 have any questions.

18 COMMISSIONER BAKKER: Would you put a storage tank out
19 there right now or no?

20 BERT RAMOS: No. Not -- not at the --

21 COMMISSIONER BAKKER: Just pump it to the booster pump.

22 BERT RAMOS: No. The well will actually pump directly to
23 the golf course. So it was all -- we'll -- we'll just put a --
24 a variable frequency drive on it. And we can pump it up
25 straight off of there. So the booster pump would be just if we
26 ever had to pull off the city --

27 COMMISSIONER BAKKER: System.

28 BERT RAMOS: -- water.

29 COMMISSIONER BAKKER: Okay.

30 COMMISSIONER ALLAN: So, Bert, how do you at -- there's a
31 line running from che--- Sheep Creek --

32 BERT RAMOS: Uh-huh.

33 COMMISSIONER ALLAN: -- to the -- the golf course. Is --

34 BERT RAMOS: From -- well, not from Sheep Creek. No.

35 COMMISSIONER ALLAN: Oh, I thought -- I thought that was
36 part of a change order on when they did a bunch of work on --
37 well, wherever the line came from the municipal well, there was
38 a -- a change order to run a new line for that.

39 BERT RAMOS: In this job?

40 COMMISSIONER ALLAN: No. Prior years --

1 BERT RAMOS: Okay.
2 COMMISSIONER ALLAN: -- when they did some work, when they
3 put the new sprinkler systems in and -- and whatnot.
4 BERT RAMOS: Okay.
5 COMMISSIONER ALLAN: I was just wondering is how do you
6 shut that down?
7 BERT RAMOS: It's valved out. So right now it's -- it's
8 currently protected by a backflow preventer anyway. We have to.
9 By the state requirements, you have to have a backflow preventer
10 on it. So we just valve that out. And it's completely separate
11 from the system.
12 COMMISSIONER ALLAN: Okay.
13 I knew there was a way. I just --
14 BERT RAMOS: Yeah. So that's how it protects the -- you
15 know, the people from getting nontreated water.
16 COMMISSIONER ALLAN: Yeah.
17 But you're not -- you're going to be using any of that water
18 anyway, so --
19 BERT RAMOS: No.
20 COMMISSIONER ALLAN: -- you just got to shut it off.
21 BERT RAMOS: Yep. Just valve it out.
22 COMMISSIONER ALLAN: Okay.
23 So do you have a cost of what it's cost so far?
24 BERT RAMOS: No. I can bring that back to you.
25 I will come back with a -- with a total cost because
26 we're -- we still have -- that's something else I'd like to add
27 to this is with us doing that, I've also -- and it end up being
28 a CMAR job. I also pulled the contractor off the job and said,
29 okay, from here forward the county will take over. Because
30 there's no reason for them to -- for us -- for the county to pay
31 prevailing wage to dig a trench from there and connect to the --
32 to the existing line and also to pull the pump out of the
33 existing well that's there. Because it'll meet the demand. And
34 all the infrastructure that goes with it, the variable frequency
35 drive and all the electrical and put that in. So I'm taking the
36 electrical as well as the plumbing that go from the well to the
37 system off. And then we'll come back with -- have a contractor
38 come back and do that. But it'll be done off of prevailing wage
39 because it'll be much cheaper. And that -- and it just -- big
40 cost savings to the county. So I don't have a total number on

1 that for you yet.
2 COMMISSIONER ALLAN: Cool. Thank you.
3 CHAIRMAN MILLS: Okay. Do we have a motion?
4 COMMISSIONER ALLAN: It's --
5 COMMISSIONER WAITS: We don't need --
6 COMMISSIONER ALLAN: -- discussion --
7 COMMISSIONER WAITS: -- anything, --
8 COMMISSIONER ALLAN: -- only.
9 COMMISSIONER WAITS: -- do we?
10 CHAIRMAN MILLS: Are we going to -- well --
11 COMMISSIONER ALLAN: No discussion, --
12 CHAIRMAN MILLS: -- to give --
13 COMMISSIONER ALLAN: -- action.
14 CHAIRMAN MILLS: -- direction? Do -- do we need to give
15 direction on how to --
16 COMMISSIONER BAKKER: I think you have direction and then
17 bring the price back. And then we'll approve moving forward
18 from there.
19 BERT RAMOS: Approve the final project --
20 COMMISSIONER BAKKER: Yeah.
21 BERT RAMOS: -- with the -- for the --
22 COMMISSIONER BAKKER: Yeah.
23 BERT RAMOS: Okay.
24 COMMISSIONER BAKKER: Because I don't think we need to do
25 it twice.
26 BERT RAMOS: Okay.
27 COMMISSIONER BAKKER: So once you bring back the numbers
28 and everything, we'll know --
29 BERT RAMOS: So this might have to skip an agenda or two,
30 and then we'll put the same thing back on and we'll come back
31 with some hard numbers on --
32 CHAIRMAN MILLS: (Indiscernible.)
33 COMMISSIONER BAKKER: Yeah.
34 BERT RAMOS: -- the agenda.
35 CHAIRMAN MILLS: Okay.
36 BERT RAMOS: And we'll --
37 COMMISSIONER BAKKER: And then just approve the project
38 moving --
39 CHAIRMAN MILLS: Good move.
40 COMMISSIONER BAKKER: -- forward.

1 BERT RAMOS: Okay.
2 COMMISSIONER BAKKER: So...
3 CHAIRMAN MILLS: Okay. We'll move to Item 10. Update from
4 Public Works regarding the --
5 MICKEY YARBRO: Got a --
6 CHAIRMAN MILLS: -- status of projects, --
7 COMMISSIONER BAKKER: Hold -- hold --
8 CHAIRMAN MILLS: -- and all other --
9 COMMISSIONER BAKKER: -- on.
10 CHAIRMAN MILLS: -- matters properly --
11 COMMISSIONER BAKKER: Mickey --
12 CHAIRMAN MILLS: -- related thereto.
13 COMMISSIONER BAKKER: Public comment.
14 CHAIRMAN MILLS: Oh.
15 MICKEY YARBRO: Public comment?
16 CHAIRMAN MILLS: Yeah. Sorry about that.
17 MICKEY YARBRO: That's all right.
18 COMMISSIONER BAKKER: Hey, Mickey, I see you every day.
19 You don't talk this much.
20 MICKEY YARBRO: I know it. Mickey Yarbrow.
21 Concerning the golf course well.
22 It's -- there's a lot of rumors out there, okay, about how it
23 was going to be used and what it was going to be used for and
24 everything like that.
25 And building a million-gallon tank and moving the
26 (indiscernible), the -- the football fields and stuff like that.
27 All kinds of rumors. Okay?
28 So it's got people that live out there in that area kind of
29 concerned. Okay?
30 So I'm here speaking for Mickey and anybody else that wants
31 to take it.
32 I guess the well is not going to be used for municipal
33 purposes at all.
34 COMMISSIONER BAKKER: No.
35 COMMISSIONER WAITS: Not --
36 COMMISSIONER ALLAN: Not at this --
37 MICKEY YARBRO: Not even down --
38 COMMISSIONER ALLAN: -- point.
39 MICKEY YARBRO: -- the road?
40 COMMISSIONER BAKKER: It could be.

1 COMMISSIONER WAITS: Yeah.
2 BERT RAMOS: Has the --
3 COMMISSIONER WAITS: We don't know --
4 BERT RAMOS: -- potential --
5 COMMISSIONER WAITS: -- down --
6 BERT RAMOS: -- down the --
7 COMMISSIONER WAITS: -- the --
8 BERT RAMOS: -- road.
9 COMMISSIONER WAITS: -- road.
10 MICKEY YARBRO: Okay. Okay.
11 CHAIRMAN MILLS: May- -- maybe someday. Yeah.
12 MICKEY YARBRO: All right.
13 Can you -- can you use a domestic well depth -- I don't know
14 how deep that well is. Two hundred feet?
15 CHAIRMAN MILLS: Which --
16 BERT RAMOS: 240.
17 COMMISSIONER WAITS: Farther than that, isn't --
18 CHAIRMAN MILLS: 240.
19 COMMISSIONER WAITS: -- it?
20 MICKEY YARBRO: Okay. Two hundred feet. That's the same
21 as a domestic well depth out in that area.
22 A municipal well, if you're going to use water for municipal
23 purposes, has to be deeper and cemented from the surface water.
24 So all I'm asking is, if you're going to use that down the
25 road as a municipal well, something's got to change.
26 And if you start using that and you start using a lot of
27 water, not just for the golf course. We already know what it
28 uses. But if you start using it for town and you're starting to
29 add more water out of that well to the system and the people out
30 there, their water well is going down -- okay? -- then there's
31 going to be some flak over it -- okay? -- to say the least.
32 Because people are already worried, and I told them not to be
33 worried yet, you know. Don't -- don't jump and sell your
34 property and -- and everything like that.
35 You know, just kind of take it easy, see when they start
36 using the well, if they use it for municipal purposes, you know,
37 for the town and it goes down 30, 40 feet, then, yes, you betcha,
38 be ready. But if it --
39 COMMISSIONER ALLAN: Bert?
40 MICKEY YARBRO: -- it just -- you know, if it drops it no

1 more than what the other ones are doing, then no big deal.
2 It's -- it's all right.

3 But that's all I'm asking. Because once you turn that water
4 on and take it into town to supplement your wells here and it
5 starts dropping that water table and those people run out of water
6 a hundred feet down or something like that, there's going to be,
7 you know, a lot of questions thrown at you guys.

8 COMMISSIONER CLARK: I had that question when the -- when
9 the drill rigs were out there.

10 And I'll let Bert answer the question again.

11 COMMISSIONER ALLAN: I do have one -- one question too to
12 go into conjunction with that. In what -- what were the other
13 wells priorly at the golf course pumping? Gallons per minute?

14 BERT RAMOS: Well, the -- the well that was there, 9A was
15 doing a little bit more than what -- but nobody knew the
16 drawdown or what it was doing to the aquifer at the time.

17 This well was built to a municipal standard. So it does
18 have the concrete collar that goes down to meet all of the NACs
19 and everything to -- we could put it to the system. It does --
20 there is no set depth other than you have to have a concrete
21 collar that, you know, if -- it -- more concerned with the
22 quality of water that you received from the well once you have
23 that initial concrete barrier that's a plug that protects.

24 Now, on the -- if it was ever put to the system -- because
25 there would be probably no -- it'd pump constantly. And now
26 there's a 12-hour window where it's going to get -- your aquifer
27 is going to refill. It -- the gallons per minute would probably
28 be close to 300 would be the max that you could pump.

29 But that -- the reason we're getting such a low gallons per
30 minute out there is because the ground is so densely packed,
31 the -- we don't get a lot of filter. So the -- the drawdown
32 filtering out isn't -- isn't a big cone of depression hitting
33 all the other wells. When we pumped that, we didn't see any
34 effect on the other two wells at the golf course, which are
35 within 300 feet, the one well is. The other well is about
36 1900 feet away. And there were no effects on them when we did
37 our pump test, which is when you're pumping it to the very max
38 you can get out of the well.

39 So with -- with that said, I have a hard time believing
40 even if we pumped it around the clock at 300 gallons a minute

1 that there -- that cone of depression would ever reach the homes
2 that are, you know, 2,000 feet plus away from -- from the
3 existing well that we just --

4 MICKEY YARBRO: Well --

5 BERT RAMOS: -- drilled.

6 MICKEY YARBRO: Okay. I have to kind of disagree with some
7 of that because I do know for a fact that the wells that are out
8 there, just for example, there's nothing -- they turned out fine
9 with it. But when they was drilling the wells for the farms out
10 there, the hay farms right behind us there, okay, our water
11 table was right at -- between 15 and 20 feet. Okay?

12 It started -- the farms and irrigating there. Fine. No
13 problem. But it pulled it down to about 30 feet. Okay?

14 Not -- not after three days, no. But after a summer of
15 irrigating. Because you don't recharge that aquifer. Okay?

16 If we start pump -- stop pumping, we had 10 foot of water
17 when we first moved out there. It ain't going to fill back up 10
18 foot. Ain't going to happen. Not in our lifetime. So that
19 water's gone. Okay?

20 That's just a -- that's just normal, everyday water usage.
21 And that's the way the world is. You use the water at the top of
22 the glass, empties first. And that's it.

23 Now the 300 gallons a minute that is pumping out of that, if
24 it doesn't lower the water table after it's pumped all summer and
25 everything, no more than 5 or 10 feet, no problem.

26 But -- because you're only going to use it from, say, March
27 through October, something like that. And it'll be pretty much
28 cut off.

29 But if you start using it for the town, pumping it 12 months,
30 then you're going to see a substantial amount of water.

31 When you're pumping a well and you're pumping around it,
32 the water's coming into it, it does not make a big difference in
33 the level of the groundwater close by for a short period of
34 time.

35 Now, two months later, if you're pumping it straight, it will
36 draw your water down. It's the same thing that happened at the
37 mines and everything else. They recharged it. They had to, you
38 know, and the whole bit. They put the water back in the ground.
39 The water didn't come up. The water table did not come back up to
40 where it was originally at because it's been -- this water was

1 gone. Same thing's going to happen here.
2 We tried, you know. And -- and the wells out there -- since
3 this is about the golf course well, I won't go into the problems
4 with the municipal wells. That's -- that's another story
5 altogether for you guys to worry about.
6 But I was just wanting to say, though, that the monthly
7 pumping that they use out at the golf course with that well is not
8 going to hurt us because they're going shut the other one down.
9 Am I correct?
10 BERT RAMOS: Uh-huh.
11 MICKEY YARBRO: They're just going to be using that one.
12 So it's not even --
13 BERT RAMOS: Oh, no, no. We'll be using two wells.
14 They'll be the two existing --
15 MICKEY YARBRO: Going to be using two?
16 BERT RAMOS: Yes. But the well that was there will have to
17 be capped and --
18 MICKEY YARBRO: Okay.
19 BERT RAMOS: Per the state. Yeah.
20 MICKEY YARBRO: Oh. Because the state?
21 BERT RAMOS: The state requires that.
22 MICKEY YARBRO: Okay. All right.
23 COMMISSIONER BAKKER: But there was two before.
24 MICKEY YARBRO: There was two wells. And then -- now,
25 then, you've got two again. You're going to have to -- you're
26 going cap the one cap -- cap the one over by Sheep Creek? Or
27 the --
28 BERT RAMOS: No.
29 MICKEY YARBRO: -- one by the golf course?
30 BERT RAMOS: The one by the golf course.
31 MICKEY YARBRO: The (indiscernible) --
32 BERT RAMOS: So --
33 MICKEY YARBRO: -- system.
34 BERT RAMOS: -- so I do agree with -- with what you're
35 saying on that. But with the -- with the farms there. But we
36 were hoping to get the 1200 gallons a minute that some of the
37 farms are getting because they're obviously in a slightly
38 different gravel pack there than we are.
39 MICKEY YARBRO: Well, they are. And they're deeper.
40 BERT RAMOS: Yes. So we -- even -- even when we went down

1 to 750 feet, we were only getting 600 gallons a minute. So we
2 weren't getting a -- a tremendous amount. It's just a
3 different -- slightly different zone there.

4 With the 300 gallons a minute, you know, I -- I have to
5 stand that it's -- and it's only getting pumped for 12 hours a
6 day. It's not around the clock.

7 MICKEY YARBRO: Right.

8 BERT RAMOS: Even if we went to the 450 and had the other
9 well kick in, we're pumping 700 gallons a minute, say, for 12
10 hours a day, there is -- there is some recharge in the aquifer
11 that -- that should -- from everything that we're seeing,
12 shouldn't be any problem. It's no different than what the golf
13 course has been getting prior to us taking it off the system two
14 years ago -- or three years ago.

15 MICKEY YARBRO: As long as -- as long as the water is used
16 for the golf course and it doesn't start drawing down because of
17 use for the -- for the town, Battle Mountain, there probably
18 won't be any flak over it. Okay.

19 But I guarantee you that if you start trying to figure out
20 a way to pump 1200 gallons a minute out of that well, it's going
21 to be some questions.

22 Because, if I'm not mistaken -- they may have changed
23 everything now. I don't know. Because I'm not a lawyer or
24 anything else. But municipal water wells do not follow the same
25 restrictions that domestic wells.

26 Domestic wells are for home use only. Okay? So they're
27 getting the water from -- from the top of the ground down to the
28 last 150 feet or something like that. That's what most of those
29 wells are out there is 150 feet or so -- 200 at the most. I've
30 got three of them, so I know.

31 They -- and they're doing fine. No problem. But they have
32 gone down. And they will go down again if you're pumping 1200
33 gallons a minute out of it because you're pumping what we call --
34 and what the state calls -- surface water.

35 Now, municipal well like these here in town, around 750 feet,
36 I believe, deep. They've been that way for forever. Okay?

37 That's why they're that deep because they're used for the
38 city. And they're cased off -- double-cased and cemented and the
39 whole bit.

40 This one here is not that deep. Simple as that. It's a

1 different strata of water.

2 Everybody asks me, says, how can you not -- if you're
3 pumping 750 feet, how can you not draw the water down up here?
4 Okay?

5 Well, as the different formations in the earth go down and
6 you go through that hard pan and that rock, that bedrock down
7 there, into the big aquifer of water, you cement it from the
8 surface all the way down, double-wall cement, and cement it. And
9 then put your pump in the center one. You pump your deep water.
10 That seals off the surface water.

11 That's how it's done. That's how it's done in all the states
12 I've ever been in and everything like that.

13 So I'm just -- just to -- you know, I was concerned about it.

14 If you're going to use it for the golf course, not a problem.
15 We'll just monitor our wells and check them.

16 We know what they are right now. They're around 30 feet.
17 And if it drops to 40 or 50 feet, then we're using it for more
18 than just golf course. Because the golf course water right now is
19 not affecting us at all.

20 COMMISSIONER BAKKER: Right.

21 MICKEY YARBRO: Okay.

22 COMMISSIONER BAKKER: Thank you, Mickey.

23 MICKEY YARBRO: You bet.

24 BERT RAMOS: Yeah. No problem.

25
26 **10) Update from Public Works regarding the status of projects,**
27 **and all other matters properly related thereto.**
28

29 CHAIRMAN MILLS: Okay. Now we'll move to Item Number 10.
30 Update from Public Works regarding the status of projects, and
31 all other matters properly related thereto.

32 BERT RAMOS: All righty.

33 So we have a few projects going on. We did complete the Hill
34 Top paving. Looks really good.

35 The 22nd, 26th, all the water line is -- for the main
36 project is done. The change order that came before you guys is in
37 progress right now, going down them side streets. The paving is
38 also complete out there as well.

39 And today they were starting the grinding north of town. And
40 we will be paving Monday out there.

1 Tuesday we will pave the -- both sides of the railroad
2 tracks. We won't be able to grind that out until Tuesday and
3 probably won't grind it out. Probably pull it out with a track
4 hoe or something like that to -- so they can get in there and
5 pave it. But we've worked that out with the railroad. So that
6 should turn out nice.

7 The sewer pond lining that's going on out there is -- it's
8 coming along nice. The pond turned out really nice. We got a
9 few anchor bolts and stuff that we've got to get changed out.
10 But it's -- it's going to -- should be done by the 26th of this
11 month, should be complete if everything goes well. Don't hold
12 me to that.

13 We got approval from NDEP to do the dual discharge. So we
14 can discharge from our sewer plant to the river as well as to
15 the wetlands. And if our wetlands will hold it, we can
16 discharge 12 months a year. It's just a matter of what we get
17 for evaporation and how we go. And that'll take us off a lot of
18 the state requirements that we're -- everybody's having so much
19 trouble meeting and save, you know, a ton of money when it comes
20 to the treatment of -- of our water.

21 Working with NDOW on getting some fish and stuff out there
22 that they put in that eat mosquitoes and -- once we start dumping
23 into this wetlands. So that'll -- that'll be looked at.

24 In Austin, the -- they finished up pouring up that stage this
25 last weekend. It turned out really nice. The -- we're working on
26 getting power to it. Anna and Freddie were up there the other
27 day -- I don't know -- yesterday?

28 ANNA PENOLA: Yesterday.

29 BERT RAMOS: Yesterday?

30 And -- and looked at it. So hopefully we can get some power,
31 some lights, and plug-ins. And then the park can -- they can
32 party in the park.

33 The well behind the visitors center, we had the geotech guy
34 was up there. And it looks like we -- from what he's coming up
35 with and the engineer's coming up with that this can be a
36 relatively cheap fix. We can use the same blocks that we used up
37 there for that stage in the park potentially and build that up to
38 where we can then put a six- or eight-inch curb on the back side
39 of that street with the fence to help keep Austin and the visitors
40 center. We've got to work with Phil Marshall. He owns the

1 property on the other side -- to get in there and access it. But
2 hopefully that goes well. I don't see why it wouldn't. And we'll
3 make it right with him and should work out good for us. I'll be
4 back with prices and numbers on that.

5 And then we're also putting bids together right now to go
6 out for the Austin paving and the grinding and -- and all that
7 out in the -- in the flats out there in Austin. So if there's
8 anything else that you guys have or think of, I'll address it.

9 COMMISSIONER WAITS: Have all the signs come in yet on the
10 dog park?

11 KEITH WESTENGARD: Not yet.

12 We're waiting on one. One sign. All the other ones have
13 come in.

14 COMMISSIONER WAITS: Okay.

15 BERT RAMOS: I am ordering signs for the Austin Cemetery.
16 And -- I'm drawing a blank here. The gentleman that -- anyway,
17 that -- we have it zoned and all the rows are numbered. And
18 he's asked for the signs that have come. So --

19 COMMISSIONER WAITS: Oh, John Malloy? Is that what --

20 BERT RAMOS: Yes.

21 COMMISSIONER WAITS: -- you're trying to --

22 BERT RAMOS: John Malloy.

23 COMMISSIONER WAITS: -- think of?

24 BERT RAMOS: Thank you, Patsy.

25 COMMISSIONER WAITS: Okay.

26 BERT RAMOS: So John got with me and asked if we could put
27 them in rows. So we have all the signs ordered, the -- the
28 bolts so people can't take the signs. And they're -- they're
29 just going to be little six-by-six signs with the number on them
30 that labels rows. So when people --

31 COMMISSIONER WAITS: Good.

32 BERT RAMOS: -- need to go up and find somebody, they can
33 go to, you know, row 60 or seven- -- wherever they need to go
34 and find them.

35 So...

36 COMMISSIONER ALLAN: Are you working on bids for the Grass
37 Valley Road?

38 BERT RAMOS: No.

39 COMMISSIONER ALLAN: Okay.

40 BERT RAMOS: No. I have actually put that kind of on

1 standby until we hopefully get something from Ormat. But we'll
2 see about that.

3 COMMISSIONER ALLAN: Good luck.

4 BERT RAMOS: Yeah.

5 CHAIRMAN MILLS: Okay. Any public comment?

6 KATHY ANCHO: I do.

7 I just had a question.

8 BERT RAMOS: No sweat.

9 KATHY ANCHO: Kathy Ancho, resident. On the 26th, were you
10 doing all that now, where the -- they pulled up the road to put
11 the water lines across? Are they going to --

12 BERT RAMOS: Oh, yes.

13 KATHY ANCHO: -- come -- be back going and filling all
14 those back in?

15 BERT RAMOS: Yep.

16 KATHY ANCHO: Okay.

17 BERT RAMOS: So -- and that was on my list. I didn't touch
18 on it. I apologize.

19 Patch. So they will be patching all of the holes in town we
20 dug, you know, throughout the winter and -- and, you know, fall
21 and the spring. We -- a lot of water leaks and everything that we
22 have going on there. We dig up the road in various places as well
23 as the concrete and sidewalk. They're coming in and they'll be
24 doing all them patches at the same time that they do out here.
25 And that will probably be towards the end of this month as well.

26 CHAIRMAN MILLS: I --

27 BERT RAMOS: The road --

28 CHAIRMAN MILLS: -- know --

29 BERT RAMOS: -- crossings.

30 CHAIRMAN MILLS: -- if --

31 BERT RAMOS: Because them are -- them are kind of --
32 they're kind of rowdy.

33 CHAIRMAN MILLS: I noticed out here -- out by the corner by
34 Bakker's Brew, the curb's been basically destroyed. That state?

35 BERT RAMOS: It is.

36 COMMISSIONER ALLAN: That's state.

37 BERT RAMOS: That is --

38 CHAIRMAN MILLS: That's --

39 BERT RAMOS: -- supposed --

40 CHAIRMAN MILLS: -- state?

1 BERT RAMOS: -- to be NDOT's. Yeah.
2 CHAIRMAN MILLS: Okay.
3 BERT RAMOS: I let Jeremiah know about that but haven't
4 heard back.
5 CHAIRMAN MILLS: Yeah.
6 BERT RAMOS: So...
7 And it's not really his fault. I'm not trying to blame
8 it --
9 CHAIRMAN MILLS: Well --
10 BERT RAMOS: -- on him. He's -- he's going through his
11 chain as well.
12 CHAIRMAN MILLS: All right.
13 You have a comment?
14 NOLIANA CASTELLANOS: I do. Noliena Castellanos. I have a
15 question with the water pipes going in.
16 BERT RAMOS: Uh-huh.
17 NOLIANA CASTELLANOS: Is there -- what's the reason we
18 didn't put gas lines with that when you had it all dug up
19 before?
20 COMMISSIONER CLARK: What'd you say? I -- come up closer
21 so I can hear you by the microphone.
22 NOLIANA CASTELLANOS: When we had all the -- the trenches
23 for the ga- -- the water lines going in, why didn't you guys put
24 gas lines with it?
25 COMMISSIONER ALLAN: That --
26 NOLIANA CASTELLANOS: So we --
27 COMMISSIONER ALLAN: -- would be --
28 NOLIANA CASTELLANOS: -- don't have gas out --
29 COMMISSIONER CLARK: That's --
30 NOLIANA CASTELLANOS: -- there.
31 COMMISSIONER ALLAN: -- Southwest Gas's responsibility.
32 NOLIANA CASTELLANOS: So we're going to go retear it up
33 later when they decide to move it out?
34 COMMISSIONER ALLAN: Probably.
35 BERT RAMOS: Yeah. I can't ha- --
36 CHAIRMAN MILLS: Did we --
37 BERT RAMOS: I don't have --
38 CHAIRMAN MILLS: -- do any --
39 BERT RAMOS: -- any say or control over what they do or
40 don't do when they do it.

1 CHAIRMAN MILLS: We can't make --
2 NOLIENA CASTELLANOS: Well, I just didn't know why as a --
3 CHAIRMAN MILLS: We can't --
4 NOLIENA CASTELLANOS: -- county --
5 CHAIRMAN MILLS: -- make them do --
6 NOLIENA CASTELLANOS: -- we --
7 CHAIRMAN MILLS: -- anything.
8 NOLIENA CASTELLANOS: -- couldn't put the gas lines
9 anyways. And then when they're ready to hook up to them, they
10 could just hook up to them.
11 BERT RAMOS: They have to be certified. So they have --
12 COMMISSIONER CLARK: No, we --
13 BERT RAMOS: -- certified --
14 COMMISSIONER CLARK: -- can't do --
15 BERT RAMOS: -- welders and --
16 COMMISSIONER CLARK: -- that.
17 BERT RAMOS: -- stuff that come and weld them gas lines
18 together, whether they're plastic or -- or iron. And when they
19 go through, they have to -- a big inspection process that goes
20 in with -- with gas, and the county can't just install for them.
21 NOLIENA CASTELLANOS: Okay. Fair enough.
22 CHAIRMAN MILLS: Okay.
23 COMMISSIONER WAITS: Easy summer. Thank you, Bert.
24 BERT RAMOS: Yep.
25 COMMISSIONER BAKKER: Thanks, Bert.
26 CHAIRMAN MILLS: Thank you.
27
28

29 COMMISSIONERS

31 11) Discussion and possible action regarding the annual merit 32 increase and/or annual bonus for Lander County employees for 33 FY 2018-2019, and all other matters properly related thereto. 34

35 CHAIRMAN MILLS: Okay. Item 11. Discussion and possible
36 action regarding the annual merit increase and/or annual bonus
37 for Lander County employees for fiscal year 2018-2019, and all
38 other matters properly related thereto.

39 Okay. So I had this put on because in discussions for
40 merit increase versus bonus, it was always discussed previously

1 we were going to do either/or. And now I understand it's both.
2 So I want to make sure that we're clear on what we're doing
3 with that.
4 Are we doing one or the other? Or are we doing both?
5 KEITH WESTENGARD: Just -- just for clarification,
6 nothing's happened yet. But both were left in the budget. So
7 both are in the budget.
8 CHAIRMAN MILLS: Right.
9 KEITH WESTENGARD: But --
10 COMMISSIONER WAITS: But our discussion, I -- I thought we
11 had decided it would be one or the other.
12 COMMISSIONER BAKKER: Uh-huh.
13 CHAIRMAN MILLS: And that's --
14 COMMISSIONER ALLAN: So --
15 CHAIRMAN MILLS: -- that was my understanding, but --
16 COMMISSIONER WAITS: We didn't make it clear enough?
17 CHAIRMAN MILLS: But in -- in discussions, apparently the
18 -- in --
19 KEITH WESTENGARD: You never voted to leave it in or take
20 it out or --
21 CHAIRMAN MILLS: Yeah.
22 KEITH WESTENGARD: -- or --
23 COMMISSIONER ALLAN: I'll make a motion that we approve
24 annual bonuses only for Lander County employees for fiscal year
25 2018-19.
26 COMMISSIONER BAKKER: Is that how you guys want to go?
27 COMMISSIONER WAITS: No merit increases at all?
28 COMMISSIONER BAKKER: Is the merit in the contract?
29 KEITH WESTENGARD: Well, now, now the merit -- yeah. The
30 -- what's in the contract, you can't change.
31 COMMISSIONER CLARK: Yeah.
32 KEITH WESTENGARD: This was the mer- -- the -- what we were
33 referring to with the merit was at the evaluation period the
34 supervisor had the opportunity to go up to -- up to additional 2
35 percent.
36 COMMISSIONER WAITS: Right.
37 KEITH WESTENGARD: They ha- -- they get their -- their
38 2 percent cost or negotiated salaries or negotiated increase
39 July -- they just got -- there was just one --
40 COMMISSIONER ALLAN: That's in the --

1 KEITH WESTENGARD: -- given July 1st.
2 COMMISSIONER ALLAN: -- pay. That was --
3 CHAIRMAN MILLS: Right.
4 COMMISSIONER ALLAN: -- in the --
5 CHAIRMAN MILLS: That's all.
6 COMMISSIONER ALLAN: -- payroll change.
7 KEITH WESTENGARD: So this is a --
8 COMMISSIONER ALLAN: That's --
9 KEITH WESTENGARD: -- quest- --
10 COMMISSIONER ALLAN: -- the 2 percent.
11 KEITH WESTENGARD: I'm sorry. Go ahead, Commissioner.
12 COMMISSIONER ALLAN: Oh, no. I'm sorry, Keith.
13 KEITH WESTENGARD: No.
14 COMMISSIONER ALLAN: I interrupted you.
15 KEITH WESTENGARD: I -- I just wanted to make it clear.
16 This is to do with the bonuses versus the merit.
17 It has nothing to do with the -- the annual negotiated --
18 COMMISSIONER ALLAN: Cost.
19 KEITH WESTENGARD: -- raise.
20 COMMISSIONER ALLAN: Yeah.
21 CHAIRMAN MILLS: Right.
22 COMMISSIONER ALLAN: So yeah. I mean, I -- I -- I totally
23 disagree with both, you know, giving someone a merit increase,
24 which is discretionary to the supervisor, is I feel it -- that,
25 you know, it should be bonuses. And I'd also like to state that
26 I'll amend my motion to include that bonuses will be given on
27 anniversary dates.
28 COMMISSIONER WAITS: Okay. So your motion is that we do
29 only a bonus and give it on the anniversary date? Period?
30 COMMISSIONER ALLAN: Yes.
31 COMMISSIONER WAITS: Okay.
32 KEITH WESTENGARD: What -- what we'd like to do with the
33 bonuses if, for instance, the employee's anniversary date is
34 July 10th at --
35 So there -- we have one July 10th, one July 15th, one
36 that's -- we'll give them all at the end of the month rather
37 than cutting checks on each individual day. They'll just get it
38 at the end of the month to save on cutting checks every -- you
39 know, we might have ten anniversary dates in one month. So if
40 that's okay -- they'll still get it. It'll be within --

1 COMMISSIONER ALLAN: Two weeks of --
2 KEITH WESTENGARD: Well, the maximum --
3 COMMISSIONER ALLAN: Or --
4 KEITH WESTENGARD: -- that would be within --
5 COMMISSIONER ALLAN: Yeah.
6 KEITH WESTENGARD: -- the month of their anniversary, but
7 not necessarily on their anniversary date itself.
8 So we cut -- maybe cut five checks or ten checks in a month
9 rather than -- at one time, rather than five or ten in -- five or
10 ten different dates.
11 COMMISSIONER ALLAN: And that's fine.
12 Do you want me to change that?
13 KEITH WESTENGARD: Just to show that -- because you did
14 make it specific to --
15 COMMISSIONER ALLAN: I made it to the -- specific to the
16 anniversary date to be -- okay.
17 Amend again to the bonuses being cut at the end of the month
18 that their anniversary date occurs.
19 KEITH WESTENGARD: Thank you.
20 COMMISSIONER BAKKER: A bit forward.
21 Is there any public comment from any of the employees? Oh.
22 MICKEY YARBRO: No, not the employee.
23 COMMISSIONER WAITS: O- -- o- -- or --
24 MICKEY YARBRO: No. Go ahead. The employees can comment
25 all they want. I've got a comment, though.
26 CHAIRMAN MILLS: Come on up.
27 MICKEY YARBRO: Huh?
28 COMMISSIONER BAKKER: Come on up.
29 MICKEY YARBRO: I think I'd rather have the employees do
30 theirs first.
31 COMMISSIONER ALLAN: We've got an employee comment? Hold
32 on, Mickey.
33 MICKEY YARBRO: Okay.
34 MATTHEW GOULD: I think we need to review the --
35 COMMISSIONER BAKKER: Matt come up --
36 MATTHEW GOULD: -- the voice of --
37 COMMISSIONER BAKKER: -- here.
38 MATTHEW GOULD: -- a policy. Oh, okay.
39 COMMISSIONER BAKKER: State your name.
40 MATTHEW GOULD: My name is Matt. I am the human resources

1 director.

2 I think we need to review the policies and procedures first,
3 which I guess is a larger issue about the policies and procedures.

4 But we need to be very cautious that we're not interfering
5 with the contract, but also being fair to the employees.

6 COMMISSIONER CLARK: Yeah.

7 KEITH WESTENGARD: Just for clarification. We are not
8 interfering with the negotiated union contract. The 2 percent
9 negotiated contract that this board approved two years ago and
10 is in its final year right now stays in place. They receive
11 their July 1st bonus. This has to do -- and -- and it goes --

12 CHAIRMAN MILLS: Their --

13 KEITH WESTENGARD: -- clear back July --

14 CHAIRMAN MILLS: -- July 1st cost-of-living increase
15 through the union.

16 KEITH WESTENGARD: Yes.

17 CHAIRMAN MILLS: That's not a --

18 KEITH WESTENGARD: That --

19 CHAIRMAN MILLS: -- bonus.

20 KEITH WESTENGARD: That -- this is -- oh, did I s- --
21 I'm -- so I apologize if I --

22 CHAIRMAN MILLS: Yeah, just --

23 KEITH WESTENGARD: -- said going --

24 CHAIRMAN MILLS: -- clarifying.

25 KEITH WESTENGARD: For clarification.

26 COMMISSIONER BAKKER: Yeah, it's different.

27 MATTHEW GOULD: Sorry.

28 KEITH WESTENGARD: For clarification, the union-negotiated
29 2 percent raise is in place. It is not going to change.

30 CHAIRMAN MILLS: Right.

31 KEITH WESTENGARD: The -- the 2 percent merit was put in
32 place -- evaluation period -- and approved by this board with
33 the understanding that it could be revoked at any time.

34 COMMISSIONER BAKKER: Right.

35 KEITH WESTENGARD: So this has nothing to do with the
36 contract. I -- I just --

37 MATTHEW GOULD: Thank you.

38 KEITH WESTENGARD: -- wanted to make that --

39 MATTHEW GOULD: Appreciate the --

40 KEITH WESTENGARD: -- clear.

1 MATTHEW GOULD: -- clarification.
2 KEITH WESTENGARD: Yep.
3 MATTHEW GOULD: That's it.
4 COMMISSIONER BAKKER: Thank you, Matt.
5 KEITH WESTENGARD: Thanks. Thanks, Matt.
6 MICKEY YARBRO: Yep.
7 Mickey Yarbrow, again.
8 This is not going to make me popular, okay, at all.
9 Back a few years ago, when I sitting up there where you guys
10 are at, this was happening in the county. This merit and bonus
11 pay was happening in the county at the time for the county
12 employees.
13 You take an employee that's working right alongside another
14 employee, digging a ditch, covering up lines, whatever in the heck
15 they may be doing. But this old boy here is a little tighter with
16 the boss than this one right here.
17 Okay?
18 So I'm going to give him or her 5 percent merit. And I'm
19 only going to give this guy here two.
20 That ain't fair in anybody's book. Okay?
21 And it happens. It's human nature. It happens. And it will
22 happen if -- while you guys are doing this.
23 I -- as a commissioner back then -- got it removed from the
24 negotiating thing.
25 If we're going to give a person or an employee 3 percent or
26 4 percent merit, then give it to them all on wages. That way
27 everybody gets it.
28 If a person is not a good employee, then terminate them.
29 Okay?
30 But once you start giving bonuses and you start giving merits
31 and it's up to the supervisors to do this, it's not going to be
32 fair for everybody.
33 COMMISSIONER ALLAN: Mickey, can I -- can I explain
34 something?
35 MICKEY YARBRO: Sure.
36 COMMISSIONER ALLAN: Okay.
37 And I agree with a lot of what you have to say. And that was
38 kind of one of my -- my issues with the merit increase, was it is
39 discretionary to the supervisor.
40 The other thing that it did that I -- I didn't -- was not

1 thrilled about was getting the merit increase, put your pay scale
2 up higher, and then you come around July 1st, you get your COLA on
3 top of that. So it's almost like a double-dipping process, which
4 2 percent isn't a whole lot. It is appreciated. But after so
5 many years, it starts adding up.

6 With the bonus system, this should not be determined on --
7 this will be across the board. Is it will be everybody.

8 That when your anniversary date comes around, you will be
9 getting your bonus. It's on a sliding scale based on your
10 years --

11 MICKEY YARBRO: Uh-huh.

12 COMMISSIONER ALLAN: -- of service.

13 So it's not determined by the supervisors.

14 MICKEY YARBRO: Okay.

15 COMMISSIONER ALLAN: And so it does make it fair to
16 everyone.

17 It will not inf- -- it will not affect your wages. So when
18 you do get your cost of living, it's not based on an incent- --
19 or, you know, a merit bonus on top -- increase on top of that.

20 So that's kind of one of the beauties of -- of this bonus
21 system is it is very fair. And we can control it in the future.

22 MICKEY YARBRO: Okay. Now, if you're -- if you negotiate a
23 contract and you negotiate with the union for the employees and
24 you guys agree to 2 percent -- for example, okay, increase.

25 And then at the fiscal year, the bo- -- the cost-of-living
26 adjustment, whatever that may be, 2, 3 percent. So that would
27 give them a 5 percent increase in wages. Okay?

28 Why not do that versus -- I don't know what the bonuses would
29 be. Okay?

30 Let me make that clear. I have no idea what it would be.
31 Whether it'd be a \$500 or a hundred dollars, I don't know. Okay.
32 But all I'm suggesting is, to me, don't ever get yourself in the
33 position to where you leave this solely up to the discretion of
34 the supervisors.

35 COMMISSIONER ALLAN: And that's what I'm trying to explain
36 to you, is it's --

37 MICKEY YARBRO: Yeah.

38 COMMISSIONER ALLAN: -- not.

39 MICKEY YARBRO: Okay. Because then you're -- then you're
40 going to be discriminating.

1 COMMISSIONER ALLAN: Exactly.
2 MICKEY YARBRO: Yes.
3 COMMISSIONER ALLAN: And this -- this system is not --
4 MICKEY YARBRO: Okay.
5 COMMISSIONER ALLAN: -- to -- to with --
6 MICKEY YARBRO: Maybe just --
7 COMMISSIONER ALLAN: -- the motion of going to strictly
8 bonuses is it is not discriminatory. It's everybody gets --
9 MICKEY YARBRO: Everybody gets a bonus.
10 COMMISSIONER ALLAN: Everybody gets a bonus.
11 MICKEY YARBRO: And this bonus is rated on their wages at
12 the time.
13 COMMISSIONER ALLAN: It is --
14 MICKEY YARBRO: Or --
15 COMMISSIONER ALLAN: -- rated on their -- their years of
16 service.
17 MICKEY YARBRO: Years of service. Okay.
18 Okay.
19 Okay. I -- I just wanted to bring this up because it did
20 cause a lot of problems back then. You hear it on the streets,
21 you know, well, so-and-so got a 5 percent or merit increase or
22 10 percent merit increase, you know. And so-and-so didn't.
23 And, you know, --
24 COMMISSIONER ALLAN: Well, understandably. Yes.
25 MICKEY YARBRO: -- and stuff like that. So that's -- I
26 didn't -- but if you're going to just do the bonus thing,
27 there's not a problem with that because, if the county doesn't
28 have the money to give the bonuses, nobody's going to get them.
29 COMMISSIONER ALLAN: Exactly.
30 MICKEY YARBRO: Exactly. Okay.
31 COMMISSIONER ALLAN: It's --
32 MICKEY YARBRO: Okay.
33 COMMISSIONER ALLAN: -- just this year we -- we budgeted --
34 MICKEY YARBRO: Uh-huh. No. That's --
35 COMMISSIONER ALLAN: -- and talked --
36 MICKEY YARBRO: And that's --
37 COMMISSIONER ALLAN: -- about --
38 MICKEY YARBRO: -- fine --
39 COMMISSIONER ALLAN: -- it.
40 And, you know, who knows. Maybe next year we're not going to

1 have it and decide not to --
2 MICKEY YARBRO: Yeah.
3 COMMISSIONER ALLAN: -- give bonuses.
4 MICKEY YARBRO: Yeah.
5 COMMISSIONER ALLAN: So --
6 MICKEY YARBRO: Okay.
7 COMMISSIONER ALLAN: Whereas if you go with a merit
8 increase, you're -- you're -- you're stuck paying that person
9 that increased salary.
10 MICKEY YARBRO: Well, you are even -- well, you're --
11 you're right there. But even on your regular negotiated
12 increases, you're stuck, regardless, --
13 COMMISSIONER ALLAN: Well, --
14 MICKEY YARBRO: -- with them, --
15 COMMISSIONER ALLAN: -- true. But --
16 MICKEY YARBRO: -- you know, --
17 COMMISSIONER ALLAN: -- that's --
18 MICKEY YARBRO: -- too.
19 COMMISSIONER ALLAN: -- part of the --
20 MICKEY YARBRO: But yeah.
21 COMMISSIONER ALLAN: -- that's part of the contract --
22 MICKEY YARBRO: Yeah.
23 COMMISSIONER ALLAN: -- or the union --
24 CHAIRMAN MILLS: Uh-huh.
25 COMMISSIONER ALLAN: -- negotiations.
26 MICKEY YARBRO: Right. Uh-huh.
27 COMMISSIONER ALLAN: So --
28 MICKEY YARBRO: And that -- and that's way it should -- you
29 know, that's the way it should be.
30 COMMISSIONER ALLAN: Right.
31 MICKEY YARBRO: Your merits, I -- you know, I don't
32 (indiscernible). Okay. That's just me. Okay.
33 Like I say, it probably is not a popular issue and
34 everything. But it's something that does need to be brought out
35 because of -- of what happens over it. Okay.
36 COMMISSIONER ALLAN: Right.
37 CHAIRMAN MILLS: All right.
38 COMMISSIONER ALLAN: Thank you.
39 MICKEY YARBRO: Thank you.
40 CHAIRMAN MILLS: Thanks, --

1 COMMISSIONER BAKKER: Thanks, --
2 CHAIRMAN MILLS: -- Mickey.
3 COMMISSIONER BAKKER: -- Mickey.
4 MICKEY YARBRO: Okay.
5 CHAIRMAN MILLS: Other public comment?
6 KEITH WESTENGARD: I'd like to be crystal clear on
7 something so there's --
8 CHAIRMAN MILLS: Yes.
9 KEITH WESTENGARD: -- no -- no confusion.
10 Commissioner Allan's motion is for bonuses.
11 And we are going to cut out the up to 2 percent for the
12 evaluations -- not the evaluations. They're -- we're going to
13 keep doing the employee evaluations.
14 And I want to make that clear just because the 2 percent is
15 being taken out of that evaluation process. Evaluations still
16 need to be done, but we're going to take the 2 per- -- that
17 2 percent -- up to 2 percent out that the supervisor can give in
18 addition to the union-negotiated raise. Correct?
19 COMMISSIONER ALLAN: Correct.
20 MICKEY YARBRO: I've got another public comment on that.
21 KEITH WESTENGARD: No, that --
22 MICKEY YARBRO: I'm sorry.
23 KEITH WESTENGARD: I want to make sure that I understood
24 that the -- the -- the motion clearly.
25 Yes.
26 MICKEY YARBRO: Mickey Yarbrow. Keith, if that's the case,
27 isn't that the same thing as a merit?
28 KEITH WESTENGARD: No, because the -- the bonus is --
29 MICKEY YARBRO: But if it's a 2 percent more for certain
30 employees on evaluation, --
31 KEITH WESTENGARD: No.
32 MICKEY YARBRO: -- if they evaluate you and give you 2
33 percent and they evaluate Ted and only give him 1 percent, is
34 that fair?
35 KEITH WESTENGARD: No. No. Okay, well, let --
36 ELIZABETH BARELA: Make sure they're on tr- --
37 KEITH WESTENGARD: -- me answer one at a time.
38 UNIDENTIFIED PARTICIPANT: They've earned this.
39 KEITH WESTENGARD: Can --
40 COMMISSIONER WAITS: That's what a merit is.

1 KEITH WESTENGARD: I need to answer one --
2 CHAIRMAN MILLS: That's what --
3 KEITH WESTENGARD: -- at a time.
4 CHAIRMAN MILLS: -- merit is. Yeah.
5 KEITH WESTENGARD: I'm hearing (nonword utterance).
6 Okay. So first off, I don't fall under the union contract.
7 If the commission decides to give me a -- a raise, that's on the
8 commission. I'm not under the contract. So we're talking
9 apples and oranges.
10 DISTRICT ATTORNEY HERRERA: He's just using an example.
11 KEITH WESTENGARD: I -- I understand.
12 COMMISSIONER BAKKER: Hey.
13 KEITH WESTENGARD: So --
14 COMMISSIONER BAKKER: Hey. Hold on.
15 Mickey, we're talking -- okay. So the merit increase was 2
16 per- -- zero to -- what? -- 2 percent. That's what we're taking
17 out.
18 MICKEY YARBRO: Right.
19 COMMISSIONER BAKKER: A bonus -- or might be taken out,
20 depending --
21 MICKEY YARBRO: Yeah.
22 COMMISSIONER BAKKER: -- on how --
23 MICKEY YARBRO: Right.
24 COMMISSIONER BAKKER: -- we vote today. A bonus is just
25 your yearly bonus.
26 KEITH WESTENGARD: Based on years.
27 MICKEY YARBRO: Right.
28 CHAIRMAN MILLS: Based on --
29 COMMISSIONER BAKKER: Based on years.
30 MICKEY YARBRO: Right.
31 COMMISSIONER BAKKER: So the -- the 2 percent and all that
32 is what we're discussing to take away.
33 MICKEY YARBRO: Okay. And then is this for just hourly
34 or -- and/or salary?
35 ELIZABETH BARELA: Hourly.
36 COMMISSIONER BAKKER: Sal- --
37 MICKEY YARBRO: This --
38 KEITH WESTENGARD: Hourly.
39 MICKEY YARBRO: -- right here.
40 COMMISSIONER BAKKER: Hourly.

1 KEITH WESTENGARD: Hourly.
2 MICKEY YARBRO: This -- this --
3 COMMISSIONER BAKKER: Union.
4 MICKEY YARBRO: -- Number 11 here.
5 COMMISSIONER WAITS: Well, we've got --
6 COMMISSIONER ALLAN: I think it's --
7 COMMISSIONER WAITS: -- s- -- we've --
8 COMMISSIONER ALLAN: -- for everybody.
9 COMMISSIONER WAITS: Yeah, we've --
10 COMMISSIONER BAKKER: It's for everyone, but is -- is --
11 but department heads.
12 DISTRICT ATTORNEY HERRERA: Yeah, and elected officials.
13 COMMISSIONER BAKKER: Right. And elected officials.
14 COMMISSIONER ALLAN: Well, yeah.
15 MICKEY YARBRO: Uh-huh.
16 KEITH WESTENGARD: Right.
17 MICKEY YARBRO: Okay. Another -- well, I know, you know,
18 department heads are under different rule. I mean, I'm not
19 going --
20 KEITH WESTENGARD: Correct.
21 MICKEY YARBRO: -- there.
22 But your --
23 COMMISSIONER BAKKER: It's for all -- it's for all the
24 employees that don't fall under department --
25 MICKEY YARBRO: Under --
26 COMMISSIONER BAKKER: -- heads or elected --
27 MICKEY YARBRO: Or under --
28 COMMISSIONER BAKKER: -- officials.
29 MICKEY YARBRO: -- the union --
30 COMMISSIONER BAKKER: Yeah.
31 MICKEY YARBRO: -- contract.
32 COMMISSIONER WAITS: Uh-huh.
33 MICKEY YARBRO: Okay. All right.
34 COMMISSIONER WAITS: And you said it's not there. And
35 we're saying, that's what a merit raise is. It -- it's to
36 reward the people that have done an exceptional job and not just
37 an average job.
38 MICKEY YARBRO: For salaried? But not for hourly.
39 It is not fair for hourly person to get a 5 percent merit
40 increase and the other one get a 2 percent merit --

1 COMMISSIONER ALLAN: Mickey.
2 MICKEY YARBRO: -- increase. I mean, but you're --
3 COMMISSIONER WAITS: That -- well --
4 MICKEY YARBRO: -- saying -- you're saying you got a
5 2 percent thing in here that you're --
6 COMMISSIONER ALLAN: Mickey.
7 MICKEY YARBRO: -- going to get rid of or you're going to
8 keep it when you eval- -- when you give evaluation to somebody.
9 COMMISSIONER ALLAN: No. We're getting rid of it. The
10 merit increase, if the -- if the motion is seconded, if it's
11 approved, we're getting rid of merit increases, --
12 MICKEY YARBRO: All right.
13 COMMISSIONER ALLAN: -- totally.
14 ELIZABETH BARELA: For this --
15 MICKEY YARBRO: Then what --
16 ELIZABETH BARELA: -- year.
17 MICKEY YARBRO: -- is Keith --
18 CHAIRMAN MILLS: For this --
19 MICKEY YARBRO: -- talking --
20 CHAIRMAN MILLS: -- year.
21 MICKEY YARBRO: -- about the 2 percent for?
22 COMMISSIONER ALLAN: We have a 2 percent cost-of-living
23 increase starting --
24 MICKEY YARBRO: Okay.
25 COMMISSIONER ALLAN: -- the first part of July or -- well,
26 actually, the --
27 MICKEY YARBRO: All right.
28 COMMISSIONER ALLAN: -- second pay period.
29 MICKEY YARBRO: Uh-huh.
30 COMMISSIONER ALLAN: That is part of the union negotiation.
31 MICKEY YARBRO: Right. It's going to --
32 COMMISSIONER ALLAN: What we're talking about -- and it has
33 nothing to do with that -- is the negotiation is for countywide
34 employees.
35 It's -- it's a cost-of-living-increase raise.
36 MICKEY YARBRO: Is that for -- for the price index Uncle
37 Sam hands down?
38 COMMISSIONER ALLAN: Yes.
39 MICKEY YARBRO: Okay.
40 So why should that -- I guess is -- I'm -- I'm not real clear

1 on it because I haven't been involved in all this, but why, then,
2 is the 2 percent even considered? I mean, if it's negotiated into
3 the contract --
4 COMMISSIONER BAKKER: It's not.
5 COMMISSIONER WAITS: It's not.
6 COMMISSIONER ALLAN: It's not.
7 MICKEY YARBRO: It isn't?
8 COMMISSIONER ALLAN: The merit was just --
9 MICKEY YARBRO: Okay.
10 COMMISSIONER ALLAN: -- an offer.
11 MICKEY YARBRO: So you're going to get rid of it?
12 COMMISSIONER BAKKER: Right.
13 COMMISSIONER ALLAN: We could.
14 MICKEY YARBRO: If you guys decide to get rid of --
15 COMMISSIONER WAITS: Maybe.
16 MICKEY YARBRO: -- it.
17 COMMISSIONER ALLAN: If we decide to get rid of it.
18 MICKEY YARBRO: Okay.
19 COMMISSIONER ALLAN: Yes.
20 MICKEY YARBRO: All right. Okay. I just want it -- when
21 you bring it up, you know, you've got 2 percent merit here and
22 you're evaluating your employees or something, you know. And
23 then, no, that's -- we're not going to use that. Well, then why
24 is it keep brought -- being brought up?
25 COMMISSIONER BAKKER: Because we didn't take it --
26 MICKEY YARBRO: And if you're going to --
27 COMMISSIONER BAKKER: -- out of the --
28 MICKEY YARBRO: -- blood up.
29 COMMISSIONER BAKKER: -- budget when we did the budget
30 process. So now we've got to clean everything up, --
31 MICKEY YARBRO: All right.
32 COMMISSIONER BAKKER: -- is what we're doing.
33 MICKEY YARBRO: So that's -- I guess that's what I'm
34 asking.
35 CHAIRMAN MILLS: Right.
36 MICKEY YARBRO: Because it's --
37 CHAIRMAN MILLS: So just to be clear on that. There's --
38 there's 2 percent from the union contract.
39 MICKEY YARBRO: Right.
40 CHAIRMAN MILLS: There's a --

1 MICKEY YARBRO: Right.
2 CHAIRMAN MILLS: -- 2 percent merit.
3 MICKEY YARBRO: Okay.
4 CHAIRMAN MILLS: And then there's a bonus schedule based on
5 years of service.
6 MICKEY YARBRO: Okay.
7 CHAIRMAN MILLS: We're looking at the 2 percent merit and
8 the bonus because they're both in the contract. And we're
9 clarifying we don't want --
10 COMMISSIONER ALLAN: In the budget.
11 KEITH WESTENGARD: Budget.
12 CHAIRMAN MILLS: In the budget --
13 MICKEY YARBRO: Uh-huh.
14 CHAIRMAN MILLS: -- there's -- there's both.
15 And we're looking at whether we're doing --
16 COMMISSIONER ALLAN: One or the --
17 CHAIRMAN MILLS: -- one or the --
18 COMMISSIONER ALLAN: -- other.
19 CHAIRMAN MILLS: -- other or both.
20 MICKEY YARBRO: Okay.
21 CHAIRMAN MILLS: That's what we're looking at.
22 MICKEY YARBRO: All right.
23 COMMISSIONER WAITS: Okay.
24 MICKEY YARBRO: Well, and it depends -- that would also --
25 other than the bonus if -- you know, that's -- that's up to you
26 guys.
27 It's whatever they negotiate --
28 COMMISSIONER BAKKER: I say we --
29 MICKEY YARBRO: -- in the --
30 COMMISSIONER BAKKER: -- just leave it how --
31 MICKEY YARBRO: -- flowchart.
32 COMMISSIONER BAKKER: -- it is.
33 COMMISSIONER WAITS: Yeah. Let's go.
34 MICKEY YARBRO: Whatever they negotiate -- whatever they
35 negotiate in the contract. If it's --
36 UNIDENTIFIED PARTICIPANT: Leave it alone.
37 MICKEY YARBRO: -- 2 percent increase plus cost-of-living
38 2 percent, then it's 4 percent increase across the board for
39 employees. Is that correct?
40 COMMISSIONER WAITS: That's right.

1 MICKEY YARBRO: If that's --
2 COMMISSIONER WAITS: Well, no. There's --
3 MICKEY YARBRO: -- negotia- -- if that's --
4 COMMISSIONER WAITS: The contract.
5 MICKEY YARBRO: -- negotiated --
6 CHAIRMAN MILLS: Because you've got --
7 MICKEY YARBRO: -- in the contract.
8 CHAIRMAN MILLS: We've got the negotiated 2 percent with
9 the union. We've got the merit's 2 percent, but it's -- it's --
10 that's flexible. It's up to 2 percent. That's not --
11 MICKEY YARBRO: And it's --
12 CHAIRMAN MILLS: -- a guaran- --
13 MICKEY YARBRO: And it's not guar- -- it's not even in
14 the --
15 CHAIRMAN MILLS: It's not a guaranteed 2 percent. That's
16 a --
17 MICKEY YARBRO: It's not even in the contract?
18 SHERIFF RON UNGER: No.
19 CHAIRMAN MILLS: No, that's a separate -- it's separate --
20 MICKEY YARBRO: Cost --
21 CHAIRMAN MILLS: -- from the --
22 COMMISSIONER WAITS: In our contract --
23 MICKEY YARBRO: -- of living --
24 CHAIRMAN MILLS: -- union contract.
25 COMMISSIONER WAITS: -- it --
26 MICKEY YARBRO: -- is not in the contract.
27 COMMISSIONER BAKKER: No.
28 CHAIRMAN MILLS: That -- that is the -- the union contract
29 is for the -- well, I guess it depends --
30 KEITH WESTENGARD: Take --
31 COMMISSIONER BAKKER: Cost --
32 CHAIRMAN MILLS: -- on how you --
33 KEITH WESTENGARD: -- take --
34 CHAIRMAN MILLS: -- look at it.
35 KEITH WESTENGARD: -- the union contract out of the picture
36 completely.
37 CHAIRMAN MILLS: Right.
38 KEITH WESTENGARD: Let --
39 MICKEY YARBRO: You can't.
40 KEITH WESTENGARD: -- let -- no. Well, no.

1 CHAIRMAN MILLS: Everybody --
2 KEITH WESTENGARD: For --
3 CHAIRMAN MILLS: -- gets that one.
4 KEITH WESTENGARD: -- for this discussion.
5 The union contract is set for three years.
6 MICKEY YARBRO: Right.
7 KEITH WESTENGARD: So we don't deal with -- that's done.
8 MICKEY YARBRO: Yeah.
9 COMMISSIONER BAKKER: Union has nothing to do with this
10 issue --
11 KEITH WESTENGARD: This --
12 COMMISSIONER BAKKER: -- right now.
13 KEITH WESTENGARD: -- is the --
14 CHAIRMAN MILLS: We can't --
15 KEITH WESTENGARD: -- bonus --
16 CHAIRMAN MILLS: -- touch that.
17 MICKEY YARBRO: Uh-huh.
18 KEITH WESTENGARD: -- or the -- and/or the availability of
19 a supervisor to give up to an addition 2 percent.
20 UNIDENTIFIED PARTICIPANT: It's from performance.
21 MICKEY YARBRO: See --
22 KEITH WESTENGARD: Based on performance.
23 UNIDENTIFIED PARTICIPANT: And your --
24 MICKEY YARBRO: That's -- that's what I'm saying.
25 Okay.
26 COMMISSIONER BAKKER: Got you, --
27 COMMISSIONER ALLAN: And thank --
28 COMMISSIONER BAKKER: -- Mickey.
29 COMMISSIONER ALLAN: -- you, Mickey.
30 MICKEY YARBRO: You guys do whatever you want to, but
31 that's what I'm saying.
32 If it's up to the supervisor to give the 2 percent, then
33 it's not --
34 COMMISSIONER BAKKER: Well, they still --
35 MICKEY YARBRO: -- fair.
36 COMMISSIONER BAKKER: -- have to give the -- the -- they
37 still have to do the eval and the commission still has to
38 approve it, regardless.
39 ELIZABETH BARELA: It is fair. It's very fair.
40 COMMISSIONER CLARK: And everybody that --

1 COMMISSIONER ALLAN: So --
2 COMMISSIONER CLARK: -- was evaluated got a 2 percent merit
3 increase. Everybody.
4 COMMISSIONER ALLAN: So -- so I'd like to also make a
5 comment on -- on the 2 percent merit increase. Is going back,
6 there were employees that got -- got their evaluation, got their
7 increase.
8 UNIDENTIFIED PARTICIPANT: Uh-huh.
9 COMMISSIONER ALLAN: We had to go back and adjust to give
10 that to other employees that didn't get any increases because of
11 the discrimination that, if -- if you recall, that there was a
12 big block of employees that we had to go through and approve a
13 2 percent merit increase because it had not been -- been
14 applied. And it is discriminatory not to -- you know, give one
15 2 percent, one 1 percent. So if you recall, we did --
16 KEITH WESTENGARD: The -- the reason we had to go back was
17 the supervisors did not submit the proper paperwork.
18 COMMISSIONER ALLAN: And -- and -- but --
19 KEITH WESTENGARD: That's -- that's not on you guys. It's
20 not on me.
21 COMMISSIONER ALLAN: Right.
22 KEITH WESTENGARD: It's on the supervisor that did the
23 evaluation but did not submit the proper paperwork.
24 So we did have to go back in some cases, I think, six --
25 six or eight months.
26 COMMISSIONER ALLAN: Right.
27 KEITH WESTENGARD: But that was because the paperwork was
28 not --
29 COMMISSIONER ALLAN: And -- and --
30 KEITH WESTENGARD: -- done --
31 COMMISSIONER ALLAN: -- right.
32 KEITH WESTENGARD: -- correctly.
33 COMMISSIONER ALLAN: But see, that's the thing is, is --
34 and that -- that's --
35 COMMISSIONER WAITS: Okay. Let's --
36 COMMISSIONER ALLAN: -- where --
37 COMMISSIONER WAITS: -- let's see where we're going to go.
38 I think we've --
39 COMMISSIONER ALLAN: Patsy --
40 COMMISSIONER WAITS: -- discussed --

1 COMMISSIONER ALLAN: Okay.
2 COMMISSIONER WAITS: -- it enough.
3 COMMISSIONER ALLAN: I'm not finished --
4 COMMISSIONER WAITS: Let's --
5 COMMISSIONER ALLAN: -- talking. Okay?
6 COMMISSIONER WAITS: Let's -- Let's see.
7 COMMISSIONER ALLAN: I have -- I have another comment to
8 make, and I'm not done.
9 Is I've already made my point. You guys understand. I
10 think it's more fair for the bonus. I also think that it
11 shouldn't just apply to salary. I think it should be applied to
12 Lander County employees, excluding elected officials.
13 So we are talking department heads. Because they still are
14 employees. And they still do deserve their bonuses.
15 ELIZABETH BARELA: Those are for everybody.
16 COMMISSIONER ALLAN: Huh?
17 KEITH WESTENGARD: It --
18 ELIZABETH BARELA: Those are for everybody.
19 COMMISSIONER ALLAN: Right. But it -- I thought Keith made
20 a comment or somebody --
21 ELIZABETH BARELA: He was talking about the merit.
22 COMMISSIONER BAKKER: Name?
23 ELIZABETH BARELA: The merits are not -- Elizabeth Barela.
24 The merits are not for salaried --
25 COMMISSIONER ALLAN: Okay. Thank --
26 ELIZABETH BARELA: -- employees.
27 COMMISSIONER ALLAN: -- you, Liz.
28 ELIZABETH BARELA: Yes.
29 COMMISSIONER ALLAN: So I've made my motion.
30 KEITH WESTENGARD: Okay.
31 And I understand it. I don't need any more clarifying --
32 COMMISSIONER CLARK: What if -- what --
33 KEITH WESTENGARD: -- at the moment. Please vote on it,
34 Commissioners.
35 COMMISSIONER CLARK: Could you read back the -- the motion
36 again?
37 COMMISSIONER BAKKER: For --
38 EMILY HENDRIX: It --
39 COMMISSIONER BAKKER: -- bonuses only.
40 EMILY HENDRIX: -- it changed three times.

1 COMMISSIONER ALLAN: Oh.
2 EMILY HENDRIX: But --
3 COMMISSIONER ALLAN: Amended.
4 EMILY HENDRIX: Let's see.
5 COMMISSIONER ALLAN: Do you want me to just say what I
6 remember?
7 EMILY HENDRIX: Okay. Keith restated it. And said, Judy's
8 motion is for bonuses and will be cutting out the 2 percent from
9 evaluations. So that was the gist of it.
10 COMMISSIONER ALLAN: And that they will be paid at the end
11 of the month of their anniversary date.
12 So basically they get the bonus, no merit increase, or -- or
13 bonus. But they get -- they get the -- the one-time b- -- bonus
14 based on their longevity. And it will be paid at the end of the
15 month that their anniversary date falls on.
16 ELIZABETH BARELA: For the fiscal year 2018-19.
17 COMMISSIONER ALLAN: Thank you. For the fiscal year
18 2018-19.
19 COMMISSIONER BAKKER: I say leave it alone.
20 COMMISSIONER CLARK: I say leave it alone.
21 CHAIRMAN MILLS: You guys want --
22 COMMISSIONER BAKKER: At the end of the year, you're going
23 to have to go through the negotiations and work it out with the
24 union anyway.
25 COMMISSIONER CLARK: And -- and right now we're on really
26 good ground with the different associations that we deal with.
27 And they're happy. I don't think we're going to --
28 CHAIRMAN MILLS: So you want to leave the merit and the
29 bonus in there.
30 COMMISSIONER BAKKER: Just leave it alone --
31 COMMISSIONER CLARK: Just let --
32 COMMISSIONER BAKKER: -- till the --
33 COMMISSIONER CLARK: -- it be.
34 COMMISSIONER BAKKER: -- end of the year.
35 COMMISSIONER CLARK: That's -- that's what I think.
36 People are counting on it. They've been counting on it.
37 COMMISSIONER WAITS: Who seconded it?
38 COMMISSIONER CLARK: It's in the budget.
39 COMMISSIONER ALLAN: They have never been --
40 COMMISSIONER BAKKER: (Indiscernible.)

1 COMMISSIONER ALLAN: -- counting on the --
2 COMMISSIONER CLARK: We left --
3 COMMISSIONER ALLAN: -- bonus.
4 COMMISSIONER CLARK: -- it in the budget.
5 COMMISSIONER WAITS: You said it's been seconded and I
6 didn't know anybody --
7 COMMISSIONER BAKKER: No, it needs --
8 CHAIRMAN MILLS: Well, it hasn't --
9 COMMISSIONER BAKKER: -- a second.
10 CHAIRMAN MILLS: -- been -- it hasn't been seconded yet.
11 COMMISSIONER BAKKER: It needs a second.
12 CHAIRMAN MILLS: But I'm --
13 COMMISSIONER BAKKER: Do you want to second --
14 COMMISSIONER WAITS: No.
15 COMMISSIONER BAKKER: -- it?
16 COMMISSIONER WAITS: I didn't second it.
17 COMMISSIONER BAKKER: Okay.
18 COMMISSIONER WAITS: But I heard you say there was a
19 second, --
20 CHAIRMAN MILLS: No.
21 COMMISSIONER WAITS: -- and I didn't hear it.
22 CHAIRMAN MILLS: There wasn't a second.
23 COMMISSIONER WAITS: Oh. Okay.
24 COMMISSIONER BAKKER: Okay.
25 CHAIRMAN MILLS: But I'm going to go ahead and second that
26 motion. And then we can take a vote on it and see where we're
27 at.
28 COMMISSIONER BAKKER: Okay.
29 CHAIRMAN MILLS: So Judie made a motion. And I seconded
30 it.
31 Do we have any other public comment?
32 (No comment.)
33 CHAIRMAN MILLS: All in favor?
34 COMMISSIONER ALLAN: Aye.
35 CHAIRMAN MILLS: Aye.
36 And opposed?
37 COMMISSIONER BAKKER: Nay.
38 COMMISSIONER WAITS: Nay.
39 COMMISSIONER CLARK: Nay.
40 CHAIRMAN MILLS: Okay.

1 UNIDENTIFIED PARTICIPANT: Yes.
2 CHAIRMAN MILLS: So do we have another motion on something
3 else?
4 COMMISSIONER BAKKER: Nope. We don't.
5 CHAIRMAN MILLS: So you're just saying --
6 So we're just going to just --
7 COMMISSIONER CLARK: We don't --
8 CHAIRMAN MILLS: Item die?
9 COMMISSIONER BAKKER: Next agenda item.
10 COMMISSIONER CLARK: Okay.
11 CHAIRMAN MILLS: Okay.
12 COMMISSIONER CLARK: We don't have to do anything to keep
13 it the same; right?
14 COMMISSIONER BAKKER: Nope. Just leave it alone.
15 KEITH WESTENGARD: If you guys don't vote --
16 COMMISSIONER CLARK: Okay.
17 KEITH WESTENGARD: -- on it, it'll stay in place as is with
18 bonuses --
19 COMMISSIONER BAKKER: It's like the --
20 KEITH WESTENGARD: -- based on --
21 COMMISSIONER BAKKER: -- fifth time we've --
22 KEITH WESTENGARD: -- years of service --
23 COMMISSIONER BAKKER: -- discussed this.
24 KEITH WESTENGARD: -- and evaluations up to 2 percent based
25 on --
26 COMMISSIONER CLARK: Can we take a break --
27 KEITH WESTENGARD: -- the supervisor's --
28 COMMISSIONER CLARK: -- for --
29 KEITH WESTENGARD: -- evaluation.
30 COMMISSIONER CLARK: -- a couple minutes?
31 KEITH WESTENGARD: Thank you.
32 COMMISSIONER WAITS: Are -- are we going to try and work
33 past 12:00?
34 COMMISSIONER BAKKER: Well, how many more agenda items we
35 have?
36 CHAIRMAN MILLS: We're going to -- we've got a lot of --
37 COMMISSIONER CLARK: We've got North Fork.
38 CHAIRMAN MILLS: -- stuff left to do. So you're -- we're
39 going to have to break for lunch.
40 COMMISSIONER BAKKER: So we need --

1 CHAIRMAN MILLS: What time are you leaving?
2 COMMISSIONER WAITS: As -- as soon --
3 CHAIRMAN MILLS: As soon as --
4 COMMISSIONER WAITS: Now.
5 CHAIRMAN MILLS: Now? Okay. Because there's still --
6 there's still a lot of stuff.
7 COMMISSIONER BAKKER: We've got --
8 COMMISSIONER WAITS: It's just that extra hour I waste
9 between. That's --
10 COMMISSIONER CLARK: Now, Patsy's busy.
11 COMMISSIONER BAKKER: We've got two, four, six. Six items.
12 SHERIFF RON UNGER: Can we move -- if it'd be all right
13 before you break for lunch. I have interviews to do right after
14 lunch. So will you do 18 before lunch?
15 COMMISSIONER ALLAN: Shall we do it right --
16 SHERIFF RON UNGER: That's --
17 COMMISSIONER ALLAN: -- now?
18 SHERIFF RON UNGER: -- for the fire department's --
19 CHAIRMAN MILLS: Yeah.
20 Yeah. We can do that because -- try to finish that before we
21 go to lunch.
22 COMMISSIONER BAKKER: Let's wait for Art.
23 COMMISSIONER CLARK: I'll be right back.
24 COMMISSIONER BAKKER: Okay.
25 COMMISSIONER CLARK: Get served.
26
27 18) Discussion and possible action to approve/disapprove the
28 bylaws, policies and procedures, roster, and to ratify the
29 chief of the Battle Mountain Volunteer Fire Department, and
30 all other matters properly related thereto.
31
32 CHAIRMAN MILLS: Okay. So we'll do Item Number 8 -- 18.
33 Discussion and possible action to approve/disapprove --
34
35 (Commissioner Clark exited commission chambers.)
36
37 CHAIRMAN MILLS: -- the bylaws, policies and procedures,
38 roster, and to ratify the chief of the Battle Mountain Volunteer
39 Fire Department, and all other matters properly related thereto.
40 SHERIFF RON UNGER: Thank you. Ron Unger, for the record,

1 for the fire department.

2 Chief Bart Negro's out of town today. So I'll try to
3 answer all your questions.

4 COMMISSIONER ALLAN: Thank you, Ron.

5 SHERIFF RON UNGER: Pass these down, please.

6 COMMISSIONER WAITS: Well, how -- how can we -- how can we
7 approve this if we don't have a chance to look at it in advance?

8 SHERIFF RON UNGER: I have no clue. It was on the agenda.
9 And I got this stuff today.

10 COMMISSIONER WAITS: Okay. I'm going to make a motion that
11 we defer Number 18 so we can read this and have it on the next
12 agenda.

13 COMMISSIONER BAKKER: Second.

14 CHAIRMAN MILLS: Okay. Patsy made a motion. Sean
15 seconded.

16 SHERIFF RON UNGER: (Indiscernible.)

17 CHAIRMAN MILLS: Do we have any public comment on that?

18 SHERIFF RON UNGER: No. He needs the roster.

19 COMMISSIONER WAITS: That's not --

20 CHAIRMAN MILLS: All in favor?

21 COMMISSIONER BAKKER: Aye.

22 COMMISSIONER WAITS: Aye.

23 CHAIRMAN MILLS: Aye.

24 SHERIFF RON UNGER: Here's that roster too.

25 CHAIRMAN MILLS: I think we'll -- I'd like to take a look
26 at it.

27 COMMISSIONER BAKKER: Yeah. Let's go through it.

28 CHAIRMAN MILLS: Okay.

29 KEITH WESTENGARD: Did Art get one?

30
31 (Commissioner Clark returned to commission chambers.)
32

33 COMMISSIONER BAKKER: We deferred 18, Art, so we have time
34 to look at all the information.

35 COMMISSIONER WAITS: He's passing out the bylaws, the ones
36 we were supposed to approve.

37
38 (Indiscernible simultaneous conversations.)
39

40 COMMISSIONER BAKKER: That's a good idea.

1 KEITH WESTENGARD: Oh, yeah. (Indiscernible.) That was a
2 good idea. We need to read these. We don't know if it's --

3
4 (Indiscernible simultaneous conversations.)

5
6 COMMISSIONER WAITS: It -- it's not right we approve
7 something without reading it.

8
9 (Indiscernible simultaneous conversations.)

10
11 COMMISSIONER BAKKER: No.

12
13 (Indiscernible simultaneous conversations.)

14
15 COMMISSIONER BAKKER: And we need to go through these.

16
17 (Indiscernible simultaneous conversations.)

18
19 CHAIRMAN MILLS: Okay. Do we --

20 COMMISSIONER BAKKER: Okay.

21 CHAIRMAN MILLS: -- have --

22
23 (Indiscernible simultaneous conversations.)

24
25 CHAIRMAN MILLS: Do we have another item that --

26 MICKEY YARBRO: Absolutely.

27 CHAIRMAN MILLS: -- we can do quickly?

28 COMMISSIONER BAKKER: Well, we can do them all quickly.

29 CHAIRMAN MILLS: Well, want to bet?

30 COMMISSIONER BAKKER: Let's -- 13? 14?

31 CHAIRMAN MILLS: Yeah. I don't think 13 and 14 --

32 North Fork Road.

33 Yeah. Let's do -- let's do 14.

34 COMMISSIONER BAKKER: Okay.

35 KEITH WESTENGARD: Guys, I've got -- I hope it's --

1 14) Discussion and possible action regarding North Fork Road,
2 Battle Mountain, Nevada, and the gate crossing a county road,
3 and all other matters properly related thereto.
4

5 CHAIRMAN MILLS: Okay. Item 14. Discussion and possible
6 action regarding North Fork Road, Battle Mountain, Nevada, and
7 the gate crossing a county road, and all other matters properly
8 related thereto.

9 COMMISSIONER BAKKER: There you go, Ron. Now you can make
10 it to your meeting.

11 SHERIFF RON UNGER: You're (indiscernible). I'll still get
12 to my meeting.

13 KEITH WESTENGARD: These were faxed to Austin as well.
14 (Indiscernible.)

15 COMMISSIONER WAITS: So they have a -- a road closure
16 across our property. Is that it?

17 KEITH WESTENGARD: No, actually --

18 COMMISSIONER CLARK: No, it's --

19 KEITH WESTENGARD: -- the -- through our -- our research,
20 it is actually on BLM land.

21 COMMISSIONER WAITS: Oh.

22 COMMISSIONER ALLAN: It's a 2477.

23 COMMISSIONER BAKKER: You mean public lands.

24 KEITH WESTENGARD: Well, it's --

25 COMMISSIONER BAKKER: BLM doesn't own land. They manage
26 land.

27 KEITH WESTENGARD: Yeah. Okay. My apologies, Commissioner
28 Bakker. Wow. I think we --

29 CHAIRMAN MILLS: Take that.

30 KEITH WESTENGARD: -- could use a break.

31 CHAIRMAN MILLS: Somebody needs a --

32 COMMISSIONER WAITS: It's a --

33 CHAIRMAN MILLS: -- Snickers.

34 COMMISSIONER WAITS: -- (indiscernible), our land.

35 COMMISSIONER BAKKER: It's on public lands.

36 KEITH WESTENGARD: Sorry.

37 COMMISSIONER BAKKER: BLM manages it.

38 KEITH WESTENGARD: Okay. The gate is actually on public
39 lands.

40 COMMISSIONER BAKKER: Perfect.

1 KEITH WESTENGARD: This is the -- the area we're talking
2 about right here.
3 COMMISSIONER BAKKER: Whoa.
4 KEITH WESTENGARD: Can you see it?
5 COMMISSIONER BAKKER: Yep.
6 KEITH WESTENGARD: It's right here.
7 Okay.
8 It's off of Mill Creek Road. It's right there.
9 CHAIRMAN MILLS: Is that Mount Lewis there? Is that --
10 COMMISSIONER ALLAN: If you just go up Mill Creek and keep
11 going for a little bit.
12 KEITH WESTENGARD: Right.
13 COMMISSIONER CLARK: It's off on the left-hand side.
14 CHAIRMAN MILLS: Okay.
15 KEITH WESTENGARD: Okay?
16 CHAIRMAN MILLS: All right.
17 KEITH WESTENGARD: Those maps show you guys the location of
18 everything.
19 Map Number 1 or the first map there, number one, is an
20 aerial overview of -- of -- of the -- the area.
21 COMMISSIONER BAKKER: So the BLM put a gate up there?
22 COMMISSIONER CLARK: No.
23 KEITH WESTENGARD: No, the property --
24 COMMISSIONER ALLAN: No.
25 KEITH WESTENGARD: -- owner did. The property owner put
26 their gate.
27 Map Number 2, upper right-hand corner, actually shows the
28 gate to the center left that you can see.
29 CHAIRMAN MILLS: Right down here?
30 KEITH WESTENGARD: Right. Yeah. Correct. Right there.
31 CHAIRMAN MILLS: Is --
32 KEITH WESTENGARD: That's --
33 CHAIRMAN MILLS: -- this -- is this the property's home --
34 property owner's home up here?
35 KEITH WESTENGARD: I believe so. Yes.
36 CHAIRMAN MILLS: Okay.
37 COMMISSIONER WAITS: Well, it's -- it's one thing to have a
38 gate, but he also has private property, no trespassing?
39 KEITH WESTENGARD: Yeah. If you go down. There was
40 pictures. Anna actually went up and took pictures of the --

1 of the property yesterday. If you go further in your package
2 there --

3 COMMISSIONER BAKKER: So what are we getting at here?

4 KEITH WESTENGARD: Number 4. Well, --

5 COMMISSIONER CLARK: This is --

6 KEITH WESTENGARD: -- it's an R --

7 COMMISSIONER CLARK: It's an illegally closed 2477 road.
8 If --

9 COMMISSIONER BAKKER: So --

10 COMMISSIONER CLARK: -- it's been open for five years or
11 more, then it has to stay open. And Hank Filipini moved cattle
12 up there when he was a kid. So what more do we need?

13 COMMISSIONER ALLAN: Ron?

14 COMMISSIONER BAKKER: Send him a letter, Ted.

15 DISTRICT ATTORNEY HERRERA: You -- you can't -- you can't
16 take action on a particular person unless he's given statutory
17 notice of a proceeding against him.

18 He's not been agendized against the landowner.

19 COMMISSIONER WAITS: Well, that's what he said. Send him a
20 letter, whatever is appropriate.

21 COMMISSIONER BAKKER: There you go.

22 CHAIRMAN MILLS: So what are -- what are the steps we need
23 to take?

24 PAULA TOMERA: Can I --

25 DISTRICT ATTORNEY HERRERA: The steps --

26 PAULA TOMERA: -- comment --

27 DISTRICT ATTORNEY HERRERA: -- we need --

28 PAULA TOMERA: -- real quick?

29 DISTRICT ATTORNEY HERRERA: -- to take.

30 PAULA TOMERA: For you. So --

31 COMMISSIONER CLARK: Come on up.

32 PAULA TOMERA: Paula Tomera, Lander -- well, Paula Tomera.
33 On the 2477 road, I believe that there -- if -- if it's
34 closed off, there has to be another access into the property to
35 -- or -- to access into BLM land. And dis- -- discussing with
36 Paul the other day that although that road is closed off because
37 it is that property owner's right to do so. We have property as
38 well that we lock up because people come on your property. They
39 steal whatever you have. There is another access road around
40 the back side, I believe, leading to the BLM land that would get

1 you around.
2 So --
3 COMMISSIONER CLARK: Okay. The la- -- the latest ruling
4 came from the federal court. Storey County took -- took the --
5 the issue to task on the Virginia Highlands.
6 PAULA TOMERA: Uh-huh.
7 COMMISSIONER CLARK: And people that blocked the 2477 road
8 because they had private property had to reopen it.
9 So that's a new ruling.
10 PAULA TOMERA: But I thought that was unless there's no
11 other access to that property.
12 COMMISSIONER CLARK: I'm just telling you what --
13 PAULA TOMERA: Right.
14 COMMISSIONER CLARK: -- what happened in Storey County.
15 They have to open it.
16 COMMISSIONER ALLAN: So --
17 DISTRICT ATTORNEY HERRERA: See, the 2477 road is an
18 easement. That's what they are. They're easements across
19 public and private lands.
20 COMMISSIONER CLARK: Right.
21 DISTRICT ATTORNEY HERRERA: And a work-around is -- is not
22 part of an easement.
23 So -- so if there's another road around there, I mean, it
24 has nothing to do with the easement through that -- that
25 property.
26 So if --
27
28 (Radio chatter.)
29
30 DISTRICT ATTORNEY HERRERA: -- there's an easement -- 2477
31 easement on that road --
32 COMMISSIONER ALLAN: So -- and -- and I -- I'm not trying
33 to argue with Art, because it is a new ruling. Although I do
34 remember when Ken Brown was here a while back, he was talking
35 about certain 2477 roads. And I did ask him specifically about
36 the North Fork Road. And I don't know for sure.
37 Ron, do you when they -- he built that fence up there?
38 That gate?
39 SHERIFF RON UNGER: That -- that gate was put up there over
40 15, 16 years ago.

1 COMMISSIONER CLARK: Yep.
2 COMMISSIONER ALLAN: And so one of my questions to Ken
3 Brown about that was, you know, because of the -- the time
4 frame, is you have a window of opportunity to protest.
5 And because it's been so long that we may not have -- he --
6 he basically implied we didn't have recourse against him now.
7 That had it --
8 DISTRICT ATTORNEY HERRERA: We -- we may not.
9 COMMISSIONER ALLAN: That -- that, you know, had we done it
10 in the very beginning, then we could've enforced it. But
11 because of, you know, 15, 16 years.
12 And -- and so I guess that's a question, is -- is we need
13 to find out what that legality is, is do we have any recourse to
14 go along with the latest ruling?
15 COMMISSIONER BAKKER: Well, I'm sure those gates that were
16 in Churchill were closed for 10, 15 years too, and they just did
17 a ruling.
18 DISTRICT ATTORNEY HERRERA: Well, --
19 COMMISSIONER ALLAN: Well, --
20 DISTRICT ATTORNEY HERRERA: -- we --
21 COMMISSIONER ALLAN: -- I -- I think that to err on the
22 side of caution is to investigate it to find out --
23 COMMISSIONER BAKKER: Right.
24 COMMISSIONER ALLAN: -- do we have recourse before we move
25 forward?
26 DISTRICT ATTORNEY HERRERA: That's probably --
27 COMMISSIONER CLARK: Well, that's --
28 DISTRICT ATTORNEY HERRERA: -- the wisest --
29 COMMISSIONER CLARK: -- always the procedure.
30 DISTRICT ATTORNEY HERRERA: It's probably the wisest course
31 of action considering that -- since we're discussing an easement
32 and a 2477 road, that there's certain ways that an easement can
33 be expired. And there's certain ways an easement can be
34 perfected. And those are usually resolved in court.
35 Now, I know you guys are not asking me to develop the court
36 case. Are you asking me to research it and get back to you?
37 COMMISSIONER WAITS: Yes.
38 COMMISSIONER ALLAN: Yes, please.
39 DISTRICT ATTORNEY HERRERA: All right. I'll do that.
40 COMMISSIONER CLARK: You're the man, Ted.

1 COMMISSIONER BAKKER: Okay.
2 COMMISSIONER WAITS: Go.
3 COMMISSIONER BAKKER: You do that.
4 COMMISSIONER WAITS: Thank -- thank you.
5 COMMISSIONER BAKKER: Okay.
6 Are we breaking for lunch or are we moving forward?
7 COMMISSIONER ALLAN: Let's just break for lunch.
8 CHAIRMAN MILLS: I think we need to break for lunch.
9 COMMISSIONER WAITS: Can't we get out of this in 15, 20
10 minutes? Really?
11 COMMISSIONER BAKKER: We could.
12
13 (Indiscernible side conversation.)
14
15 COMMISSIONER WAITS: No?
16 CHAIRMAN MILLS: I'm -- I'm --
17
18 (Indiscernible side conversation.)
19
20 COMMISSIONER WAITS: Looks pretty --
21 CHAIRMAN MILLS: Well --
22 COMMISSIONER WAITS: -- quick.
23 COMMISSIONER ALLAN: Let's just break for lunch.
24
25 (Indiscernible side conversation.)
26
27 CHAIRMAN MILLS: I'm thinking Item Number 15's going to
28 take a while.
29 COMMISSIONER WAITS: Okay.
30 CHAIRMAN MILLS: That's my --
31 COMMISSIONER WAITS: Okay.
32 CHAIRMAN MILLS: -- that's my biggest thing is I --
33 COMMISSIONER WAITS: Okay.
34 CHAIRMAN MILLS: -- think Item 15's going to --
35 COMMISSIONER WAITS: Your call.
36 CHAIRMAN MILLS: -- be a long one.
37
38 (Indiscernible side conversation.)
39
40 COMMISSIONER BAKKER: Cool.

1 Okay. See you guys in a minute, --
2 CHAIRMAN MILLS: The rest --
3 COMMISSIONER BAKKER: -- then.
4 CHAIRMAN MILLS: -- the rest of it may not.
5 COMMISSIONER BAKKER: Austin?
6 CHAIRMAN MILLS: But that -- that one -- that one's going
7 to take --
8

9 (Break taken between 11:59 a.m. and 1:15 p.m.)
10

11 CHAIRMAN MILLS: -- back to order.
12

13 12) Discussion and possible action regarding the continuation of
14 or dissolution of the Battle Mountain Livestock Events Center
15 Board, and all other matters properly related thereto.
16

17 CHAIRMAN MILLS: We're on Item Number 13. Discussion,
18 possible action regarding the continuation or -- of or
19 dissolution of the Battle Mountain Livestock Event Center.

20 COMMISSIONER ALLAN: Thank you.

21 CHAIRMAN MILLS: -- Advisory Board, and all other matters
22 property related thereto.

23 COMMISSIONER ALLAN: Oh. Thanks, Keith.

24 KEITH WESTENGARD: Yep.

25 Is Austin on the -- did you guys get Austin?

26 COMMISSIONER BAKKER: Yeah. They're on there.

27 KEITH WESTENGARD: Oh, okay.

28 COMMISSIONER ALLAN: Okay. So --

29 KEITH WESTENGARD: Just the sale.

30 COMMISSIONER ALLAN: -- I asked for this.

31 I've heard from several members of the community. And they
32 see no action going on with the 1- -- with the Livestock Event
33 Center Advisory Board.

34 And I did talk to Keith about it, that possibly we could have
35 it -- dissolve the board and have the rodeo grounds managed
36 through the civic center -- or the recreation center, however he's
37 decided on the chain of command or whatnot.

38 COMMISSIONER WAITS: How many people are serving on the
39 board right now?

40 COMMISSIONER ALLAN: I think there's a member or two short.

1 And I don't know specifically who might be up again for term.
2 I don't know if we've advertised for that yet or not.
3 Actually, board appointments --
4 COMMISSIONER BAKKER: Didn't they want to --
5 COMMISSIONER ALLAN: -- there's three?
6 And at the moment, they all -- they all expired June 30th of
7 this year.
8 It's a five-member board, but there's only three -- three
9 showing on this, which was actually July of last year. So it may
10 not be totally up to date.
11 But --
12 CHAIRMAN MILLS: Yeah.
13 COMMISSIONER ALLAN: -- it is a five-member board. And
14 these three terms have -- have expired.
15 COMMISSIONER BAKKER: (Indiscernible.)
16 CHAIRMAN MILLS: And as we've -- we've talked about this in
17 the past, we've talked about doing away with the Livestock Event
18 Center Board.
19 And then Casey was talking about getting a 501(c)(3) and
20 having a -- a club or organization run it, similar to how the
21 racetrack is done, the gun club is done.
22 COMMISSIONER BAKKER: Is -- so where are they at with that
23 process?
24 KEITH WESTENGARD: I -- I don't know. I haven't -- I
25 haven't heard anything from Casey.
26 CHAIRMAN MILLS: Right.
27 KEITH WESTENGARD: As far as I know, it's still just kind
28 of in limbo.
29 I -- I -- I don't know.
30 I can --
31 CHAIRMAN MILLS: Yeah. One of the -- one of the limiting
32 things with the Livestock Event Center Bo- -- Board was that
33 last year they did that rodeo, but being an advisory board, they
34 had no way to distribute prize monies and collect monies and do
35 all these things they need to do to actually run a rodeo.
36 So they wanted to do it as a -- under 501(c)(3) as a group.
37 And that's the way they want to run it.
38 And I think as we discussed it -- as we've discussed this
39 previously, I think pretty much the commission was in favor of
40 doing it that way and -- and doing away with the Livestock Event

1 Center Board. And that's what we've -- we've discussed this a
2 few times in the past.

3 Because, again, the -- the Livestock Event Center Board
4 really doesn't -- they -- they can't really do much as far as
5 doing a rodeo and putting it on themselves.

6 COMMISSIONER ALLAN: My issue with having a 501(c)(3)
7 basically being responsible for the livestock center, the -- the
8 rodeo grounds, and whatnot is it is county property. It is
9 county equipment. And there are other interests in utilizing
10 the rodeo grounds. You've got the junior rodeo, et cetera. And
11 to turn it over to an individual club, I -- I just absolutely do
12 not agree with that, that I think it would be just as easy and
13 similar to our parks.

14 If someone wants to go use the rodeo grounds, they can go
15 register it, claim it for -- for whatever weekend, for
16 whatever -- ever event they want. Then there's -- there's a
17 known tra- -- record of what's been reserved and who's reserved
18 it. And it's not into any kind of individual's hands to decide
19 who gets to use it and who get -- who they get -- or how they
20 can use it.

21 Plus, like I said, with -- with county equipment out there --
22 and we don't know if these guys are -- are capable and competent
23 enough to maintain the rodeo grounds as they've been. The
24 county's been doing it. And it should stay that way. That we are
25 responsible for it and --

26 COMMISSIONER CLARK: Don't we have county equipment out at
27 the racetrack?

28 KEITH WESTENGARD: Well, you guys gave them money this year
29 to -- to buy equipment. And I think in the interim, while
30 they're going through the purchase process, that -- that --

31 COMMISSIONER WAITS: We've never left equipment out there
32 for them to use, though.

33 KEITH WESTENGARD: I don't think so. Bert, we -- the --
34 where the racetrack people use the county equipment, it's always
35 one of your guys that does the work; right?

36 BERT RAMOS: No, they've -- they've used county equipment
37 in the past.

38 KEITH WESTENGARD: Oh, okay.

39 BERT RAMOS: Water trucks and --

40 COMMISSIONER CLARK: What county --

1 KEITH WESTENGARD: I see. Again --
2 COMMISSIONER CLARK: -- equipment do we have out at the
3 rodeo grounds?
4 KEITH WESTENGARD: They have a tractor. But that, I
5 believe, --
6 COMMISSIONER CLARK: Yeah.
7 KEITH WESTENGARD: -- is the -- rodeo ground. Or --
8 COMMISSIONER CLARK: Yeah.
9 KEITH WESTENGARD: -- it's --
10 COMMISSIONER CLARK: That's been there for --
11 KEITH WESTENGARD: Yeah.
12 COMMISSIONER CLARK: -- ever.
13 KEITH WESTENGARD: Right.
14 COMMISSIONER ALLAN: Which in case would still be county
15 equipment. And -- and on the other hand, as far as anybody else
16 using county equipment, they're not qualified. I mean, not
17 necessarily qualified, but they're not -- you know, we can't
18 just let everybody use county equipment. They aren't covered
19 under our liability.
20 KEITH WESTENGARD: Right.
21 COMMISSIONER ALLAN: So whether or not we have a tractor at
22 the rodeo grounds or not, it still belongs to the county. And
23 it should be operated by a county employee.
24 COMMISSIONER WAITS: Well, I personally am very
25 disappointed that we can't have an active board on this.
26 But I do think we should be doing something. And maybe we
27 could do something in the interim, like if somebody wants to use
28 it or whatever, that we can at least, as a county, have somebody
29 responsible for that contact. And then see if maybe we can
30 revive this at some point, rather than just, you know, we're
31 kind of handling it until we can get an active board again or
32 something down the road?
33 COMMISSIONER CLARK: We have ev- -- events scheduled?
34 KEITH WESTENGARD: Yeah. The event scheduling goes through
35 the -- the rec center right now --
36 COMMISSIONER CLARK: Okay.
37 KEITH WESTENGARD: -- or the civic center.
38 COMMISSIONER CLARK: Do we have any events scheduled for
39 the summer?
40 KEITH WESTENGARD: I -- I don't know. I can found out real

1 quick.
2 COMMISSIONER CLARK: Okay.
3 CHAIRMAN MILLS: I think there's the --
4 JODI MOORE: There's a junior rodeo --
5 CHAIRMAN MILLS: -- junior rodeo's --
6 JODI MOORE: -- in September.
7 CHAIRMAN MILLS: -- coming up. Yeah.
8 They just came to me the other day asking for donations. So
9 there's some -- there's some rodeo's coming up.
10 JODI MOORE: There's a junior rodeo and a high school
11 rodeo.
12 COMMISSIONER ALLAN: Jodi --
13 CHAIRMAN MILLS: Oh, I think it was high school came by.
14 COMMISSIONER ALLAN: Jodi, can you come up, please?
15 JODI MOORE: I'm -- I'm just -- I'm -- I'm Jodi Moore.
16 There's a high school rodeo and a junior rodeo in September that
17 I know of.
18 CHAIRMAN MILLS: Yeah.
19 So I'd like to see -- I'd -- I'd really like to see that
20 facility get used more. I don't know how to get people to use
21 it more. Do we -- I don't -- I don't know if the group with a
22 501(c)(3) running it would use it more or if we leave it up to
23 the county to facilitate or whatever, if it would get used more.
24 I don't -- I known don't know how --
25 COMMISSIONER ALLAN: I --
26 CHAIRMAN MILLS: -- the best way would be. Because it sits
27 there. It -- I'd love it to be used.
28 COMMISSIONER ALLAN: And I really don't see -- I mean,
29 sure, if you have a 501(c), a rodeo club, and -- and that, you
30 know, that's their whole concept is rodeos and -- and whatnot,
31 you know. They're more than welcome to use it and use it as
32 much as they want.
33 You know, I guess my question is, is -- is what specifically
34 did the Livestock Event Center Advisory Board do?
35 CHAIRMAN MILLS: I think a lot of what they did was made
36 sure the -- the maintenance was kept up on the facility and --
37 and tracked that and --
38 COMMISSIONER BAKKER: Well, they did rodeos too. I mean,
39 even --
40 JODI MOORE: I -- can I just -- I was on the board at one

1 time.

2 My name is Jodi Moore, again.

3 I was on the board at one time. And they handled all the
4 scheduling. They did all the maintenance, basically. I mean,
5 there were volunteers down there that did all the work.

6 The tractor that you guys were talking was donated by Bobby
7 Hooper at one time to the group. I don't know necessarily know
8 that it was to the county. I'm not quite --

9 COMMISSIONER ALLAN: Okay.

10 JODI MOORE: -- sure on that. But it was a tractor that he
11 had that he knew they needed. And so he -- he gave it to the --
12 the group. I would say the rodeo grounds, --

13 COMMISSIONER BAKKER: Put on --

14 JODI MOORE: -- not necessarily the --

15 COMMISSIONER BAKKER: -- five --

16 JODI MOORE: -- county.

17 COMMISSIONER BAKKER: -- or so rodeos a year, though. Or
18 four or something.

19 JODI MOORE: And, I mean, it all depends. We did junior
20 rodeos for many years. The high school rodeo goes every year.
21 This new junior rodeo has been going for the last five or six
22 years. There's opportunity. You're right in the middle of Elko
23 and Winnemucca. But you need to have someone, who knows what's
24 going on, handle it.

25 I think Rita with the parks is really on top of it. I
26 think that would be a good suit because she's familiar with it.
27 She's been there the whole time. The maintenance and everything
28 has been done on it.

29 To me, in my opinion, that would be a good fit is to turn it
30 over the civic center.

31 I -- I think a lot of county money has been given to the
32 racetrack. And I think it just keeps going and going and going.
33 And if you give it to them, you'd have to give it to another
34 group. And I don't think that's good money management on my pa-
35 -- on the county's part, in my opinion.

36 COMMISSIONER ALLAN: Thank you, Jodi.

37 KEITH WESTENGARD: And that is addressed in a future item,
38 the rodeo grounds under the civic center. And we'll talk -- get
39 to that part of the agenda.

40 COMMISSIONER ALLAN: I just -- it -- it seems like the

1 Livestock Event Center Advisory Board has not been having
2 meetings. They have not been active.

3 And I know there was a question of -- of possibly letting a
4 501(c) take over the responsibilities. And in my opinion,
5 adamantly opposed to that. That, as Jodi has stated, Rita is very
6 well aware of what needs to go on there. She's been involved. I
7 think she was on the -- the livestock board. And it just kind of
8 goes hand in hand to keep it with the county, dissolve the board,
9 and let Rita do the scheduling. And she can work with public
10 works, et cetera, for maintenance.

11 And if somebody wants to have an event, they just go and --
12 and reserve the weekend.

13 COMMISSIONER WAITS: Well, in order to dissolve the board,
14 Counselor, what do we have to go through to do that? ,

15 I'm still in favor of leaving the board and taking over the
16 other duties, as you just said. But --

17 COMMISSIONER CLARK: I agree --

18 COMMISSIONER WAITS: -- but --

19 COMMISSIONER CLARK: -- with Patsy.

20 COMMISSIONER WAITS: -- leave the board alone. But if we
21 were going to dissolve it, what would we need to do?

22 DISTRICT ATTORNEY HERRERA: I know you can do it, but I
23 don't know the procedure. I'd have to look it up.

24 COMMISSIONER WAITS: Okay.

25 COMMISSIONER BAKKER: So --

26 DISTRICT ATTORNEY HERRERA: Because the ordinance talk
27 about --

28 COMMISSIONER WAITS: Because --

29 DISTRICT ATTORNEY HERRERA: -- dissolving --

30 COMMISSIONER WAITS: -- I thought that was --

31 DISTRICT ATTORNEY HERRERA: -- a board.

32 COMMISSIONER WAITS: -- a set procedure. At one time I
33 thought the board had to ask to --

34 COMMISSIONER CLARK: To be --

35 COMMISSIONER WAITS: -- for us to be --

36 COMMISSIONER CLARK: -- dissolved.

37 COMMISSIONER WAITS: -- to be dissolved. But if there's --

38 DISTRICT ATTORNEY HERRERA: Those --

39 COMMISSIONER WAITS: -- not --

40 DISTRICT ATTORNEY HERRERA: -- are districts. Those are

1 districts.
2 COMMISSIONER WAITS: Yeah. But if there's not a valid
3 board, then --
4 DISTRICT ATTORNEY HERRERA: But the -- this is just an
5 advisory board.
6 COMMISSIONER WAITS: Right.
7 DISTRICT ATTORNEY HERRERA: So I -- I think it's easier.
8 COMMISSIONER WAITS: Oh.
9 DISTRICT ATTORNEY HERRERA: But --
10 COMMISSIONER WAITS: Okay.
11 DISTRICT ATTORNEY HERRERA: -- but if -- but I'd -- I'd
12 like to look it up before I --
13 COMMISSIONER WAITS: Okay.
14 DISTRICT ATTORNEY HERRERA: -- come out with --
15 COMMISSIONER BAKKER: Keith, did --
16 DISTRICT ATTORNEY HERRERA: -- with an opinion.
17 COMMISSIONER BAKKER: Do you -- well, that's going to be on
18 this --
19 DISTRICT ATTORNEY HERRERA: I know you can do it. My
20 opinion is I know you can do it.
21 COMMISSIONER WAITS: But how?
22 DISTRICT ATTORNEY HERRERA: I just don't know how yet.
23 COMMISSIONER ALLAN: What the procedure is to --
24 DISTRICT ATTORNEY HERRERA: Yeah.
25 COMMISSIONER ALLAN: -- do it.
26 DISTRICT ATTORNEY HERRERA: So whatever you guys vote, I
27 can -- I can research accordingly, I guess, is what I'm saying.
28 COMMISSIONER ALLAN: Well, I just -- I -- I'd like to make
29 a motion that we dissolve the Battle Mountain Livestock Event
30 Center Advisory Board.
31 CHAIRMAN MILLS: So before we go beyond that, I -- I have
32 one question on that in -- if we don't -- if we don't give it to
33 a 501(c)(3) to kind of run it like the -- like the racetrack or
34 that kind of club, we don't do that, what -- what advantage are
35 we getting by dissolving the Livestock event Center Board? What
36 are we gaining by doing that?
37 Because there was -- there was -- there's stuff they do.
38 And a lot of that deals with the -- the maintenance,
39 scheduling, and those kind -- those kinds of things. So what are
40 we -- what are we --

1 COMMISSIONER ALLAN: What are we --
2 CHAIRMAN MILLS: -- gaining by --
3 COMMISSIONER ALLAN: -- gaining?
4 CHAIRMAN MILLS: -- eliminating the board?
5 COMMISSIONER ALLAN: And that's -- that's a good question.
6 CHAIRMAN MILLS: Are we just eliminating it just to get rid
7 of it and then --
8 COMMISSIONER ALLAN: Well --
9 CHAIRMAN MILLS: -- we give it to whoever's running the
10 civic center?
11 COMMISSIONER ALLAN: It -- it's -- because of the past year
12 or so, they really haven't done a whole lot anyway. So we're
13 not losing anything by it.
14 Is -- to --
15 CHAIRMAN MILLS: So is that --
16 COMMISSIONER ALLAN: -- give it to the civic center, you
17 know, it can get on a schedule, a rotation of -- of, you know --
18 Rita can say, hey, I need -- I need this done out at the
19 racetrack -- or, I mean, out at the rodeo clubs. Can we get
20 someone to go out and disc it up, blade it up, water it.
21 CHAIRMAN MILLS: So if the -- if the board's not
22 functioning, is it better to get rid of the board or reappoint
23 people to the board?
24 What's the better solution?
25 COMMISSIONER ALLAN: I don't know how much interest we have
26 in reappointing or if we get the same people that --
27 CHAIRMAN MILLS: Yeah. I just wondered what --
28 COMMISSIONER ALLAN: -- aren't --
29 CHAIRMAN MILLS: -- what are we --
30 COMMISSIONER ALLAN: -- accomplishing --
31 CHAIRMAN MILLS: -- what are we gaining --
32 COMMISSIONER ALLAN: -- it.
33 CHAIRMAN MILLS: -- by eliminating the board in this case?
34 COMMISSIONER ALLAN: Like I said, I -- I honestly can't
35 answer that. But they're really not doing anything now.
36 So --
37 CHAIRMAN MILLS: Right.
38 COMMISSIONER ALLAN: -- I don't think we're going to get
39 the interest to get a new board.
40 COMMISSIONER BAKKER: Have we tried?

1 CHAIRMAN MILLS: Have we tried?
2 COMMISSIONER BAKKER: We need to advertise.
3 COMMISSIONER ALLAN: There's a vacancy. I understand
4 there's still a vacancy.
5 KEITH WESTENGARD: Noth- -- nothing's been advertised
6 because there's -- there's all this talk about --
7 CHAIRMAN MILLS: Eliminating.
8 KEITH WESTENGARD: There has been discussion --
9 CHAIRMAN MILLS: Right.
10 KEITH WESTENGARD: -- about dissolving it or not dissolving
11 it. Are they going to get a 501(c)(3) or not?
12 So everything's --
13 CHAIRMAN MILLS: Everything's been up --
14 KEITH WESTENGARD: The -- the current --
15 CHAIRMAN MILLS: -- in the air.
16 KEITH WESTENGARD: -- board is there just as a holdover or
17 what -- what do you call them -- Ted? -- when -- when the --
18 they stay after their term?
19 DISTRICT ATTORNEY HERRERA: Oh, they're holdovers.
20 KEITH WESTENGARD: Holdovers.
21 And once there's a decision made, if it's to keep the
22 board, we'll advertise. If it's to dissolve it, then it'll be
23 dissolved and removed from the books at that time.
24 COMMISSIONER BAKKER: Why not let Rita and the civic center
25 handle it right now and readvertise and see if there's interest.
26 KEITH WESTENGARD: Whatever -- whatever the board wants me
27 to do, we'll -- we'll do.
28 COMMISSIONER CLARK: I think that's prudent.
29 COMMISSIONER BAKKER: And then when there's no one puts in
30 and there's no interest, then we --
31 COMMISSIONER CLARK: Bring it back.
32 CHAIRMAN MILLS: Yeah, if -- if it turns out no one wants
33 to apply for it, there's no one going to be on the board, then
34 -- then we're --
35 DISTRICT ATTORNEY HERRERA: Well, but then --
36 CHAIRMAN MILLS: That's what we're faced with.
37 DISTRICT ATTORNEY HERRERA: Then that's a way to dissolve
38 it too. If there's lack of interest, you can do -- we can do a
39 resolution that says, because of lack of interest for the
40 advisory board, it's in the best interest of the county to

1 dispense with it, something along those lines.
2 CHAIRMAN MILLS: All right.
3 So maybe we should go back out and just try to refill it and
4 get -- get --
5 COMMISSIONER BAKKER: And I think in --
6 CHAIRMAN MILLS: -- get it --
7 COMMISSIONER ALLAN: -- a month, --
8 CHAIRMAN MILLS: -- full again.
9 COMMISSIONER BAKKER: -- this other agenda item, we'll have
10 -- it'll be the civic center and the livestock board to --
11 COMMISSIONER ALLAN: Well, I still think it --
12 CHAIRMAN MILLS: Yeah.
13 COMMISSIONER ALLAN: -- you know, they're an advisory
14 board. Ultimately it falls under county employees to make the
15 decisions. Is they can make recommendations, but it will fall
16 under -- if -- if we go with the -- Keith's --
17 KEITH WESTENGARD: Org chart. Organizational chart.
18 COMMISSIONER ALLAN: -- organizational chart, it still
19 falls under the civic center. And it still will be Rita --
20 DISTRICT ATTORNEY HERRERA: I missed some of these.
21 COMMISSIONER ALLAN: -- managing it. And the advisory
22 board will make recommendations. But they have no definitive --
23 CHAIRMAN MILLS: Right.
24 COMMISSIONER ALLAN: -- control.
25 CHAIRMAN MILLS: Because --
26 COMMISSIONER BAKKER: Okay. The advisory board can help
27 Rita manage the livestock.
28 CHAIRMAN MILLS: Right.
29 COMMISSIONER ALLAN: Like I said, Sean, it's Rita's
30 responsibility. They are an advisory board. They make
31 suggestions.
32 COMMISSIONER BAKKER: That's why I said, help her.
33 COMMISSIONER ALLAN: Is -- it -- they are helping her.
34 COMMISSIONER CLARK: We have a motion on --
35 COMMISSIONER ALLAN: They make --
36 COMMISSIONER CLARK: -- on the floor --
37 COMMISSIONER ALLAN: -- suggestions.
38 COMMISSIONER CLARK: Can we get a vote?
39 COMMISSIONER WAITS: No --
40 COMMISSIONER BAKKER: We need a --

1 COMMISSIONER WAITS: -- second.
2 COMMISSIONER BAKKER: -- second.
3 COMMISSIONER CLARK: No second?
4 COMMISSIONER WAITS: Not yet.
5 COMMISSIONER ALLAN: No second.
6 KEITH WESTENGARD: Would -- would the board like me to
7 readvertise? What's --
8 DISTRICT ATTORNEY HERRERA: No. Wait, wait, wait. They've
9 got to dispense with this one.
10 KEITH WESTENGARD: Oh, I thought it was dead.
11 COMMISSIONER BAKKER: It is.
12 KEITH WESTENGARD: My apologies.
13 DISTRICT ATTORNEY HERRERA: It's not dead till he calls it
14 dead.
15 CHAIRMAN MILLS: Oh.
16 KEITH WESTENGARD: You've got to call --
17 CHAIRMAN MILLS: Well --
18 KEITH WESTENGARD: -- it dead, Mr. Chairman, please.
19 CHAIRMAN MILLS: All right.
20 So hearing no second and after this long time's elapsed, I
21 think we'll call that motion dead.
22 KEITH WESTENGARD: We're going to sit here ten more
23 minutes.
24 DISTRICT ATTORNEY HERRERA: I know.
25 CHAIRMAN MILLS: And I guess it seems like what the board's
26 looking at is -- is trying to refill the Livestock Advisory
27 Board, give that another go, and see what we get.
28 If there's no interest, we can proceed with terminating
29 because of lack of interest.
30 COMMISSIONER ALLAN: So I guess my next question is, is it
31 being a five-member board, are we going to accept it if we only
32 have three interested parties?
33 COMMISSIONER CLARK: That's a quorum.
34 COMMISSIONER ALLAN: It is a quorum.
35 COMMISSIONER CLARK: That's all you need for a meeting.
36 COMMISSIONER ALLAN: Really, Art?
37 I wasn't aware of it.
38 COMMISSIONER CLARK: We need a motion.
39 COMMISSIONER BAKKER: I'll make a motion to go back out for
40 advertisement to fill the Battle Mountain Livestock Event Center

1 Advisory Boards and also in the interim put it at the civic
2 center for Rita to handle.

3 COMMISSIONER CLARK: Second.

4 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.

5 Do we have any public comment?

6 (No comment.)

7 CHAIRMAN MILLS: Okay.

8 All in favor?

9 COMMISSIONER BAKKER: Aye.

10 CHAIRMAN MILLS: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER CLARK: Aye.

13 CHAIRMAN MILLS: Opposed?

14 COMMISSIONER ALLAN: Nay.

- 15
16 15) Discussion and possible action to create, redesign, and/or
17 update an organizational chart for the Lander County
18 administrative offices to include all pertinent departments
19 under or attached thereto, to define positions and duties and
20 to request the Lander County district attorney to update the
21 Lander County Code to comply with and all actions taken by
22 the board on the agenda item, and all other matters properly
23 related thereto.
24

25 CHAIRMAN MILLS: Okay. Item 15. Discussion, possible
26 action to create, redesign, and/or update an organizational
27 chart for Lander County administrative offices to include all
28 pertinent departments under or attached thereto, to define
29 positions and duties, and to request the Lander County district
30 attorney to update the Lander County Code to comply with all the
31 actions taken by the board on the agenda item, and all other
32 matters properly related thereto.

33 So this is one I asked to -- to have put on because there is
34 certainly discrepancy between our organization and the county
35 code.

36 I want -- I have desire that that gets corrected.

37 In -- in talking with Ted about this -- and I've asked him to
38 prepare to give us some terms and definitions so that we
39 understand completely what is entailed by calling people different
40 terms in their departments. Because sometimes we have --

1 sometimes we have directors, sometimes we have managers, or heads
2 or whatever you call them. And -- and the words matter on what we
3 call them. And a lot of that needs to be clarified and
4 straightened out.

5 But the -- one of the bigger things is that it -- it's my
6 understanding that we can have an organization pretty much how
7 we want it. And we -- we need to agree on how the organization
8 of the county should be. And then we'll ask Ted to get the
9 codes to match what our organization is.

10 Because, again, there's -- there's just no continuity between
11 how it is and how the code says it should be. And the code is
12 actually kind of contradictory and conflicting. And -- and it's
13 actually kind of hard to follow.

14 And it'd be really nice to get that straightened up.

15 KEITH WESTENGARD: Okay. So I asked Gene to -- to come and
16 give a little history on organization, county manager, executive
17 director from -- from the past.

18 So would you do that, Gene?

19 Without -- without (indiscernible).

20 GENE ETCHEVERRY: Good afternoon, Mr. Chairman, members of
21 the board.

22 I'm not in my office as treasurer up here. I'm just Gene
23 Etcheverry, Lander County resident and past executive director.

24 As I remember it and researched it when I was executive
25 director, the office of county manager was created in the
26 mid-1990s. I believe it was 1994.

27 Excuse me.

28 Our first county manager was a gentleman by the name of
29 Echeveria. It was about that same point in time, of course,
30 that went from a recorder/auditor form of government to what
31 we've got now, which is a finance director.

32 So that's about the point in time that we set --

33 DISTRICT ATTORNEY HERRERA: No finance.

34 GENE ETCHEVERRY: -- that up.

35 DISTRICT ATTORNEY HERRERA: There was no finance director.

36 GENE ETCHEVERRY: I'm sorry. That's a fiscal officer.

37 DISTRICT ATTORNEY HERRERA: Thank you.

38 GENE ETCHEVERRY: So I stand corrected there.

39 CHAIRMAN MILLS: See? Words matter.

40 GENE ETCHEVERRY: They do very much.

1 And there's been seven people, if I remember right, in the
2 county manager, slash, executive director's position through today
3 with Mr. Westengard.

4 Of course, it was in 2000 when Bonnie Duke was the county
5 manager that the term shifted to executive director. And --

6 DISTRICT ATTORNEY HERRERA: Two thou- -- 2009.

7 GENE ETCHEVERRY: 2009?

8 DISTRICT ATTORNEY HERRERA: That's when the ordinance was
9 changed.

10 GENE ETCHEVERRY: Okay. But her title was changed in 2000.
11 And that's when the -- the organization split with a public
12 works director and a executive director at the time.

13 DISTRICT ATTORNEY HERRERA: 2009.

14 GENE ETCHEVERRY: Since then, of course, there's been
15 several people in there and including myself for a reign of
16 terror of almost seven years.

17 One of the challenges there was that particularly for the
18 chief executive position -- at one point in time we had two
19 different job descriptions and then the Lander County Code.

20 They were all three like three lanes on a highway. They may
21 go the same direction, but they may take a little bit different
22 path getting there.

23 It was always my point in time -- the -- the code's clear.
24 It's kind of like some of what goes on in my office. The code's
25 clear. You have to follow that if nothing else.

26 So that's -- that's what I know of the history of it.

27 Some changes occurred, as DA Herrera mentioned, in 2009.
28 Most of those changes were to do with the public works, road and
29 bridge side of the operation.

30 But that's where -- that's the sequence of events, as I know
31 them, from 1994 to where we're at today.

32 Thank you.

33 COMMISSIONER BAKKER: Cool. Thank you.

34 COMMISSIONER WAITS: Thank you.

35 KEITH WESTENGARD: So what I -- I gave you -- and if you'd
36 like, I can bring a bigger board out if that one's hard to read.

37 I gave you a proposed organizational chart for you to look
38 over and ask any questions.

39 COMMISSIONER WAITS: Well, I guess my first question is,
40 why are you putting public works directly under commissioner

1 when we've had them under the executive director?

2 KEITH WESTENGARD: Well, in discussion, it seems that NRS
3 puts it that way as well as the county code. It's put that way.

4 So I put it as -- as it is in county -- in the county code.
5 That's the way it shows is that the public works director reports
6 directly to the commission.

7 It's not saying you can't change it or should change it. I
8 just wanted to show the way it is in our current code.

9 COMMISSIONER WAITS: Okay. So you're only doing it to
10 comply with the code?

11 CHAIRMAN MILLS: So does the NRS say --

12 COMMISSIONER WAITS: There's no --

13 CHAIRMAN MILLS: -- it has to be that way?

14 COMMISSIONER WAITS: Does --

15 CHAIRMAN MILLS: Or do they suggest it?

16 KEITH WESTENGARD: I would be -- the NRS? I -- I'm going
17 to refer that to the district attorney..

18 DISTRICT ATTORNEY HERRERA: NRS 244.151 states, in
19 pertinent part: The boards of county commissioners in each of
20 the counties of the state may create a department -- "may," not
21 "shall" -- may create a department of public works devoted
22 primarily to building and grounds facilities, engineering,
23 building and safety, waterworks, sewers, sewage, garbage and
24 refuse disposal facilities, public sanitary facilities, works
25 for the treatment and purification of water, recreational
26 facilities and streets and access roads.

27 They may -- the county commissioners may appoint a director
28 of public works and may provide for the appointment of such other
29 employees as are necessary to carry out -- carry out the function
30 of the department.

31 COMMISSIONER ALLAN: Keith, can you -- can you read in the
32 code where it says that the public works department answers to
33 the commissioners?

34 KEITH WESTENGARD: Give me just a second. I've got to find
35 it real quick.

36 (Indiscernible.) Seven.

37 Okay.

38 (Indiscernible) the direction (indiscernible).

39 It's conflicting.

40 DISTRICT ATTORNEY HERRERA: It is conflicting.

1 KEITH WESTENGARD: Because in -- in -- in --
2 CHAIRMAN MILLS: And this is -- this is our county code
3 you're looking --
4 KEITH WESTENGARD: This is --
5 CHAIRMAN MILLS: -- at?
6 KEITH WESTENGARD: Yeah. In our county --
7 CHAIRMAN MILLS: Okay.
8 KEITH WESTENGARD: -- code, in part -- let me see.
9 You got it right close?
10 DISTRICT ATTORNEY HERRERA: Commissioners, in -- in
11 September 10th, 2009, two ordinances -- replacement ordinances
12 were created.
13 And one amended and modified the duties and powers of the
14 executive director.
15 The other one is eliminate the office of the public works
16 director and not -- so what they did at that point, in 2009,
17 they created three supervisors and no director.
18 What Keith did in the reorganization a couple years ago and
19 brought in front of this honorable board is a reorganization to
20 make a public works director.
21 And Bert was hired as the public works director. And it says
22 "director." And he put him under Keith.
23 But --
24 COMMISSIONER ALLAN: So my understanding is --
25 DISTRICT ATTORNEY HERRERA: -- but that was never -- that
26 never was translated to a ordinance.
27 COMMISSIONER ALLAN: Exactly.
28 That it was not -- as the ordinance states that there is no
29 public works director.
30 And the supervisors for each department answer directly to
31 the executive director.
32 KEITH WESTENGARD: So I can read it --
33 COMMISSIONER ALLAN: And --
34 KEITH WESTENGARD: -- word for -- I can read it -- I -- I
35 do have it real quick. It -- it's 2.07.010.
36 It is the intent of the board of county commissioners, in
37 adopting this chapter, to create the position of Lander County
38 public works supervisor to provide the public works and
39 recreation division of Lander County government with supervisors
40 who, under the direction of the executive director, shall

1 provide effective administration for such public works and
2 recreation division and to define the duties, responsibilities,
3 authority and qualifications thereof.

4 Now I -- I'm going to keep looking while the conversation
5 goes. It does say, I believe --

6 COMMISSIONER ALLAN: It spells out which -- each
7 department -- no -- but -- road and bridge north, road and
8 bridge south, and sewer and water.

9 KEITH WESTENGARD: Right. But it al- -- but in a -- and
10 I'll find it. Just I've got so many bookmarks going. It does
11 say that public works director shall report directly to the
12 county board of commissioners.

13 COMMISSIONER ALLAN: So it is a little -- but it basically
14 also says that there is not a public works director.

15 DISTRICT ATTORNEY HERRERA: Right. But you --

16 COMMISSIONER ALLAN: It was a mis- -- misinterpretation of
17 the terms in saying that they're using the term "public works
18 director," but then they come back and say that we don't have a
19 director. We have supervisors.

20 And those supervisors answer to the executive director.

21 DISTRICT ATTORNEY HERRERA: That was reorganized by -- by
22 --

23 COMMISSIONER ALLAN: But it was not reorganized properly
24 because that is what the code says. And the code was not never
25 changed.

26 DISTRICT ATTORNEY HERRERA: It was -- it was reorganized
27 properly.

28 COMMISSIONER ALLAN: No, it wasn't, Ted. You did not
29 change the county code.

30 DISTRICT ATTORNEY HERRERA: That's true. But that doesn't
31 mean that the vote wasn't taken improperly.

32 CHAIRMAN MILLS: And that's --

33 COMMISSIONER ALLAN: Well, it may --

34 CHAIRMAN MILLS: -- and that's why --

35 COMMISSIONER ALLAN: -- be, --

36 CHAIRMAN MILLS: -- we're here today is --

37 COMMISSIONER ALLAN: -- except for the fact of --

38 DISTRICT ATTORNEY HERRERA: That's --

39 COMMISSIONER ALLAN: -- the matter is, --

40 DISTRICT ATTORNEY HERRERA: -- why we're here.

1 COMMISSIONER ALLAN: -- is that's what the code says --
2 CHAIRMAN MILLS: We're here today --
3 COMMISSIONER ALLAN: -- and that's --
4 CHAIRMAN MILLS: -- to decide --
5 COMMISSIONER ALLAN: -- what we need --
6 CHAIRMAN MILLS: -- how --
7 COMMISSIONER ALLAN: -- to --
8 CHAIRMAN MILLS: -- we want it --
9 COMMISSIONER ALLAN: -- follow.
10 CHAIRMAN MILLS: -- organized and get the county code
11 corrected to match what -- how we want it organized. That's why
12 we're here.
13 So whatever happened in the past really kind of doesn't
14 matter.
15 DISTRICT ATTORNEY HERRERA: Right.
16 COMMISSIONER ALLAN: Yeah. It does --
17 CHAIRMAN MILLS: We're here today --
18 COMMISSIONER ALLAN: -- because we didn't --
19 CHAIRMAN MILLS: We're here --
20 COMMISSIONER ALLAN: -- follow the county code. It's
21 really bad when --
22 CHAIRMAN MILLS: And we're today --
23 COMMISSIONER ALLAN: -- as a --
24 CHAIRMAN MILLS: -- to get it all --
25 COMMISSIONER ALLAN: -- county --
26 CHAIRMAN MILLS: -- corrected and fixed.
27 COMMISSIONER ALLAN: -- you can't follow the code.
28 CHAIRMAN MILLS: We're here to fix it.
29 COMMISSIONER ALLAN: Well, it's a little late to be fixing
30 it now after you've already put the --
31 COMMISSIONER CLARK: Ted?
32 CHAIRMAN MILLS: Well, the --
33 COMMISSIONER ALLAN: You know.
34 CHAIRMAN MILLS: So we're here to --
35 COMMISSIONER ALLAN: We paid --
36 CHAIRMAN MILLS: -- decide --
37 COMMISSIONER ALLAN: -- a --
38 CHAIRMAN MILLS: -- how do we --
39 COMMISSIONER ALLAN: -- position --
40 CHAIRMAN MILLS: -- want it --

1 COMMISSIONER ALLAN: -- that is --
2 CHAIRMAN MILLS: -- organized.
3 COMMISSIONER ALLAN: -- not legal.
4 CHAIRMAN MILLS: And let's --
5 COMMISSIONER BAKKER: Did you --
6 CHAIRMAN MILLS: -- get the --
7 COMMISSIONER BAKKER: -- read this?
8 CHAIRMAN MILLS: -- code to match it.
9 COMMISSIONER CLARK: Okay.
10 CHAIRMAN MILLS: That's what we're --
11 COMMISSIONER CLARK: So --
12 CHAIRMAN MILLS: -- trying to do.
13 COMMISSIONER CLARK: I have a question, Ted.
14 COMMISSIONER WAITS: This one reporting, not --
15 COMMISSIONER CLARK: NRS trumps county ordinances.
16 COMMISSIONER ALLAN: It says "may." It doesn't say you
17 have to.
18 COMMISSIONER CLARK: I'm not talking to you.
19 COMMISSIONER ALLAN: I don't care.
20 COMMISSIONER CLARK: Well, you're very --
21 COMMISSIONER ALLAN: I'm --
22 COMMISSIONER CLARK: -- rude.
23 COMMISSIONER ALLAN: -- stating that --
24 COMMISSIONER CLARK: You are very rude.
25 COMMISSIONER ALLAN: I learned it from you, Art.
26 COMMISSIONER CLARK: No, you haven't --
27 CHAIRMAN MILLS: All right. Enough --
28 COMMISSIONER CLARK: -- been around --
29 CHAIRMAN MILLS: -- of that.
30 COMMISSIONER CLARK: -- long enough.
31 CHAIRMAN MILLS: Let's go --
32 COMMISSIONER BAKKER: Okay.
33 CHAIRMAN MILLS: -- on with your question, Art.
34 COMMISSIONER CLARK: Thanks, Doug.
35 CHAIRMAN MILLS: You're welcome.
36 COMMISSIONER CLARK: Which -- which trumps NRS rules;
37 right?
38 DISTRICT ATTORNEY HERRERA: It does. But -- but the
39 language is "may." It -- it is not "shall." If it was "shall,"
40 that means it's mandatory.

1 If it's "may," it's --
2 COMMISSIONER CLARK: Right.
3 DISTRICT ATTORNEY HERRERA: -- discretionary.
4 COMMISSIONER CLARK: But we've already done it. So we're
5 compliant to NRS.
6 DISTRICT ATTORNEY HERRERA: Well, you -- yes. In -- in --
7 COMMISSIONER CLARK: Okay.
8 DISTRICT ATTORNEY HERRERA: -- the reorganization that has
9 not been change- -- it did not change the ordinance.
10 COMMISSIONER CLARK: Right.
11 DISTRICT ATTORNEY HERRERA: You took the vote on it, but
12 you didn't change the --
13 COMMISSIONER CLARK: Right.
14 DISTRICT ATTORNEY HERRERA: -- ordinance.
15 CHAIRMAN MILLS: So when it -- the NRS doesn't dictate --
16 DISTRICT ATTORNEY HERRERA: No.
17 CHAIRMAN MILLS: -- who gets to supervise or manage the
18 public works director?
19 DISTRICT ATTORNEY HERRERA: No, it doesn't.
20 CHAIRMAN MILLS: Or who they'll report to,
21 DISTRICT ATTORNEY HERRERA: Yes.
22 CHAIRMAN MILLS: So we can decide that and make it how we
23 want?
24 DISTRICT ATTORNEY HERRERA: Right. It's a suggestion.
25 CHAIRMAN MILLS: Okay.
26 DISTRICT ATTORNEY HERRERA: That's it.
27 CHAIRMAN MILLS: So all we have to -- we just -- we get to
28 decide. And then we'll make our county code match it.
29 DISTRICT ATTORNEY HERRERA: You can -- you can decide
30 anything you want and do it any way you want and we can --
31 that's the whole intent of this is so I can comply with -- with
32 your decision-making with the code.
33 COMMISSIONER ALLAN: So let me --
34 DISTRICT ATTORNEY HERRERA: So --
35 COMMISSIONER ALLAN: -- ask you, what is the procedure for
36 changing the county code?
37 COMMISSIONER CLARK: That's what we're doing.
38 COMMISSIONER ALLAN: I'm asking what specific procedures
39 are involved.
40 I know what procedures are involved with ordinances. I want

1 to know if there's any special circumstances --
2 DISTRICT ATTORNEY HERRERA: It's basically --
3 CHAIRMAN MILLS: I want that --
4 DISTRICT ATTORNEY HERRERA: -- follows --
5 CHAIRMAN MILLS: -- under --
6 DISTRICT ATTORNEY HERRERA: -- the ordinances. But it's
7 a --
8 CHAIRMAN MILLS: -- Keith.
9 DISTRICT ATTORNEY HERRERA: -- modific- -- it's a --
10 CHAIRMAN MILLS: Bert's going to have --
11 DISTRICT ATTORNEY HERRERA: -- little --
12 CHAIRMAN MILLS: I don't want --
13 DISTRICT ATTORNEY HERRERA: -- easier, --
14 CHAIRMAN MILLS: -- him to answer --
15 DISTRICT ATTORNEY HERRERA: -- Judie.
16 CHAIRMAN MILLS: (Indiscernible) --
17 DISTRICT ATTORNEY HERRERA: But --
18 CHAIRMAN MILLS: -- be --
19 DISTRICT ATTORNEY HERRERA: -- basically --
20 CHAIRMAN MILLS: -- over him.
21 DISTRICT ATTORNEY HERRERA: -- you guys make -- you're
22 either going to back --
23 CHAIRMAN MILLS: I want one --
24 DISTRICT ATTORNEY HERRERA: -- up --
25 CHAIRMAN MILLS: -- point of contact.
26 DISTRICT ATTORNEY HERRERA: -- the reorganization that --
27 that Keith had you adopt or you're going to make your own.
28 And then you're going to ask me to, please, follow up with
29 the ordinance changes.
30 COMMISSIONER ALLAN: So -- but I guess a question is --
31 okay.
32 COMMISSIONER WAITS: We have a hearing; right?
33 DISTRICT ATTORNEY HERRERA: Yeah. We'll -- we'll -- during
34 the --
35 COMMISSIONER ALLAN: (Indiscernible) --
36 DISTRICT ATTORNEY HERRERA: -- ordinance changes, --
37 COMMISSIONER ALLAN: (indiscernible) --
38 COMMISSIONER WAITS: Yeah.
39 DISTRICT ATTORNEY HERRERA: -- we have --
40 COMMISSIONER ALLAN: -- procedures.

1 DISTRICT ATTORNEY HERRERA: -- public hearings and
2 everything.
3 COMMISSIONER ALLAN: Is -- is -- that's what I --
4 DISTRICT ATTORNEY HERRERA: But --
5 COMMISSIONER ALLAN: -- was trying to find out.
6 DISTRICT ATTORNEY HERRERA: But you certainly don't need to
7 do that because thi- -- this has been noticed and stuff. You
8 can reorganize -- reorganize and make your decisions now, and
9 then we work on the ordinances and bring it in front of you a
10 number of times.
11 One is a public hearing. And for a modification, I think it
12 doesn't require as much -- as many public hearings. But it --
13 one. You'll get one.
14 COMMISSIONER ALLAN: And that was my question is --
15 DISTRICT ATTORNEY HERRERA: I'm tr- --
16 COMMISSIONER WAITS: So this --
17 DISTRICT ATTORNEY HERRERA: -- trying --
18 COMMISSIONER ALLAN: I --
19 DISTRICT ATTORNEY HERRERA: -- to answer.
20 COMMISSIONER ALLAN: -- I understand that. And I thank you
21 for that.
22 DISTRICT ATTORNEY HERRERA: Okay.
23 COMMISSIONER WAITS: So it seems to me if we leave the word
24 "director" as -- as part of his title, then he can report
25 directly to the commissioners. And if we changed it to
26 "supervisor," he can report directly to Keith. And that seems
27 to be --
28 DISTRICT ATTORNEY HERRERA: Right. There --
29 COMMISSIONER WAITS: -- the gist.
30 DISTRICT ATTORNEY HERRERA: -- there -- right now there's
31 three or four directors in his department.
32 And -- and --
33 COMMISSIONER WAITS: And they shouldn't be.
34 DISTRICT ATTORNEY HERRERA: They shouldn't --
35 COMMISSIONER WAITS: They should --
36 DISTRICT ATTORNEY HERRERA: -- be.
37 COMMISSIONER WAITS: -- be supervisors.
38 DISTRICT ATTORNEY HERRERA: He's the only director.
39 COMMISSIONER WAITS: Okay. So either change names or -- or
40 -- or -- or we change this.

1 DISTRICT ATTORNEY HERRERA: Or -- yeah.
2 COMMISSIONER WAITS: Okay.
3 Got it.
4 DISTRICT ATTORNEY HERRERA: It's --
5 CHAIRMAN MILLS: Okay.
6 COMMISSIONER WAITS: Got it?
7 CHAIRMAN MILLS: And -- and while we're on that topic, Ted,
8 would -- would you give us a little input on, again, that words
9 matter? Can you give us the sequence of should it be
10 "director," "manager," "head." What order --
11 DISTRICT ATTORNEY HERRERA: Well --
12 CHAIRMAN MILLS: -- do those go in? What do we --
13 DISTRICT ATTORNEY HERRERA: If --
14 CHAIRMAN MILLS: -- what do we -- what should we be calling
15 these --
16 DISTRICT ATTORNEY HERRERA: If you --
17 CHAIRMAN MILLS: -- positions?
18 DISTRICT ATTORNEY HERRERA: -- looked it up in the -- which
19 I have. And all those are interchangeable. So it's based on
20 what you -- you want the definition to be.
21 CHAIRMAN MILLS: So we can --
22 DISTRICT ATTORNEY HERRERA: But --
23 CHAIRMAN MILLS: -- we can define them?
24 DISTRICT ATTORNEY HERRERA: Yes.
25 CHAIRMAN MILLS: Okay.
26 DISTRICT ATTORNEY HERRERA: Yes.
27 Particularly "director."
28 I think that really need -- that confuses everybody.
29 COMMISSIONER CLARK: Yeah, that --
30 CHAIRMAN MILLS: Right.
31 DISTRICT ATTORNEY HERRERA: That's the main one.
32 COMMISSIONER CLARK: It's interesting that people became
33 assumptive with their titles.
34 DISTRICT ATTORNEY HERRERA: Right. It -- it's -- everybody
35 wants to be a --
36 COMMISSIONER WAITS: Okay.
37 DISTRICT ATTORNEY HERRERA: -- director.
38 COMMISSIONER WAITS: So do you want Bert to be a director
39 and report directly to us? Or do you want him to be a
40 supervisor and report to Keith? That's the first one; right?

1 DISTRICT ATTORNEY HERRERA: Very good.
2 COMMISSIONER ALLAN: I honestly don't feel that as a
3 commission, the board, that we should be directing any
4 department heads short of our county manager, executive
5 director. Is he is the person that all the rest of the
6 department heads need to answer to. He is our liaison between
7 them and us.
8 COMMISSIONER WAITS: Well, I -- I agree because I -- years
9 ago they used to report directly to commissioners. And it was a
10 total mess. It really --
11 CHAIRMAN MILLS: Yeah.
12 COMMISSIONER WAITS: -- was.
13 CHAIRMAN MILLS: I would -- I would agree with that too.
14 COMMISSIONER WAITS: So I'm --
15 CHAIRMAN MILLS: I like the one point of contact --
16 COMMISSIONER WAITS: I'm --
17 CHAIRMAN MILLS: -- for the --
18 COMMISSIONER WAITS: -- on --
19 CHAIRMAN MILLS: -- commissioners.
20 COMMISSIONER WAITS: -- that, Judie.
21 COMMISSIONER CLARK: I like this reorg chart. Keith, did
22 you do this?
23 KEITH WESTENGARD: I did. Would you like the big version
24 of it? I can wheel it out of my office.
25 CHAIRMAN MILLS: Why don't you --
26 COMMISSIONER BAKKER: Is this how you want this?
27 KEITH WESTENGARD: I want it to where -- I want it clear.
28 I know that there's other directors, department heads, that
29 want clear outline of their job duties.
30 I don't -- it's not a matter of who reports to who.
31 It's that --
32 CHAIRMAN MILLS: Right.
33 KEITH WESTENGARD: -- people understand. And -- and it's
34 got clouded in my mind. And I'm supposed to be the he- --
35 the -- the leader or the -- you know, the -- the director.
36 CHAIRMAN MILLS: Right.
37 KEITH WESTENGARD: And it's clouded in my mind as to who's
38 what because -- or the responsibilities.
39 So this is more to get some clear definition as to
40 responsibilities. I mean, I know what mine are. But there's --

1 there's some cloudiness out there.
2 And it really -- I have no preference.
3 It's how this board wants it.
4 And if it needs -- if -- if it's that Bert reports directly
5 to the commission, that's fine. If it's he reports to me, that's
6 fine.
7 But I'd like to see it done clear and concise so that I can
8 go to Bert, if he's under me, and say, boom, boom, boom.
9 Or he can come to you and you guys say, it's boom, boom,
10 boom.
11 And -- and that's it.
12 And that -- right now, and I -- and I don't want to the speak
13 for Bert, but I think everything's going great.
14 CHAIRMAN MILLS: Yeah.
15 KEITH WESTENGARD: I think we do -- I think Bert does an
16 awesome job.
17 He --
18 I don't worry about him.
19 He does his job. And I talk to him once in a while. He
20 says, this is what's going on. And this is what I did. And
21 things are great.
22 So --
23 I --
24 Bert, do you want to --
25 COMMISSIONER WAITS: But on this --
26 KEITH WESTENGARD: Going to put you --
27 COMMISSIONER WAITS: -- one, --
28 KEITH WESTENGARD: -- on the spot --
29 COMMISSIONER WAITS: -- he doesn't --
30 KEITH WESTENGARD: -- a little --
31 COMMISSIONER WAITS: -- report --
32 KEITH WESTENGARD: -- bit here now.
33 COMMISSIONER WAITS: -- to Keith.
34 KEITH WESTENGARD: And --
35 COMMISSIONER BAKKER: What's that?
36 COMMISSIONER WAITS: On this one, he reports directly to
37 us.
38 BERT RAMOS: Bert Ramos, for the record.
39 The -- I think Keith hit it on the head there. The bottom
40 line is I don't care what you guys call me or who I report to.

1 I'm going to do my job no matter what you guys put under me.
2 I'm going to do it the best I can.
3 If -- if it's reporting to you guys, that's fine. That's
4 what I currently do. If it's not reporting to you guys, then
5 you can take my updates off the agenda and that's perfectly fine
6 for me because I'd prefer to not be up in front you as much as
7 possible.
8 But if I am reporting to you or if I'm reporting to Keith,
9 that's the only difference.
10 We're going to do our jobs. I think we have been.
11 COMMISSIONER WAITS: I think the -- the -- the situation,
12 though, is that when you want to run it by somebody, you run it
13 by Keith. And the two of you decide.
14 If you're going to run it by the commissioners, you'd have to
15 run it through each one of us individually. And, you know, --
16 CHAIRMAN MILLS: Or -- or agendize it.
17 COMMISSIONER WAITS: Yeah. Or --
18 BERT RAMOS: Well, and I --
19 COMMISSIONER WAITS: -- agendize --
20 BERT RAMOS: -- and I --
21 COMMISSIONER WAITS: -- it.
22 KEITH WESTENGARD: -- believe that's what we currently do
23 is we agendize everything.
24 COMMISSIONER WAITS: Right. But I --
25 BERT RAMOS: I don't know that --
26 COMMISSIONER WAITS: The daily --
27 BERT RAMOS: And -- and I -- and I'm not taking a shot at
28 Keith here. He -- he's not familiar with my job, like I'm not
29 familiar with his job is to -- if I ran it by him, we agendize
30 it typically anyway because there -- because I know my job, I
31 like to think, at least know a portion of it.
32 COMMISSIONER CLARK: You no more --
33 BERT RAMOS: So --
34 COMMISSIONER CLARK: -- about your job than anybody else in
35 the county.
36 BERT RAMOS: Yeah. So it's -- so to think that I would --
37 that, you know -- but it -- but it doesn't, like I said, it's --
38 it -- the only thing that matters to me here is that at the end
39 of the day is if -- if we're doing title changes and we're doing
40 a big reorg thing like -- like has been done in the past with

1 the county, and if -- and if this turns into what it -- what
2 it's looking like --
3 I'll just cut -- cut to the chase because it seems to me
4 that all the rumors going around with possible pay raises, pay
5 cuts, this and that, if -- if there is any of that that's --
6 that's -- that's coming down the pipe, I don't mind one way or
7 the other. But I would prefer that it go to the people that are
8 doing the work. And them aren't the people that are get title
9 changes. Them are the people that are already lead men and
10 people of a lot of years of service in this county, not -- not
11 those of us that are sitting in front of you guys answering to
12 you guys. That's -- now whether that's all rumor and
13 speculation, I don't know. But I just want that on record that
14 if that is where --
15 CHAIRMAN MILLS: So --
16 BERT RAMOS: -- this is going --
17 CHAIRMAN MILLS: Just for the record, I don't think it's
18 ever been discussed anything about pay raises or pay cuts
19 anywhere. That's not --
20 BERT RAMOS: Okay.
21 Because that's been the --
22 CHAIRMAN MILLS: That's not --
23 BERT RAMOS: -- rumor that I've --
24 CHAIRMAN MILLS: -- part of this.
25 BERT RAMOS: -- heard, that I've heard numerous times. So
26 I just want to address it right now.
27 CHAIRMAN MILLS: From -- from my point --
28 BERT RAMOS: And I --
29 CHAIRMAN MILLS: -- of view --
30 BERT RAMOS: -- don't -- I don't mind either way. Like I
31 say, --
32 CHAIRMAN MILLS: Right.
33 BERT RAMOS: -- either way doesn't matter to me.
34 CHAIRMAN MILLS: From my point of view, we're trying to get
35 the organizational chart how we want it and get the code to
36 match it. That's what we're looking at.
37 BERT RAMOS: Got you.
38 CHAIRMAN MILLS: Simple.
39 BERT RAMOS: And that -- and -- and I'm glad for
40 clarification. Because, you know, --

1 CHAIRMAN MILLS: Because there's --
2 BERT RAMOS: -- our numbers.
3 CHAIRMAN MILLS: -- there's never been --
4 BERT RAMOS: It's -- it's about like the wells getting
5 pumped dry out here next door to the golf course, not -- not
6 necessarily true, --
7 CHAIRMAN MILLS: Right.
8 BERT RAMOS: -- but there's --
9 CHAIRMAN MILLS: I don't --
10 BERT RAMOS: -- plenty of it running around. So I'm just
11 throwing that out --
12 CHAIRMAN MILLS: Never had any --
13 BERT RAMOS: -- there.
14 CHAIRMAN MILLS: -- discussion with anybody about pay
15 changes at all.
16 BERT RAMOS: Okay.
17 COMMISSIONER ALLAN: Well, I think it's -- to me it's clear
18 as far as -- as the public works department answers to the
19 executive director.
20 It's also clear under the commissioners' duties that we
21 cannot give direction to department heads.
22 So you have two issues right there that basically states, you
23 answer to Keith.
24 I -- I really honestly can't see how it could function
25 effectively to have the public works department answer to the
26 commissioners.
27 BERT RAMOS: Well, currently I answer to the commission
28 because you guys are the ones who give me the direction.
29 COMMISSIONER CLARK: Right.
30 COMMISSIONER ALLAN: We're not supposed to. It -- it
31 states --
32 BERT RAMOS: And that -- and I'm --
33 COMMISSIONER ALLAN: -- in the code.
34 BERT RAMOS: Like I said, I am perfectly good with that.
35 It -- it takes a lot off my plate not having to show up here.
36 I'm not trying to take that -- I'm just -- I'm just putting that
37 out there that this is -- that's how it currently works.
38 COMMISSIONER ALLAN: Well, Bert, I understand, you know,
39 there's times your updates and you have questions and, you know,
40 you bring -- you bring an item to us that's been agendized.

1 Yes, you answer to us then. But on the day-to-day process or
2 our day-to-day, you don't. You answer to Keith.
3 Is we -- we approve your contracts. We approve these things.
4 You do answer to us in that respect.
5 But day-to-day operations, no. You answer to him.
6 BERT RAMOS: Well, it's very --
7 COMMISSIONER WAITS: Vacations.
8 COMMISSIONER CLARK: -- similar --
9 COMMISSIONER WAITS: Vacations, day off, holidays.
10 BERT RAMOS: Yes. Oh, I'm good with it. However -- like I
11 said, it doesn't matter to me.
12 COMMISSIONER WAITS: Okay.
13 KEITH WESTENGARD: Can I --
14 COMMISSIONER WAITS: I'm going --
15 BERT RAMOS: Whatever --
16 COMMISSIONER WAITS: -- to --
17 BERT RAMOS: -- you guys need.
18 COMMISSIONER WAITS: -- go for a motion.
19 COMMISSIONER CLARK: Okay.
20 COMMISSIONER WAITS: Okay.
21 KEITH WESTENGARD: I -- can I just interject real quick?
22 Right now we have a very -- an excellent working relationship.
23 And whichever way it goes, if Bert's going to -- if public works
24 is going to report to you, we will put it down on the job
25 description as a public works director. And he'll report to
26 you.
27 And I think it'll -- he'll do just as good of a job as he's
28 doing right now.
29 It's --
30 COMMISSIONER CLARK: I have a question.
31 KEITH WESTENGARD: -- not about who's reporting to who, I
32 don't think, so much as some clear, defined definition as to
33 who's got what in their --
34 BERT RAMOS: And that's what --
35 KEITH WESTENGARD: -- plate --
36 BERT RAMOS: -- I would --
37 KEITH WESTENGARD: -- right now.
38 BERT RAMOS: -- like is what departments are under me? Who
39 I -- who I --
40 COMMISSIONER WAITS: Okay.

1 BERT RAMOS: -- supervise.
2 And I don't care what you call me in the process if I know
3 who I supervise.
4 COMMISSIONER WAITS: As long -- as long as -- the
5 supervisor pays less than director, don't you --
6 BERT RAMOS: And that's --
7 COMMISSIONER WAITS: -- think?
8 BERT RAMOS: -- okay --
9 COMMISSIONER WAITS: It's a --
10 BERT RAMOS: -- too.
11 COMMISSIONER WAITS: No, no, no. I'm kidding. No, no, no,
12 --
13 BERT RAMOS: That's okay --
14 COMMISSIONER WAITS: -- no.
15 BERT RAMOS: -- too.
16 COMMISSIONER WAITS: No.
17 COMMISSIONER CLARK: Hey.
18 BERT RAMOS: I -- I -- as long as I know without question,
19 I'll pay for it. No sweat.
20 COMMISSIONER WAITS: Okay. I'm going to make a motion.
21 Okay.
22 COMMISSIONER CLARK: My -- I have a question for the
23 counselor before --
24 COMMISSIONER WAITS: Absolutely.
25 COMMISSIONER CLARK: -- we do anything. Are we dabbling in
26 demotion? Less res- -- less rank, responsibility, or pay?
27 DISTRICT ATTORNEY HERRERA: It depends on where you go. I
28 mean, potentially. I mean, --
29 COMMISSIONER CLARK: Yeah.
30 DISTRICT ATTORNEY HERRERA: -- this is like a clean sheet.
31 You guys get to do whatever you want --
32 COMMISSIONER WAITS: Okay. We'll see what --
33 DISTRICT ATTORNEY HERRERA: -- in --
34 COMMISSIONER WAITS: -- we want --
35 DISTRICT ATTORNEY HERRERA: reorganization.
36 COMMISSIONER WAITS: -- to do.
37 DISTRICT ATTORNEY HERRERA: It --
38 COMMISSIONER WAITS: Okay.
39 DISTRICT ATTORNEY HERRERA: -- it's what you want to do.
40 COMMISSIONER WAITS: I'll make a motion regarding the

1 organizational chart that we change the public works director's
2 name to public works supervisor, have them dir- -- have him or
3 her re- -- report to directly to the executive director.
4 For the rest of the organizational chart, I would move that
5 we approve that as the new one, the way that the chart says.
6 CHAIRMAN MILLS: This chart?
7 COMMISSIONER WAITS: Yes, the new chart, the new chart that
8 we have. Because we divided some separate areas.
9 And everybody report accordingly.
10 And the -- but we comply with the codes, then. Do we --
11 DISTRICT ATTORNEY HERRERA: All right.
12 COMMISSIONER WAITS: -- not?
13 DISTRICT ATTORNEY HERRERA: But -- well, you need to -- you
14 need to make clear whether you want one supervisor or three in
15 the public works because the code talks about three --
16 COMMISSIONER WAITS: Okay. Well, all --
17 DISTRICT ATTORNEY HERRERA: -- as -- as --
18 COMMISSIONER WAITS: -- it says --
19 DISTRICT ATTORNEY HERRERA: -- Judie pointed --
20 COMMISSIONER WAITS: -- all it --
21 DISTRICT ATTORNEY HERRERA: -- out --
22 COMMISSIONER WAITS: -- says on the organizational chart,
23 we have to change director to supervisor. And then underneath
24 the public works is --
25 KEITH WESTENGARD: We could -- if we could --
26 COMMISSIONER WAITS: I think if I read it parks and golf
27 course.
28 DISTRICT ATTORNEY HERRERA: Yeah. But you just have --
29 what I'm talking about, Patsy, is that --
30 COMMISSIONER WAITS: We don't have any other supervisors
31 listed.
32 KEITH WESTENGARD: Lead men.
33 COMMISSIONER ALLAN: The code lists it. The code states
34 that you are to have three supervisors, --
35 DISTRICT ATTORNEY HERRERA: Right.
36 COMMISSIONER ALLAN: -- road and --
37 DISTRICT ATTORNEY HERRERA: And you --
38 COMMISSIONER ALLAN: -- bridge --
39 DISTRICT ATTORNEY HERRERA: -- asked me --
40 COMMISSIONER ALLAN: - north, --

1 DISTRICT ATTORNEY HERRERA: -- if you're --
2 COMMISSIONER ALLAN: -- road and --
3 DISTRICT ATTORNEY HERRERA: -- complying --
4 COMMISSIONER ALLAN: -- bridge south, --
5 DISTRICT ATTORNEY HERRERA: -- with the code --
6 COMMISSIONER ALLAN: -- and public works or sewer and
7 water.
8 DISTRICT ATTORNEY HERRERA: So in this motion, if the -- if
9 you would say there's a -- we only want one public works
10 supervisor --
11 COMMISSIONER WAITS: Okay.
12 DISTRICT ATTORNEY HERRERA: -- that would clear it up.
13 COMMISSIONER WAITS: Okay. And then we call whoever else
14 by a --
15 DISTRICT ATTORNEY HERRERA: Lead --
16 COMMISSIONER WAITS: -- different --
17 DISTRICT ATTORNEY HERRERA: -- men.
18 COMMISSIONER WAITS: -- name. Yeah. Okay.
19 BERT RAMOS: And then --
20 COMMISSIONER WAITS: A hand --
21 BERT RAMOS: -- as long --
22 COMMISSIONER WAITS: -- or --
23 BERT RAMOS: -- as we're --
24 COMMISSIONER WAITS: -- whatever.
25 BERT RAMOS: -- clear on --
26 COMMISSIONER WAITS: Okay.
27 BERT RAMOS: -- the --
28 COMMISSIONER WAITS: And to clarify that, only one public
29 works supervisor who is currently the public works director.
30 COMMISSIONER CLARK: I like the way it's working right now.
31 Nobody knows Bert's job like Bert does.
32 Keith certainly can't do Bert's job.
33 I think Bert's doing a great job the way he's doing. He has
34 a good relationship with Keith right now. I think we keep it the
35 way it is, and we go to NRS.
36 COMMISSIONER WAITS: My -- my motion puts it exactly the
37 way that we're doing it. Properly with the other changes.
38 COMMISSIONER CLARK: I disagree.
39 COMMISSIONER WAITS: I thought you said you liked the way
40 it was working.

1 UNIDENTIFIED PARTICIPANT: Yeah.
2 COMMISSIONER CLARK: As long as Bert stays responsible to
3 the commissioners.
4 COMMISSIONER ALLAN: He is not --
5 COMMISSIONER CLARK: You're making --
6 COMMISSIONER ALLAN: -- responsible --
7 COMMISSIONER CLARK: -- him a --
8 COMMISSIONER ALLAN: -- to --
9 COMMISSIONER CLARK: -- supervisor.
10 COMMISSIONER ALLAN: -- the commissioners.
11 COMMISSIONER WAITS: I make him a supervisor responsible to
12 the executive director, like he was. That's what he has been.
13 COMMISSIONER ALLAN: He is responsible to the executive
14 director. Under the county code, he answers to --
15 COMMISSIONER CLARK: I like the --
16 COMMISSIONER ALLAN: -- the --
17 COMMISSIONER CLARK: -- NRS.
18 COMMISSIONER ALLAN: -- executive director.
19 COMMISSIONER WAITS: Okay.
20 COMMISSIONER ALLAN: The NRS does not come into play here.
21 COMMISSIONER WAITS: That's fine. That's my motion.
22 COMMISSIONER ALLAN: I'll -- I don't agree in some of it,
23 so I'm not going to second it.
24 COMMISSIONER WAITS: You don't agree with what part of it?
25 CHAIRMAN MILLS: Which part didn't you like?
26 COMMISSIONER ALLAN: I -- I actually thought it worked
27 better with three supervisors, the way the county code reads.
28 COMMISSIONER WAITS: I thought --
29 COMMISSIONER BAKKER: I like the public works director --
30 CHAIRMAN MILLS: I like --
31 COMMISSIONER BAKKER: -- and the executive director. And
32 just how it is working.
33 COMMISSIONER WAITS: But you can't -- but if it's -- if we
34 keep it a director, he reports directly to us.
35 COMMISSIONER ALLAN: And he does --
36 COMMISSIONER WAITS: Are you going to --
37 COMMISSIONER ALLAN: -- not --
38 COMMISSIONER WAITS: -- do evaluations?
39 COMMISSIONER ALLAN: -- currently report --
40 COMMISSIONER WAITS: How are we going to --

1 COMMISSIONER ALLAN: -- to us.
2 COMMISSIONER WAITS: -- keep all -- I mean, --
3 BERT RAMOS: That's exactly what I currently do. If -- if
4 I am a supervisor, I no longer come to commission meetings
5 because Keith gives you these updates, because I update him. So
6 currently that's exactly what I do is report to the commission.
7 COMMISSIONER CLARK: Okay.
8 BERT RAMOS: Just to be clear.
9 COMMISSIONER ALLAN: Updates, Bert.
10 COMMISSIONER CLARK: Patsy --
11 COMMISSIONER ALLAN: But --
12 CHAIRMAN MILLS: Who's --
13 COMMISSIONER ALLAN: -- as far as the --
14 CHAIRMAN MILLS: Who's doing --
15 COMMISSIONER ALLAN: -- code, no.
16 CHAIRMAN MILLS: -- your annual review?
17 BERT RAMOS: What's that?
18 CHAIRMAN MILLS: Who's doing your annual review?
19 BERT RAMOS: I've -- I've had -- in the -- in my entire
20 career at Lander County that I've worked here, I believe I've
21 had two reviews.
22 COMMISSIONER CLARK: You just said, Patsy, that directors
23 report directly to the commission.
24 COMMISSIONER WAITS: Yes.
25 COMMISSIONER CLARK: Well, Matt introduced himself today as
26 HR director. But he's down, way down --
27 KEITH WESTENGARD: That's --
28 COMMISSIONER CLARK: -- on the --
29 KEITH WESTENGARD: -- going to change.
30 COMMISSIONER CLARK: -- list.
31 COMMISSIONER WAITS: No, he's not a --
32 MATTHEW GOULD: This is (indiscernible).
33 COMMISSIONER WAITS: -- director.
34 CHAIRMAN MILLS: We've got to correct -- because where's
35 the -- where we're going to have to correct titles.
36 DISTRICT ATTORNEY HERRERA: That's what we're talking
37 about.
38 COMMISSIONER WAITS: Let's see --
39 DISTRICT ATTORNEY HERRERA: Changes.
40 COMMISSIONER WAITS: -- your business card.

1 CHAIRMAN MILLS: So with Bert being public works director,
2 this commission has failed in giving him any performance reviews
3 over the years.
4 COMMISSIONER WAITS: That's right. No evaluations. He
5 doesn't --
6 CHAIRMAN MILLS: He's never had --
7 COMMISSIONER WAITS: -- even --
8 CHAIRMAN MILLS: -- one.
9 COMMISSIONER WAITS: -- call us when he wants a day off.
10 CHAIRMAN MILLS: Yeah.
11 COMMISSIONER ALLAN: So -- so I'm just curious --
12 COMMISSIONER CLARK: When you want a day off, who do you
13 contact?
14 BERT RAMOS: I call myself.
15 CHAIRMAN MILLS: He calls himself.
16 COMMISSIONER CLARK: What do you call --
17 BERT RAMOS: Just kidding.
18 COMMISSIONER CLARK: -- yourself?
19 BERT RAMOS: I'm just kidding. I'm just kidding. I --
20 CHAIRMAN MILLS: So we're not --
21 BERT RAMOS: I -- I said that to get a little reaction out
22 of Keith. And I got the right one I was looking for.
23 KEITH WESTENGARD: Evaluation is --
24 BERT RAMOS: Now his -- his lips were off --
25 KEITH WESTENGARD: Who gave you your last raise?
26 BERT RAMOS: Yeah.
27 KEITH WESTENGARD: Last year.
28 BERT RAMOS: Keith -- I call --
29 CHAIRMAN MILLS: So --
30 BERT RAMOS: -- Keith, usually, when I take a day off, to
31 make sure he's aware of it. But -- but it -- it consists of me
32 calling -- letting quite a few people know. I let my -- my, you
33 know, lead men. And, you know, I coordinate that with them.
34 That way --
35 CHAIRMAN MILLS: So --
36 BERT RAMOS: -- we always have somebody in charge of
37 somebody; right?
38 CHAIRMAN MILLS: Currently what we are doing -- what we
39 really are doing is a hybrid of you being a director and a
40 supervisor.

1 Because sometimes you apply as you're a supervisor.
2 Sometimes it applies you're --
3 BERT RAMOS: Yeah.
4 CHAIRMAN MILLS: -- a director.
5 BERT RAMOS: I mean, and I -- and I (indiscernible) --
6 CHAIRMAN MILLS: So we're doing a --
7 BERT RAMOS: -- Keith --
8 CHAIRMAN MILLS: -- hybrid thing right now. And then --
9 and we're not doing our job for Bert.
10 BERT RAMOS: Well, and like Keith said, he's -- he's --
11 COMMISSIONER CLARK: I like the hybrid.
12 BERT RAMOS: -- he's done the pay raise. The last
13 evaluation I got was from Keith.
14 Yeah. But there -- but it's a -- it's a tradeoff. There's
15 no -- there is not set --
16 COMMISSIONER ALLAN: So, Bert, how many times have you told
17 me that I can't tell you what to do?
18 BERT RAMOS: I've never told you you can't tell me what to
19 do, Judie, ever, not one time. Never -- I've -- I've told you
20 that --
21 CHAIRMAN MILLS: So --
22 BERT RAMOS: -- you've got to direct me as a -- as a board.
23 That the commission has to direct me as an individual, you can
24 not.
25 COMMISSIONER CLARK: That's right.
26 BERT RAMOS: I've never told --
27 COMMISSIONER BAKKER: That is true.
28 BERT RAMOS: -- you you --
29 COMMISSIONER ALLAN: And --
30 BERT RAMOS: -- cannot tell me what to do.
31 COMMISSIONER BAKKER: That is true.
32 BERT RAMOS: As -- as a --
33 COMMISSIONER CLARK: That's true.
34 BERT RAMOS: -- board, --
35 COMMISSIONER ALLAN: And -- and --
36 BERT RAMOS: -- and I've told --
37 COMMISSIONER ALLAN: -- that's --
38 BERT RAMOS: -- I've told Sean that.
39 COMMISSIONER BAKKER: Yep.
40 BERT RAMOS: I've -- it -- that's not an individual deal.

1 That is --
2 COMMISSIONER ALLAN: So that's --
3 BERT RAMOS: -- across the board.
4 COMMISSIONER ALLAN: -- my point.
5 BERT RAMOS: And that's -- that's me answering to the
6 commission, once again.
7 COMMISSIONER ALLAN: Exactly.
8 COMMISSIONER BAKKER: Right.
9 COMMISSIONER ALLAN: But see what I'm getting at here is
10 you need to answer to Keith because there are situations. Our
11 last meeting was a prime example of you had questions regarding
12 the water wells. Is --
13 BERT RAMOS: Do you think Keith could answer them?
14 COMMISSIONER CLARK: Keith could have never answered that.
15 Never.
16 CHAIRMAN MILLS: And that -- and you --
17 COMMISSIONER BAKKER: Well, --
18 CHAIRMAN MILLS: -- still --
19 COMMISSIONER BAKKER: -- he could have answered.
20 CHAIRMAN MILLS: And -- and with those things, they --
21 BERT RAMOS: I'm not being rude to you, Keith.
22 KEITH WESTENGARD: I'm (indiscernible).
23 CHAIRMAN MILLS: So whether you're the director or the
24 supervisor, that would still come before the commission.
25 COMMISSIONER CLARK: Yes.
26 BERT RAMOS: For -- correct.
27 CHAIRMAN MILLS: And we would still --
28 COMMISSIONER ALLAN: There are --
29 CHAIRMAN MILLS: -- we would still --
30 COMMISSIONER ALLAN: -- certain --
31 CHAIRMAN MILLS: -- go through --
32 COMMISSIONER ALLAN: There are certain things --
33 CHAIRMAN MILLS: So it doesn't change that --
34 COMMISSIONER ALLAN: -- but like --
35 CHAIRMAN MILLS: -- anyway.
36 COMMISSIONER ALLAN: I'm trying --
37 BERT RAMOS: No.
38 COMMISSIONER ALLAN: -- to say is --
39 BERT RAMOS: Not --
40 COMMISSIONER ALLAN: -- day-to-day --

1 BERT RAMOS: -- at all.
2 COMMISSIONER ALLAN: -- operations, certain things that he
3 does need to answer to Keith, --
4 DISTRICT ATTORNEY HERRERA: Well --
5 COMMISSIONER ALLAN: -- that it is not practical to have
6 him answer directly to five people when it's not our
7 responsibility. We are limited in -- in what we can and can't
8 do is we cannot direct -- we have -- we have Keith. We can
9 direct him as a group.
10 UNIDENTIFIED PARTICIPANT: Right.
11 COMMISSIONER WAITS: Okay. Judie, --
12 DISTRICT ATTORNEY HERRERA: But Keith --
13 COMMISSIONER WAITS: -- so --
14 COMMISSIONER ALLAN: Not individually.
15 DISTRICT ATTORNEY HERRERA: (Indiscernible.)
16 COMMISSIONER WAITS: So clarify for me, then, because --
17 BERT RAMOS: (Indiscernible) to --
18 COMMISSIONER WAITS: -- I'm moving --
19 BERT RAMOS: -- (indiscernible).
20 COMMISSIONER WAITS: -- public works back where we --
21 KEITH WESTENGARD: (Indiscernible.)
22 COMMISSIONER WAITS: -- thought we'd been running it,
23 actually, under Keith.
24 COMMISSIONER ALLAN: I agree. I -- I understand that,
25 Patsy.
26 COMMISSIONER WAITS: And the thing you don't like is that
27 he takes care of the other departments?
28 COMMISSIONER BAKKER: She doesn't want a public works.
29 COMMISSIONER ALLAN: I don't want a public works
30 supervisor.
31 COMMISSIONER BAKKER: She wants three --
32 CHAIRMAN MILLS: Well, she was --
33 COMMISSIONER BAKKER: -- foremen that --
34 CHAIRMAN MILLS: -- changing the --
35 COMMISSIONER BAKKER: -- report to Keith.
36 CHAIRMAN MILLS: Oh.
37 COMMISSIONER ALLAN: Which is what the --
38
39 (Indiscernible simultaneous conversation.)
40

1 COMMISSIONER ALLAN: -- code states now.
2 CHAIRMAN MILLS: But we're going to --
3 KEITH WESTENGARD: But you can change --
4 CHAIRMAN MILLS: We're --
5 KEITH WESTENGARD: -- you -- you guys --
6 CHAIRMAN MILLS: -- planning on --
7 KEITH WESTENGARD: -- can change the --
8 CHAIRMAN MILLS: -- changing --
9 COMMISSIONER ALLAN: I know we can --
10 KEITH WESTENGARD: -- code.
11 COMMISSIONER ALLAN: -- change the code. I'm saying, I
12 don't want to change --
13
14 (Indiscernible simultaneous conversation.)
15
16 COMMISSIONER ALLAN: -- the code.
17 KEITH WESTENGARD: But the --
18 BERT RAMOS: So --
19 KEITH WESTENGARD: -- code's contradictory through --
20 through the whole code. It needs to be changed one way or
21 another.
22 And if you want to have a public works supervisor and three
23 lead men or a public works director and three supervisors.
24 COMMISSIONER ALLAN: It --
25 COMMISSIONER CLARK: Keith --
26 COMMISSIONER ALLAN: -- doesn't mention having a public
27 works director.
28 KEITH WESTENGARD: It -- it --
29 COMMISSIONER ALLAN: It --
30 KEITH WESTENGARD: -- does.
31 COMMISSIONER ALLAN: -- talks about a public works
32 department. And then it states that there will be three
33 supervisors --
34 COMMISSIONER CLARK: Keith, is it --
35 COMMISSIONER ALLAN: -- or foremen.
36 COMMISSIONER CLARK: -- working -- is it working more
37 smoothly with one supervisor over public works? Or when you had
38 three?
39 KEITH WESTENGARD: No, it's -- it's clearly a lot smoother
40 with one.

1 COMMISSIONER CLARK: Okay.
2 KEITH WESTENGARD: It's one guy doing everything.
3 I --
4 One person. One director.
5 I -- I'm just looking.
6 I'm -- I can't find where it says the director reports. I've
7 read it a hundred times.
8 BERT RAMOS: And I'm not trying to pick on Keith here. We
9 have our respected areas of expertise.
10 CHAIRMAN MILLS: Uh-huh.
11 BERT RAMOS: So there's a lot of things that he does that I
12 would have no clue on and a lot of things that I do that he
13 wouldn't have any. So -- and -- just -- just for the record. I
14 want that --
15 CHAIRMAN MILLS: Right.
16 BERT RAMOS: -- to be clear.
17 COMMISSIONER WAITS: But if we take away --
18 COMMISSIONER ALLAN: And there's a --
19 COMMISSIONER WAITS: -- Bert --
20 COMMISSIONER ALLAN: -- lot of things that Cindy does that
21 Keith has no idea. But yet he's still supervises her.
22 BERT RAMOS: Oh, Judie. Like I said, if you guys go back
23 to three, I'm fine with that too. I'm not -- I'm not here
24 trying to set a precedence --
25 COMMISSIONER ALLAN: I'm not arguing --
26 BERT RAMOS: -- for you.
27 COMMISSIONER ALLAN: -- about that point, Bert. I'm
28 arguing about -- or -- or making a point that everybody in this
29 building has their niche of what they -- their responsibilities.
30 And very few people can cross those boundaries and do
31 somebody else's job.
32 Everybody has their knowledge and their niche. It has
33 nothing to do with who answers to who.
34 When you're saying you don't -- you couldn't do Keith's job,
35 you don't understand all of it and he doesn't understand yours,
36 that's really a moot point because he can't know everything.
37 He is -- he is the county manager, the executive director.
38 He doesn't know what --
39 COMMISSIONER WAITS: (Indiscernible.)
40 COMMISSIONER ALLAN: -- every single employee knows --

1 COMMISSIONER BAKKER: Huh?
2 COMMISSIONER ALLAN: -- here.
3 COMMISSIONER WAITS: Let's make some motions.
4 COMMISSIONER ALLAN: It doesn't --
5 COMMISSIONER BAKKER: Okay. Can I make a motion?
6 KEITH WESTENGARD: You still have one on the table that
7 needs --
8 COMMISSIONER CLARK: No.
9 COMMISSIONER BAKKER: Well, that's what --
10 KEITH WESTENGARD: -- to die --
11 COMMISSIONER BAKKER: -- I thought --
12 KEITH WESTENGARD: -- or whatever.
13 I'm --
14 COMMISSIONER WAITS: No --
15 KEITH WESTENGARD: -- sorry.
16 COMMISSIONER WAITS: -- second.
17 KEITH WESTENGARD: I didn't mean to step on --
18 CHAIRMAN MILLS: So --
19 KEITH WESTENGARD: -- your toes, Mr. --
20 CHAIRMAN MILLS: That's --
21 KEITH WESTENGARD: -- Chair.
22 CHAIRMAN MILLS: -- that's true. And you're still
23 objecting to Patsy's motion?
24 COMMISSIONER WAITS: Yeah.
25 COMMISSIONER ALLAN: Hey, when nobody seconded it; did
26 they?
27 COMMISSIONER WAITS: No.
28 CHAIRMAN MILLS: Well, I'm -- you had -- you were going to.
29 COMMISSIONER CLARK: And then you --
30 CHAIRMAN MILLS: But you said you had some objections to
31 it. I'm asking if you still have those objections.
32 COMMISSIONER ALLAN: I do.
33 CHAIRMAN MILLS: Okay.
34 COMMISSIONER WAITS: Okay.
35 CHAIRMAN MILLS: So --
36 COMMISSIONER WAITS: New motion?
37 CHAIRMAN MILLS: I like Patsy's motion so I'm going second
38 it.
39 So how's that?
40 COMMISSIONER BAKKER: Okay.

1 COMMISSIONER WAITS: Okay. Be- -- before we vote, is there
2 anybody that wants me to amend some part of it here?
3 COMMISSIONER BAKKER: I -- I say --
4 COMMISSIONER CLARK: Probably --
5 COMMISSIONER BAKKER: -- amend it and put it back --
6 COMMISSIONER CLARK: Yeah.
7 COMMISSIONER BAKKER: -- how this org chart is.
8 COMMISSIONER CLARK: I agree with -- I agree with that.
9 COMMISSIONER ALLAN: So I do have a comment on -- on the
10 possible amendment is in speaking with our executive director --
11 if he remembers our conversation as we had it, which sometimes
12 he doesn't seem to -- I seem to have made the comment that he
13 would prefer being called the county manager.
14 KEITH WESTENGARD: I would.
15 COMMISSIONER BAKKER: That's a different ordinance too, --
16 COMMISSIONER WAITS: Yeah.
17 COMMISSIONER BAKKER: -- though, --
18 COMMISSIONER WAITS: Let's --
19 COMMISSIONER BAKKER: -- that we've got to --
20 COMMISSIONER CLARK: That's --
21 COMMISSIONER WAITS: -- let's --
22 COMMISSIONER CLARK: -- that's --
23 COMMISSIONER BAKKER: -- address. We have to --
24 COMMISSIONER WAITS: -- do that at --
25 COMMISSIONER BAKKER: -- repeat this.
26 COMMISSIONER WAITS: -- a different --
27 COMMISSIONER CLARK: Man --
28 COMMISSIONER WAITS: -- time?
29 COMMISSIONER CLARK: -- alive.
30 KEITH WESTENGARD: I was just asked a question. And I
31 replied to it.
32 COMMISSIONER BAKKER: Okay.
33 It's the only amendment I would ask, Patsy. But --
34 CHAIRMAN MILLS: So this still --
35 COMMISSIONER WAITS: You want -- you want -- Keith? Keith,
36 --
37 COMMISSIONER CLARK: Let's vote.
38 COMMISSIONER WAITS: -- you -- you want -- you want the
39 public works to report directly to the commissioners.
40 COMMISSIONER BAKKER: I like how it's working.

1 COMMISSIONER WAITS: But --
2 COMMISSIONER CLARK: Me too.
3 COMMISSIONER ALLAN: -- Patsy, already made --
4 COMMISSIONER WAITS: But -- but --
5 COMMISSIONER ALLAN: -- her motion.
6 COMMISSIONER WAITS: -- it isn't working --
7 COMMISSIONER ALLAN: And Doug --
8 COMMISSIONER WAITS: -- like that now.
9 COMMISSIONER ALLAN: -- seconded it.
10 CHAIRMAN MILLS: Right. And the problem -- the problem
11 with having Bert report directly to us is we haven't been doing
12 our job in --
13 COMMISSIONER WAITS: No.
14 CHAIRMAN MILLS: -- Bert's behalf in doing his --
15 COMMISSIONER WAITS: He reports --
16 CHAIRMAN MILLS: -- reviews --
17 COMMISSIONER WAITS: -- to --
18 CHAIRMAN MILLS: -- or doing anything.
19 COMMISSIONER WAITS: -- he reports to us on the things that
20 we have control to vote on.
21 The rest of the time, he doesn't report to us.
22 He --
23 We are not his reporting person.
24 CHAIRMAN MILLS: That's right.
25 COMMISSIONER ALLAN: Or supervis- -- his --
26 COMMISSIONER WAITS: And --
27 COMMISSIONER ALLAN: -- supervisors.
28 COMMISSIONER WAITS: -- that's why we're putting it back
29 to -- back to Keith in the motion. But I'm not having any more
30 supervisors that are equal with Bert.
31 We've -- I want Bert still to run the show with the other
32 foremen or first hand or whatever they're called.
33 CHAIRMAN MILLS: Bert, do you -- do you have -- do you have
34 supervisors under you?
35 BERT RAMOS: Lead men.
36 CHAIRMAN MILLS: You have -- you call them --
37 COMMISSIONER WAITS: Lead --
38 CHAIRMAN MILLS: -- lead --
39 COMMISSIONER WAITS: -- men.
40 CHAIRMAN MILLS: -- men.

1 COMMISSIONER WAITS: Lead men. Yeah.
2 CHAIRMAN MILLS: So if you're -- if you remain -- if you go
3 from director to supervisor, we don't have to change your lead
4 men's --
5 COMMISSIONER WAITS: No.
6 CHAIRMAN MILLS: -- titles?
7 BERT RAMOS: Don't believe so. (Indiscernible.) We can
8 double-check that.
9 CHAIRMAN MILLS: Okay.
10 BERT RAMOS: But, no, I don't --
11 CHAIRMAN MILLS: So easy enough. That solves that.
12 COMMISSIONER WAITS: Okay.
13 BERT RAMOS: We'd have to change my --
14 COMMISSIONER BAKKER: Call for a --
15 BERT RAMOS: -- my --
16 COMMISSIONER BAKKER: -- vote.
17 CHAIRMAN MILLS: Okay. So Patsy made a motion. And I
18 seconded.
19 Do we have any public comment?
20 (No comment.)
21 CHAIRMAN MILLS: All in favor?
22 Aye.
23 COMMISSIONER WAITS: Aye.
24 COMMISSIONER ALLAN: Aye.
25 CHAIRMAN MILLS: Opposed?
26 COMMISSIONER BAKKER: Nay.
27 COMMISSIONER CLARK: Nay.
28 CHAIRMAN MILLS: Okay.
29 BERT RAMOS: Okay. So what am I in charge of? And what's
30 my title?
31 COMMISSIONER BAKKER: (Indiscernible.)
32 COMMISSIONER WAITS: You are --
33 COMMISSIONER ALLAN: Supervisor --
34 COMMISSIONER WAITS: -- a supervisor.
35 COMMISSIONER ALLAN: -- in the same thing you're doing now.
36 And you answer to Keith.
37 BERT RAMOS: So I no longer have to show up and see you
38 guys.
39 COMMISSIONER WAITS: Change your business --
40 BERT RAMOS: Correct?

1 COMMISSIONER BAKKER: No.
2 COMMISSIONER WAITS: -- cards.
3 COMMISSIONER ALLAN: If there's an update --
4 CHAIRMAN MILLS: You may if -- if Keith asks you to come in
5 to report on something you're doing.
6 BERT RAMOS: Good deal.
7 COMMISSIONER WAITS: And we did.
8 CHAIRMAN MILLS: Okay?
9 COMMISSIONER WAITS: Before when you were reporting to him,
10 we said we'd like Bert to report to us.
11 BERT RAMOS: Well, if I'm reporting to you, then I'm a
12 director.
13 COMMISSIONER ALLAN: No, Bert.
14 BERT RAMOS: You cleared that --
15 CHAIRMAN MILLS: No.
16 BERT RAMOS: -- up.
17 COMMISSIONER ALLAN: Bert.
18 BERT RAMOS: But I -- I get -- on agenda items, I get that.
19 I get that.
20 COMMISSIONER WAITS: We --
21 CHAIRMAN MILLS: Right.
22 COMMISSIONER WAITS: -- we can ask --
23 COMMISSIONER ALLAN: Bert.
24 COMMISSIONER WAITS: -- we can --
25 CHAIRMAN MILLS: Right.
26 COMMISSIONER WAITS: -- ask anybody to come before us.
27 We even --
28 COMMISSIONER ALLAN: Bert --
29 COMMISSIONER WAITS: -- ask elected officials to come
30 before us.
31 COMMISSIONER ALLAN: When you were down --
32 CHAIRMAN MILLS: Right.
33 COMMISSIONER ALLAN: -- in Austin as a foreman, it was
34 still updates on road and bridge south.
35 BERT RAMOS: Pretty seldom, Judie.
36 I don't know if you know how many trips I made down here at
37 the time, but pretty seldom.
38 COMMISSIONER ALLAN: Well, no, I kn- -- I realize that.
39 And the thing is road and bridge north had them all -- I mean,
40 it was almost like a standing order to have these three

1 departments update.

2 Is whether you made them is understandable because you're
3 down in Austin. But Jake and Donnie were always there for
4 updates. Whether there was anything to update or not, it was
5 almost on every single agenda was an update.

6 Is Keith has it now that it's, you know, sporadic updates
7 when there's actually things to update.

8 But -- so --

9 BERT RAMOS: So I'm just --

10 COMMISSIONER ALLAN: You know.

11 BERT RAMOS: -- being clear. At this point, I am over
12 water and sewer --

13 COMMISSIONER ALLAN: Every -- nothing has --

14 BERT RAMOS: -- road and bridge, --

15 COMMISSIONER ALLAN: -- changed.

16 BERT RAMOS: No. That -- this is -- this is where the
17 confusion in this, why it's on the agenda is because there is
18 some clouded water on who's in charge of what.

19 Regardless, if Keith is over the top of us, I still manage my
20 employees --

21 COMMISSIONER ALLAN: Yes.

22 BERT RAMOS: -- because they're directly under me.

23 COMMISSIONER ALLAN: Yes.

24 BERT RAMOS: Who are my employees?

25 KEITH WESTENGARD: They are -- if I may?

26 CHAIRMAN MILLS: Go ahead.

27 KEITH WESTENGARD: Road and bridge north and south, the
28 water and sewer, the parks, and the golf course.

29 That is it.

30 The civic center will oversee rodeo grounds. The rec manager
31 will oversee the rec center as well as the southern pool.

32 So -- so that's -- that's it.

33 BERT RAMOS: That's what I wanted clarification on.

34 KEITH WESTENGARD: And if -- if -- if anybody calls about
35 anything else, has questions, you can c- -- have them call me
36 and I will --

37 DISTRICT ATTORNEY HERRERA: That's --

38 KEITH WESTENGARD: -- mail them a copy of this.

39 DISTRICT ATTORNEY HERRERA: -- that's your suggestion to
40 them. Right?

1 KEITH WESTENGARD: Yeah. Yeah.
2 So --
3 DISTRICT ATTORNEY HERRERA: They haven't made a motion --
4 CHAIRMAN MILLS: And that was --
5 DISTRICT ATTORNEY HERRERA: -- on that.
6 CHAIRMAN MILLS: I believe that was part of Patsy's motion.
7 was that --
8 KEITH WESTENGARD: Yeah.
9 CHAIRMAN MILLS: -- we would --
10 KEITH WESTENGARD: Was to --
11 CHAIRMAN MILLS: -- follow --
12 KEITH WESTENGARD: -- accept the org chart --
13 BERT RAMOS: Well, that is --
14 KEITH WESTENGARD: -- as is.
15 CHAIRMAN MILLS: And when we follow this, accept --
16 COMMISSIONER BAKKER: It was.
17 CHAIRMAN MILLS: -- that.
18 DISTRICT ATTORNEY HERRERA: Right. Right. To accept --
19 CHAIRMAN MILLS: It puts --
20 DISTRICT ATTORNEY HERRERA: -- this org with --
21 CHAIRMAN MILLS: -- Bert reporting --
22 DISTRICT ATTORNEY HERRERA: -- one exception.
23 CHAIRMAN MILLS: -- to Keith.
24 DISTRICT ATTORNEY HERRERA: Okay.
25 CHAIRMAN MILLS: And be called a supervisor.
26 COMMISSIONER WAITS: Yes.
27 CHAIRMAN MILLS: But as -- as -- just for clarification, as
28 far as -- as far as I'm reading this, your job hasn't changed.
29 The only thing is now instead of being called a director,
30 you're called a supervisor.
31 KEITH WESTENGARD: Well, it --
32 CHAIRMAN MILLS: And you're going to report through Keith.
33 COMMISSIONER ALLAN: And you might have got --
34 CHAIRMAN MILLS: And now --
35 COMMISSIONER ALLAN: -- a couple extra things.
36 KEITH WESTENGARD: It -- it kind of has changed --
37 BERT RAMOS: Got a couple of extras.
38 KEITH WESTENGARD: -- because --
39 CHAIRMAN MILLS: Well --
40 KEITH WESTENGARD: -- he is very definite --

1 COMMISSIONER ALLAN: Huh?
2 KEITH WESTENGARD: -- now in his -- he's not going to --
3 unless -- unless he is asked and agrees, he doesn't go -- have
4 to go to the rec center and help them with chlorine.
5 CHAIRMAN MILLS: Okay.
6 KEITH WESTENGARD: He's responsible for his -- those four
7 areas: road and bridge north and south, water, sewer, public --
8 or -- I'm sorry -- parks and the golf course.
9 CHAIRMAN MILLS: Right. You're still managing your
10 employees.
11 BERT RAMOS: Perfect.
12 KEITH WESTENGARD: He's --
13 CHAIRMAN MILLS: You're still --
14 BERT RAMOS: That's all --
15 CHAIRMAN MILLS: -- doing all the --
16 BERT RAMOS: -- that's all I --
17 CHAIRMAN MILLS: -- same --
18 BERT RAMOS: -- want.
19 CHAIRMAN MILLS: -- stuff --
20 KEITH WESTENGARD: Most --
21 CHAIRMAN MILLS: -- you did before.
22 KEITH WESTENGARD: -- those employees in the -- within
23 those departments.
24 CHAIRMAN MILLS: Yes.
25 BERT RAMOS: Yes.
26 CHAIRMAN MILLS: And you're still functioning the same way
27 you did before.
28 BERT RAMOS: Perfect. And just clarification on -- on what
29 falls. Because that's where the confusion was. And that's --
30 COMMISSIONER WAITS: Okay.
31 BERT RAMOS: -- probably how this got to this point.
32 COMMISSIONER CLARK: And I --
33 BERT RAMOS: Okay.
34 COMMISSIONER CLARK: -- I want to restate this. I believe
35 that this is a demotion. Less rank, responsibility, or pay. It
36 falls within those --
37 CHAIRMAN MILLS: It's not --
38 COMMISSIONER CLARK: -- those --
39 CHAIRMAN MILLS: -- it's -- it's --
40 COMMISSIONER CLARK: -- guidelines.

1 CHAIRMAN MILLS: -- not, to me.
2 COMMISSIONER CLARK: And -- well, I don't care if it's not
3 to you. But according to NRS -- you read the NRS, and it's
4 there.
5 COMMISSIONER ALLAN: It's --
6 COMMISSIONER CLARK: So --
7 COMMISSIONER ALLAN: -- says "may," Art. And that is --
8 COMMISSIONER CLARK: That's not what I'm talking about.
9 I'm talking about less res- -- rank, responsibility, or pay.
10 That's -- those are qualifiers for a demotion.
11 And that's what you guys did.
12 UNIDENTIFIED PARTICIPANT: So who does the landfill?
13 KEITH WESTENGARD: May I -- may I interject --
14 UNIDENTIFIED PARTICIPANT: You didn't say --
15 KEITH WESTENGARD: -- into that?
16 UNIDENTIFIED PARTICIPANT: -- anything.
17 KEITH WESTENGARD: I don't know. There was some babbling
18 in the back so I forgot what my question was. I -- I'll -- I'll
19 think about it, Art, and I'll talk to you --
20 COMMISSIONER BAKKER: The motion.
21 KEITH WESTENGARD: -- later.
22 If anything, Bert was doing more than his responsibilities
23 in the past..
24 COMMISSIONER CLARK: Yeah.
25 KEITH WESTENGARD: Lots more. So if anything, this is
26 going to bring him into line with -- with what he should be
27 responsible for.
28 COMMISSIONER WAITS: I -- I think it's just a
29 reorganization. I -- I don't see it that --
30 COMMISSIONER ALLAN: Do we have --
31 COMMISSIONER WAITS: -- way.
32 COMMISSIONER ALLAN: -- it open for public comment yet?
33 CHAIRMAN MILLS: Well, I asked for public comment before
34 the vote.
35 UNIDENTIFIED PARTICIPANT: No.
36 CHAIRMAN MILLS: But -- yes, I did.
37 I always do.
38 COMMISSIONER BAKKER: Public comment.
39 CHAIRMAN MILLS: Public comment.
40 Come on up.

1 TAMMY DIMITROFF: Tammy Dimitroff, for the record.
2 I am --
3 COMMISSIONER BAKKER: Do you want --
4 TAMMY DIMITROFF: -- Bert's --
5 COMMISSIONER BAKKER: -- the report to the --
6 TAMMY DIMITROFF: -- secretary.
7 COMMISSIONER BAKKER: -- commission too?
8 TAMMY DIMITROFF: Huh?
9 COMMISSIONER BAKKER: Do you want to report to the
10 commission too?
11 TAMMY DIMITROFF: No, I'm reporting to the public works
12 supervisor right now and the commission. Yes.
13 Commissioners, I have a question only because I'm Bert's
14 secretary.
15 Landfill was not mentioned in that.
16 I'm sorry throw some more work at you.
17 BERT RAMOS: No. That's perfect.
18 TAMMY DIMITROFF: Okay. So that's what we're doing now.
19 And then on the parks, because in the -- in the past, before it
20 was separated with the rec center, the parks, Marilyn always
21 gave me her bills to handle. Our department, which was water
22 and sewer and road and bridge, two secretaries at the time. We
23 did the parks reservations and then, of course, all the
24 maintenance and stuff Bert did. Okay.
25 I no longer do the parks reservations because I am only one
26 person now. The rec center or the pool does that. Is that going
27 to come back to me as one person?
28 I'm --
29 And the other thing is, is Marilyn now report to our
30 department again? Because she used to report to Robin and bring
31 all her bills to Robin.
32 COMMISSIONER ALLAN: So --
33 TAMMY DIMITROFF: So everything parks, is what I'm
34 saying -- did I ask that right? -- is coming back to our
35 department in the office area.
36 COMMISSIONER ALLAN: I think to answer one of your
37 questions about the landfill -- I think that one sort of got
38 forgotten.
39 KEITH WESTENGARD: It's under parks.
40 COMMISSIONER ALLAN: It's under parks.

1 KEITH WESTENGARD: It's a park out there.
2 COMMISSIONER ALLAN: It's a park. It's -- okay.
3 KEITH WESTENGARD: It is a beautiful --
4 TAMMY DIMITROFF: It's --
5 KEITH WESTENGARD: -- park.
6 TAMMY DIMITROFF: -- pretty clean.
7 KEITH WESTENGARD: I get letters every --
8 CHAIRMAN MILLS: It's almost --
9 KEITH WESTENGARD: -- month --
10 CHAIRMAN MILLS: -- like a park.
11 KEITH WESTENGARD: -- saying how beautiful the landfills.
12 are.
13 TAMMY DIMITROFF: Sorry to (indiscernible) --
14 KEITH WESTENGARD: So I consider --
15 TAMMY DIMITROFF: -- (indiscernible).
16 KEITH WESTENGARD: -- it a park.
17 COMMISSIONER WAITS: I thought it was under water and
18 sewer.
19 COMMISSIONER ALLAN: So -- so I think that --
20 KEITH WESTENGARD: Sorry.
21 COMMISSIONER ALLAN: -- was --
22 KEITH WESTENGARD: I apologize. It did get left out.
23 COMMISSIONER ALLAN: -- inadvertently -- so -- so do we
24 need to make a motion to put the parks -- or, I mean, the
25 landfill under the public works supervisor?
26 DISTRICT ATTORNEY HERRERA: Yes.
27 COMMISSIONER ALLAN: And I made that motion.
28 COMMISSIONER WAITS: Second.
29 KEITH WESTENGARD: Sorry, Bert. I'll do your evaluation
30 next --
31 BERT RAMOS: That's all --
32 KEITH WESTENGARD: -- week.
33 BERT RAMOS: -- right, man.
34 COMMISSIONER WAITS: For clarification.
35 CHAIRMAN MILLS: Okay.
36 BERT RAMOS: I didn't know when you were doing my
37 evaluation. I thought --
38 CHAIRMAN MILLS: So Judie made a motion. Patsy seconded.
39 Do we have any --
40 KEITH WESTENGARD: Missed that.

1 CHAIRMAN MILLS: -- public comment?
2 MATTHEW GOULD: You guys voted to make Bert under -- sorry.
3 This is Matt from human resources, just for clarification. You
4 voted to make Bert underneath Keith; right?
5 COMMISSIONER WAITS: Right.
6 MATTHEW GOULD: I saw that.
7 So all of the extra conversation after that is something
8 that Keith could've been working out. And we are due to --
9 DISTRICT ATTORNEY HERRERA: No.
10 MATTHEW GOULD: -- took time over.
11 DISTRICT ATTORNEY HERRERA: We're -- we're doing a
12 reorganization, the commissioners are.
13 MATTHEW GOULD: But if it's in -- and I understand. But if
14 it's now under Keith --
15 DISTRICT ATTORNEY HERRERA: It wasn't mentioned. It was
16 excluded. So that's why --
17 COMMISSIONER WAITS: We kind of left --
18 MATTHEW GOULD: I'm not talking about --
19 COMMISSIONER WAITS: -- left it --
20 MATTHEW GOULD: -- that.
21 COMMISSIONER WAITS: -- out.
22 MATTHEW GOULD: I was just --
23 DISTRICT ATTORNEY HERRERA: And that's --
24 MATTHEW GOULD: -- talking about --
25 DISTRICT ATTORNEY HERRERA: -- what they're --
26 MATTHEW GOULD: -- the entire --
27 DISTRICT ATTORNEY HERRERA: -- talking --
28 MATTHEW GOULD: -- scope of his work is now under Keith.
29 COMMISSIONER WAITS: We're just doing it for clarification,
30 --
31 KEITH WESTENGARD: Clarification.
32 COMMISSIONER WAITS: -- Matt.
33 MATTHEW GOULD: Okay. Thank you.
34 COMMISSIONER WAITS: Thank you.
35 CHAIRMAN MILLS: Okay. Other --
36 TAMMY DIMITROFF: Did you (indiscernible) --
37 CHAIRMAN MILLS: -- public comment?
38 TAMMY DIMITROFF: -- for us?
39 (No comment.)
40 CHAIRMAN MILLS: All in favor?

1 COMMISSIONER BAKKER: Aye.
2 COMMISSIONER ALLAN: Aye.
3 CHAIRMAN MILLS: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER CLARK: Aye.
6 TAMMY DIMITROFF: Okay. Especially about the parks that
7 are (indiscernible).
8 CHAIRMAN MILLS: Okay.
9 COMMISSIONER ALLAN: So --
10 CHAIRMAN MILLS: Where are we at? We have the --
11 COMMISSIONER ALLAN: The parks.
12 TAMMY DIMITROFF: The parks.
13 COMMISSIONER ALLAN: Do we need to clarify that?
14 CHAIRMAN MILLS: -- the parks.
15 Keith, do you have any --
16 KEITH WESTENGARD: We --
17 CHAIRMAN MILLS: -- input on that?
18 KEITH WESTENGARD: Yes. We do have a system in place for
19 reservations. The public is used to it. They make the
20 reservations at the rec center.
21 So other than the reservations -- and Bert and can I talk
22 about --
23 CHAIRMAN MILLS: So for --
24 KEITH WESTENGARD: -- it a little later.
25 CHAIRMAN MILLS: For your --
26 KEITH WESTENGARD: Other than the reservations, everything
27 will -- is with Bert.
28 CHAIRMAN MILLS: For -- for your purposes here, then, parks
29 deals with maintenance, not reservations.
30 KEITH WESTENGARD: Well, other than the reservations part,
31 if somebody calls and wants to reserve the park -- because we
32 have a system in place.
33 And maybe when the parks close this winter for the winter,
34 we can -- we can change things around then.
35 But right now things are in place. It's the middle of the
36 summer. I don't want to make a change and pretty soon people
37 are calling the rec center and then they're calling Tammy and --
38 COMMISSIONER WAITS: Just handle --
39 KEITH WESTENGARD: -- then they're calling --
40 COMMISSIONER WAITS: -- it.

1 KEITH WESTENGARD: -- Bert. So I'd like -- I want to leave
2 that in place for now.
3 TAMMY DIMITROFF: Thank you.
4 KEITH WESTENGARD: Because we did --
5 BERT RAMOS: Yeah. I agree with that.
6 KEITH WESTENGARD: Yeah. We talked --
7 CHAIRMAN MILLS: Yeah.
8 KEITH WESTENGARD: -- about that --
9 TAMMY DIMITROFF: So they --
10 KEITH WESTENGARD: -- a little --
11 TAMMY DIMITROFF: -- could --
12 KEITH WESTENGARD: -- bit.
13 TAMMY DIMITROFF: Okay.
14 COMMISSIONER ALLAN: So --
15 COMMISSIONER BAKKER: I agree with leaving it. Yeah.
16 COMMISSIONER WAITS: Just handle it.
17 BERT RAMOS: It's working.
18 COMMISSIONER ALLAN: And -- and actually --
19 TAMMY DIMITROFF: (Indiscernible) I don't want to --
20 COMMISSIONER ALLAN: -- actually on --
21 BERT RAMOS: (Indiscernible.)
22 CHAIRMAN MILLS: I like that.
23 COMMISSIONER ALLAN: So -- okay. Actually, --
24 COMMISSIONER CLARK: What number --
25 COMMISSIONER ALLAN: -- on --
26 COMMISSIONER CLARK: -- are we on, --
27 COMMISSIONER ALLAN: -- on --
28 COMMISSIONER CLARK: -- Doug?
29 COMMISSIONER ALLAN: -- the spreadsheet here, it does not
30 list the parks. So I will make a motion that the --
31 KEITH WESTENGARD: What --
32 COMMISSIONER ALLAN: -- parks --
33 KEITH WESTENGARD: Yeah. We put it --
34 COMMISSIONER WAITS: Yes, it --
35 CHAIRMAN MILLS: It does.
36 COMMISSIONER WAITS: -- does.
37 BERT RAMOS: That's right --
38 KEITH WESTENGARD: Judie, up at the --
39 COMMISSIONER ALLAN: Where?
40 KEITH WESTENGARD: -- very far --

1 COMMISSIONER WAITS: We have parks.
2 KEITH WESTENGARD: -- right side.
3 COMMISSIONER ALLAN: Oh.
4 COMMISSIONER WAITS: We're okay.
5 COMMISSIONER ALLAN: Parks. Okay.
6 KEITH WESTENGARD: Did you need --
7 COMMISSIONER ALLAN: Sorry.
8 KEITH WESTENGARD: -- a glass cleaner?
9 COMMISSIONER ALLAN: I think so. Thank you.
10 KEITH WESTENGARD: Okay. Just checking.
11 COMMISSIONER ALLAN: It's that little tiny writing. I
12 can't read it.
13 KEITH WESTENGARD: I -- I might have forgot it.
14 COMMISSIONER ALLAN: No, it's on there.
15 KEITH WESTENGARD: I don't remember things.
16 COMMISSIONER ALLAN: I just can't see.
17 COMMISSIONER CLARK: I need my vision (indiscernible).
18 COMMISSIONER ALLAN: So now do we want to discuss our
19 executive director, slash, manager?
20 BERT RAMOS: We're done. Moving back.
21 COMMISSIONER BAKKER: Uh-huh.
22 COMMISSIONER ALLAN: Yeah. I'd run and hide if I were you.
23 Run fast.
24 BERT RAMOS: Oh, Judie, I've --
25 CHAIRMAN MILLS: So --
26 BERT RAMOS: -- ever been that type.
27 CHAIRMAN MILLS: -- executive director or county manager?
28 What is the preference?
29 COMMISSIONER WAITS: No, --
30 COMMISSIONER BAKKER: Just --
31 COMMISSIONER WAITS: -- not now. Let's not go into it now.
32 KEITH WESTENGARD: We'll reagendaize that later if it's --
33 COMMISSIONER WAITS: Yeah.
34 KEITH WESTENGARD: -- okay with you, Commissioner Mills.
35 COMMISSIONER WAITS: That's --
36 CHAIRMAN MILLS: Okay.
37 COMMISSIONER WAITS: -- that --
38 CHAIRMAN MILLS: Well, that's --
39 COMMISSIONER WAITS: -- could be a --
40 CHAIRMAN MILLS: -- still part of --

1 COMMISSIONER WAITS: -- little --
2 CHAIRMAN MILLS: If we're going to change codes and we're
3 going to do all that stuff, it's still part of it.
4 KEITH WESTENGARD: Oh, this will take a little while, I
5 think.
6 COMMISSIONER WAITS: Well, that's fine.
7 KEITH WESTENGARD: I think there's --
8 COMMISSIONER WAITS: But we have --
9 KEITH WESTENGARD: -- a little time --
10 COMMISSIONER WAITS: -- to do research on it.
11 KEITH WESTENGARD: -- to readjust that.
12 COMMISSIONER BAKKER: Okay.
13 COMMISSIONER CLARK: Yeah.
14 KEITH WESTENGARD: If that's --
15 COMMISSIONER ALLAN: Why do we --
16 KEITH WESTENGARD: -- okay.
17 COMMISSIONER ALLAN: Because Ted said they're
18 interchangeable words.
19 DISTRICT ATTORNEY HERRERA: Well --
20 COMMISSIONER WAITS: The reason -- the main reason we left
21 it executive director was so we didn't have to follow any --
22 follow the county manager NRS rules.
23 DISTRICT ATTORNEY HERRERA: Right.
24 COMMISSIONER CLARK: Right.
25 DISTRICT ATTORNEY HERRERA: Exactly. You can make your --
26 COMMISSIONER ALLAN: Okay.
27 DISTRICT ATTORNEY HERRERA: You can make your own contract,
28 Commissioner.
29 COMMISSIONER WAITS: That was the original reason.
30 DISTRICT ATTORNEY HERRERA: Because if you go to county
31 manager, you go to the NRS and you follow it completely.
32 COMMISSIONER WAITS: Yep.
33 DISTRICT ATTORNEY HERRERA: If you go --
34 COMMISSIONER ALLAN: Okay.
35 DISTRICT ATTORNEY HERRERA: -- to your executive director,
36 NRS isn't involved.
37 COMMISSIONER BAKKER: So do you want a public works
38 director or not?
39 DISTRICT ATTORNEY HERRERA: Now --
40 COMMISSIONER WAITS: It's --

1 COMMISSIONER BAKKER: with a --
2 COMMISSIONER ALLAN: It's --
3 COMMISSIONER BAKKER: -- county manager.
4 COMMISSIONER ALLAN: -- already --
5 COMMISSIONER BAKKER: Just saying.
6 DISTRICT ATTORNEY HERRERA: But -- but as -- as the
7 executive director, he should be the only director in his
8 department.
9 COMMISSIONER WAITS: He is.
10 UNIDENTIFIED PARTICIPANT: No.
11 DISTRICT ATTORNEY HERRERA: Not -- not really. There's
12 three other ones.
13 KEITH WESTENGARD: Not -- not ver- -- not for very long.
14 There's --
15 COMMISSIONER WAITS: Okay.
16 KEITH WESTENGARD: -- going to be --
17 CHAIRMAN MILLS: Which --
18 KEITH WESTENGARD: -- some job descriptions changed, Matt.
19 CHAIRMAN MILLS: Which -- which means the other part of it
20 is, then, we have human resource director. Do we need to make a
21 motion to change that and have it corrected in the code?
22 DISTRICT ATTORNEY HERRERA: Well, I think -- I think now
23 you've given him the responsibility.
24 CHAIRMAN MILLS: So we just --
25 DISTRICT ATTORNEY HERRERA: He could -- he could do it.
26 CHAIRMAN MILLS: We just -- we just --
27 COMMISSIONER BAKKER: Then bring it --
28 CHAIRMAN MILLS: -- let Keith --
29 COMMISSIONER BAKKER: -- back.
30 CHAIRMAN MILLS: -- take care --
31 COMMISSIONER BAKKER: So change --
32 CHAIRMAN MILLS: -- of it.
33 COMMISSIONER BAKKER: -- it, bring it back.
34 DISTRICT ATTORNEY HERRERA: And bring it back with a --
35 with a designation, a different designation and a job
36 description.
37 CHAIRMAN MILLS: In that case, do we wait for that to
38 happen before we ask you to correct the --
39 DISTRICT ATTORNEY HERRERA: Well, we have --
40 CHAIRMAN MILLS: -- county codes?

1 DISTRICT ATTORNEY HERRERA: -- to. We have to --
2 COMMISSIONER WAITS: We have --
3 DISTRICT ATTORNEY HERRERA: -- wait till this --
4 COMMISSIONER WAITS: -- to.
5 DISTRICT ATTORNEY HERRERA: -- is completed.
6 CHAIRMAN MILLS: Okay. So with --
7 DISTRICT ATTORNEY HERRERA: And then -- then I will get all
8 the minutes --
9 CHAIRMAN MILLS: Okay.
10 DISTRICT ATTORNEY HERRERA: -- and -- and start to --
11 and -- and start to do it.
12 COMMISSIONER BAKKER: Okay.
13 CHAIRMAN MILLS: Good enough.
14 COMMISSIONER ALLAN: So I guess, the -- then, --
15 CHAIRMAN MILLS: Any -- go ahead.
16 DISTRICT ATTORNEY HERRERA: But you -- you might --
17 COMMISSIONER ALLAN: Oh.
18 DISTRICT ATTORNEY HERRERA: -- want to give him some --
19 COMMISSIONER ALLAN: No. Never mind.
20 DISTRICT ATTORNEY HERRERA: -- some direction as to how you
21 want these -- how many directors in his department, for
22 instance.
23 CHAIRMAN MILLS: Well, we're not going to call them
24 directors, I hope.
25 KEITH WESTENGARD: No.
26 DISTRICT ATTORNEY HERRERA: No, there should be --
27 CHAIRMAN MILLS: So we have one --
28 DISTRICT ATTORNEY HERRERA: -- one director.
29 CHAIRMAN MILLS: -- director, and that'll be --
30 DISTRICT ATTORNEY HERRERA: Keith.
31 CHAIRMAN MILLS: -- Keith. And then under that, we'll have
32 supervisors?
33 Or -- because I don't know. We're going to have HR
34 supervisor. Is that what --
35 DISTRICT ATTORNEY HERRERA: Yeah.
36 CHAIRMAN MILLS: -- we're going to do?
37 KEITH WESTENGARD: Probably, --
38 DISTRICT ATTORNEY HERRERA: Yeah.
39 KEITH WESTENGARD: -- yes.
40 CHAIRMAN MILLS: That what we're going to call them?

1 DISTRICT ATTORNEY HERRERA: That's what they are.
2 COMMISSIONER ALLAN: And a finance supervisor?
3 DISTRICT ATTORNEY HERRERA: No, it's called --
4 COMMISSIONER ALLAN: She's a fiscal --
5 COMMISSIONER CLARK: Fiscal --
6 COMMISSIONER ALLAN: -- officer.
7 COMMISSIONER CLARK: -- officer.
8 CHAIRMAN MILLS: A fis- --
9 COMMISSIONER WAITS: Fiscal officer.
10 CHAIRMAN MILLS: It's going to be a fiscal officer. So --
11 so that one won't change.
12 DISTRICT ATTORNEY HERRERA: That won't change.
13 KEITH WESTENGARD: They're called different things in -- in
14 different counties: --
15 CHAIRMAN MILLS: Yeah.
16 KEITH WESTENGARD: -- comptrollers, CFOs, --
17 COMMISSIONER WAITS: Yeah.
18 DISTRICT ATTORNEY HERRERA: Yeah.
19 KEITH WESTENGARD: -- finance officers, fiscal officers, --
20 CHAIRMAN MILLS: Right.
21 KEITH WESTENGARD: -- finance --
22 COMMISSIONER WAITS: Even human --
23 KEITH WESTENGARD: -- (indiscernible).
24 COMMISSIONER WAITS: -- resource --
25 CHAIRMAN MILLS: But we're --
26 COMMISSIONER WAITS: -- officer.
27 CHAIRMAN MILLS: Again, --
28 COMMISSIONER WAITS: We can do all kinds of things.
29 CHAIRMAN MILLS: -- we talked about starting with a fresh
30 slate here. We can call them what we want.
31 DISTRICT ATTORNEY HERRERA: Right.
32 CHAIRMAN MILLS: Is that what we want to call them?
33 It's fine with me. It's --
34 DISTRICT ATTORNEY HERRERA: As long as they're not all
35 directors.
36 CHAIRMAN MILLS: Yeah. But don't -- we don't want all
37 directors. We don't want to do that.
38 COMMISSIONER WAITS: You all --
39 CHAIRMAN MILLS: And that's what we're trying to correct.
40 DISTRICT ATTORNEY HERRERA: Right.

1 COMMISSIONER WAITS: You all figure it out and bring it
2 before us.

3 CHAIRMAN MILLS: Okay.

4 Any further discussion? Public comment?

5 (No comment.)

6 CHAIRMAN MILLS: All right.

7 Thank you.

8
9 **16) Discussion and possible action regarding the water and sewer**
10 **direct deposit payment, and all other matters properly**
11 **related thereto.**
12

13 CHAIRMAN MILLS: Move on to Item 16. Discussion and
14 possible action regarding the water and sewer district
15 [verbatim] deposit payment, and all other matters properly
16 related thereto.

17 COMMISSIONER BAKKER: Keith?

18 KEITH WESTENGARD: I know -- I was waiting.

19 CHAIRMAN MILLS: He was scared.

20 KEITH WESTENGARD: I was waiting for one of you guys to do
21 that.

22 Bert?

23 COMMISSIONER CLARK: No, he -- he's just a supervisor. He
24 doesn't come in front --

25 KEITH WESTENGARD: He can --

26 COMMISSIONER CLARK: -- of us.

27 KEITH WESTENGARD: -- still present to the commission.

28 BERT RAMOS: Got to be careful what you wish for, Keith.

29 KEITH WESTENGARD: Hey, I didn't wish for this, Bert.

30 BERT RAMOS: Yeah, you did.

31 TAMMY DIMITROFF: Tammy Dimitroff, --

32 KEITH WESTENGARD: Hey, I'll be leaving.

33 TAMMY DIMITROFF: -- for the record --

34 KEITH WESTENGARD: I'm giving a --

35 TAMMY DIMITROFF: -- with water and --

36 KEITH WESTENGARD: -- 30-day next --

37 TAMMY DIMITROFF: -- sewer department.

38 KEITH WESTENGARD: -- week. You wait and see. I'm getting
39 out of the job and get the --

40 BERT RAMOS: Okay.

1 KEITH WESTENGARD: Then you can start all over with --
2 BERT RAMOS: Well, I don't have it, Tammy.
3 TAMMY DIMITROFF: Okay. We've already be- -- come before
4 the commission in the past about direct deposits where customers
5 are paying not only the water bills or landfill, hydrant water,
6 miscellaneous bills like that. And the direct deposit -- all
7 payments go to the treasure's department where deposits are not
8 being posted.
9 Maybe sometimes they're a couple months late. We're still
10 looking for a couple.
11 This has been going on for a year and a half. It's -- it
12 was kind of going a little smooth for -- there for a while.
13 It's -- makes it really hard for my department each month to
14 balance the water, balance the sewer, balance the everything.
15 And then I have to turn all my balance sheets in to finance
16 which this is also falling over into the finance department
17 where deposits are not being posted.
18 We get customers calling, irate. Not just -- our regular
19 citizens should be just as important as big corporations. But
20 big corporations are -- actually, I will say the regular
21 citizens are a little more not understanding as the corporations
22 are, you know.
23 But --
24 COMMISSIONER WAITS: I --
25 TAMMY DIMITROFF: -- it -- it --
26 COMMISSIONER WAITS: -- thought we had this all handled
27 when you came before us.
28 TAMMY DIMITROFF: It has not.
29 COMMISSIONER WAITS: And I find this totally unacceptable.
30 With a county our size and right next door, why can't we
31 get this information from the treasurer's office to water and
32 sewer? What is our problem?
33 COMMISSIONER CLARK: I -- I have a question.
34 Tammy, when I pay my bill, I do it electronically. I send
35 it to the county.
36 TAMMY DIMITROFF: Uh-huh.
37 COMMISSIONER CLARK: Okay. Where does it go?
38 Does it go to you?
39 TAMMY DIMITROFF: It --
40 COMMISSIONER CLARK: Or it --

1 TAMMY DIMITROFF: -- goes to the treasurer.
2 COMMISSIONER WAITS: Goes to --
3 COMMISSIONER CLARK: Okay.
4 COMMISSIONER WAITS: -- treasurer.
5 COMMISSIONER CLARK: Okay.
6 COMMISSIONER WAITS: Why can't it -- why can't it be?
7 GENE ETCHEVERRY: Gene Etcheverry, Lander County treasurer.
8 I wasn't aware we have -- I know recently we've had a few
9 problems. But I wasn't aware we had bulk problems like we had
10 last year.
11 All of the ACHs, with the exception -- well, and -- and I'm
12 going to qualify that, but -- all the ACHs, with the exception of
13 State of Nevada, come through our daily banking.
14 We pull everything every day off of Wells Fargo.
15 There are two portals that generally are used, Point & Pay or
16 E-Box. Those are pulled daily. A separate sheet is done, given
17 to one of the deputies in my office, and then posted.
18 Reconciliations at my desk that are current, in May and now
19 for June, have shown some days for some reason either Point & Pay
20 or E-Box didn't get put through.
21 Now the curious ones become State of Nevada. They have --
22 Tammy, help me out -- six water accounts?
23 And now because we've split some of the properties owned in
24 town by BLM into separate billings, we now have eleven for BLM.
25 Those were a problem for two months, but I think we've corrected
26 it.
27 But state, particularly, remittances, we get them two ways.
28 We get from the comptroller's office directly to treasurer at
29 landercountynv.org, which is accessed by the top three of us in my
30 office: the senior deputy, chief, and myself. So we get those
31 from them. And then we wait until it clears the bank before we go
32 and take it to a deputy to post.
33 COMMISSIONER WAITS: Okay. So we're talking a little bit
34 of time lag. And I understand that.
35 GENE ETCHEVERRY: Right.
36 COMMISSIONER WAITS: But this has been going on for
37 absolutely too long. We brought it up before.
38 So this is what I would like to see. And we'll see if the
39 commissioners agree.
40 I'd like to give it one month. I'd -- I don't want to hear

1 that we've got late procedures. The one month puts us into
2 Austin, which means the first meeting in September, I want to hear
3 from Tammy. And I want to hear from the treasurer. And I want to
4 know that this is going smooth.

5 Whatever you do, whatever it takes, I don't want to see
6 these -- our people inconvenienced this way again and being
7 irate.

8 That's no reason for it. So whatever it is, clear it up.

9 Are you happy with that? Or is -- do you have some --

10 COMMISSIONER ALLAN: I totally agree.

11 COMMISSIONER WAITS: Okay. No motions. Just direction.

12 UNIDENTIFIED PARTICIPANT: Right.

13 COMMISSIONER WAITS: And I will see you all the first
14 agenda meeting in September. And I want to hear that everything
15 is cool.

16 Good enough?

17 GENE ETCHEVERRY: Commissioners, --

18 TAMMY DIMITROFF: Sounds good.

19 BERT RAMOS: True.

20 TAMMY DIMITROFF: Thank you.

21 GENE ETCHEVERRY: -- we will work toward that.

22 And I didn't really understand Tammy's frustration until
23 May's reconciliation, and water and sewer was --

24 COMMISSIONER WAITS: It's been going on too long.

25 GENE ETCHEVERRY: -- a lot --

26 COMMISSIONER WAITS: So --

27 GENE ETCHEVERRY: -- out of --

28 COMMISSIONER WAITS: -- no more.

29 GENE ETCHEVERRY: -- balance. So --

30 TAMMY DIMITROFF: Absolutely.

31 COMMISSIONER BAKKER: Okay.

32 TAMMY DIMITROFF: Okay.

33 COMMISSIONER BAKKER: Thank you.

34 TAMMY DIMITROFF: September. Okay?

35 COMMISSIONER BAKKER: Yep?

36 BERT RAMOS: And not to throw anybody else on under the bus
37 here, but it does affect Cindy as well. And -- and this -- this
38 is a revolving door from Cindy to Tammy to Gene to all of us.

39 COMMISSIONER WAITS: Okay.

40 BERT RAMOS: So --

1 COMMISSIONER WAITS: Pressure's on, Gene. Handle it.
2 GENE ETCHEVERRY: Shouldn't be a problem.
3 The bad part comes in that when we do the reconciliations
4 where, you know, that's your last safety net, the timing of a
5 reconciliation, unfortunately, even if they are on time, comes
6 almost two weeks --
7 COMMISSIONER WAITS: Well, that's --
8 GENE ETCHEVERRY: -- after she's billed.
9 COMMISSIONER WAITS: -- that's enough lead time. We're not
10 talking --
11 GENE ETCHEVERRY: But --
12 COMMISSIONER WAITS: -- that.
13 Okay.
14 GENE ETCHEVERRY: Yeah. We'll get -- we'll get it as
15 best --
16 COMMISSIONER WAITS: Okay.
17 GENE ETCHEVERRY: -- we can.
18 COMMISSIONER ALLAN: No, you'll --
19 COMMISSIONER BAKKER: Okay.
20 COMMISSIONER ALLAN: -- get it done right.
21 GENE ETCHEVERRY: We'll get it as best we can, Commissioner
22 Allan.
23 CHAIRMAN MILLS: Okay. Any public comment on that before
24 we move on?
25
26 17) Discussion and possible action regarding the water and sewer
27 liens, and all other matters properly related thereto.
28
29 CHAIRMAN MILLS: Okay. We'll go to Item 17. Discussion
30 and possible action regarding the water and sewer l- -- liens,
31 and all other prop- -- matters properly related thereto.
32 GENE ETCHEVERRY: Okay.
33 Mr. Chairman, members of the commissioner, Gene Etcheverry,
34 Lander County treasurer.
35 Water and sewer liens have been somewhat of an issue, as I
36 know for years, but definitely in the last year and a half.
37 COMMISSIONER BAKKER: Hold that. I -- I have to go.
38 I have a sick child I have to go take care of, to put that on
39 the record. So I am leaving this in your guys' capable hands.
40 Thank you.

1 CHAIRMAN MILLS: Okay. See you.

2 COMMISSIONER CLARK: Well, I'm not going to be here much
3 longer.
4

5 (Commissioner Bakker left commission chambers. Let the
6 record reflect the presence of a quorum of four commissioners.)
7

8 GENE ETCHEVERRY: Okay. And -- and I will make this real
9 short.

10 The water and sewer liens, we are, as of this week, working
11 with our consultant to get a document that is a policy and
12 procedure document in our office as for the timing of the liens,
13 monthly, and to reiterate the process that is prescribed in Lander
14 County Code for what happened two weeks ago with the setting of
15 the water liens to transfer over to the -- to the tax bills.

16 COMMISSIONER WAITS: Okay. In doing that and looking at
17 the information -- back up information you gave us, these are
18 the notices that go out, notifying the people you're behind, you
19 have this much time to pay, if you don't pay, it's going on your
20 tax roll. Right?

21 GENE ETCHEVERRY: I'm not sure what you're looking at,
22 Commissioner Waits.

23 COMMISSIONER WAITS: I'm looking at notice of lien. Our --
24 in -- friendly reminder. You're behind. A lien will be placed
25 on the property if it's not paid by such and such a date.

26 GENE ETCHEVERRY: I've seen those. Those don't come from
27 my office. A letter is generated from our office once the lien
28 is actually filed.

29 COMMISSIONER WAITS: Who does the notice of lien?

30 COMMISSIONER CLARK: Tammy. It's right --

31 GENE ETCHEVERRY: Bert, --

32 COMMISSIONER CLARK: -- on the top.

33 GENE ETCHEVERRY: -- do you want to (indiscernible)?

34 BERT RAMOS: In the past, that did come from my office.

35 COMMISSIONER WAITS: Water and sewer?

36 COMMISSIONER CLARK: Water and sewer.

37 COMMISSIONER WAITS: Water and sewer?

38 TAMMY DIMITROFF: Yes, water --

39 BERT RAMOS: Both.

40 TAMMY DIMITROFF: For -- Tammy --

1 COMMISSIONER WAITS: Okay.
2 TAMMY DIMITROFF: -- Dimitroff, for the record.
3 COMMISSIONER WAITS: Okay.
4 BERT RAMOS: Go ahead.
5 COMMISSIONER WAITS: That's fine. But the notice that goes
6 out before it's placed on Gene's roll. Okay.
7 Then my question is this: Everyone's had ample time to bring
8 it up to date. If they say, we would like to make payments to
9 you, do you turn it on the lien? Or do you give them an
10 opportunity to make payments if they notify you before?
11 TAMMY DIMITROFF: If they can prove -- we do have in --
12 well, we do have it on the record that if someone is, like, ill
13 or something like that, a certain type of --
14 COMMISSIONER WAITS: Regardless, --
15 TAMMY DIMITROFF: -- something, --
16 COMMISSIONER WAITS: -- I want --
17 TAMMY DIMITROFF: -- we write --
18 COMMISSIONER WAITS: -- to make --
19 TAMMY DIMITROFF: -- as whatever.
20 COMMISSIONER WAITS: -- payments.
21 TAMMY DIMITROFF: We do have a deferred payment program if
22 somebody need help.
23 COMMISSIONER WAITS: And then they -- the lien is not sent.
24 Is that correct?
25 TAMMY DIMITROFF: No, no, no. We -- we have -- don't use
26 that very often.
27 What happens, because when this was set up in the
28 ordinance, is the lien is done every month. If they pay and get
29 it below the 90 days, then the lien comes off. It only goes on
30 at 90 days. And they -- they do get a notice from me. They
31 also do -- are supposed to get a notice from the treasurer's
32 office that -- we've been doing that since 2009.
33 Not only do they get their water bill, they get a notice
34 when they do the bills at the same time. If they're 60, 90
35 days, then the treasurer's supposed to send out a notice. This
36 is all yearlong.
37 COMMISSIONER WAITS: Okay.
38 TAMMY DIMITROFF: The final -- at the end before fiscal
39 year is over, before they start doing their taxes, you know, and
40 everything, the treasurer has a different letter. And I -- and

1 I gave that to put in the packet from the treasurer's
2 department. It's a --
3 COMMISSIONER WAITS: Uh-huh.
4 TAMMY DIMITROFF: -- little bit different, more in depth.
5 COMMISSIONER WAITS: I saw that.
6 TAMMY DIMITROFF: That se- --
7 COMMISSIONER WAITS: Okay.
8 TAMMY DIMITROFF: -- tells Gene and them to send that.
9 COMMISSIONER WAITS: You're saying, --
10 TAMMY DIMITROFF: You -- you --
11 COMMISSIONER WAITS: -- lien has --
12 TAMMY DIMITROFF: -- are --
13 COMMISSIONER WAITS: -- been --
14 TAMMY DIMITROFF: -- liened.
15 COMMISSIONER WAITS: -- placed on --
16 TAMMY DIMITROFF: You're liened.
17 COMMISSIONER WAITS: -- your property.
18 TAMMY DIMITROFF: Yeah.
19 COMMISSIONER WAITS: Okay. So here's my question, then.
20 We also take liens from the water and sewer department in
21 Austin. We place those on our property. How about Kingston? Do
22 we do that too?
23 KEITH WESTENGARD: We do --
24 No. They --
25 COMMISSIONER WAITS: No?
26 KEITH WESTENGARD: -- they do it.
27 Right?
28 We don't do anything with Kingston.
29 COMMISSIONER WAITS: No. Treasurer.
30 GENE ETCHEVERRY: No. We do not.
31 COMMISSIONER WAITS: Okay.
32 GENE ETCHEVERRY: It has only been allowed for that type of
33 local government to do the liens as of --
34 COMMISSIONER WAITS: A year?
35 GENE ETCHEVERRY: -- the last legislature.
36 COMMISSIONER WAITS: Yeah. Okay.
37 GENE ETCHEVERRY: And, no. We have not done --
38 COMMISSIONER WAITS: Okay.
39 GENE ETCHEVERRY: -- any at this point.
40 COMMISSIONER WAITS: So I want to be sure that since this

1 is going on the tax roll for my southern people in Austin, that
2 they also are sent the information ahead of time with a notice
3 of lien.
4 And how do we do that? They don't come before us.
5 Do you understand where I'm saying?
6 DISTRICT ATTORNEY HERRERA: Well, you have to give legal
7 notice if you're going any further. So --
8 COMMISSIONER WAITS: I mean, I understand people are behind
9 in Austin. And they get a notice said, previous amount.
10 I mean, they know they're behind.
11 TAMMY DIMITROFF: Uh-huh.
12 COMMISSIONER WAITS: But the actual notice of lien that
13 says, we're going to place this on your property, the one you
14 send.
15 TAMMY DIMITROFF: I send to Battle Mountain.
16 COMMISSIONER WAITS: Right.
17 TAMMY DIMITROFF: Uh-huh.
18 COMMISSIONER WAITS: How -- how do we know that that's
19 being placed in Austin? How do we know?
20 DISTRICT ATTORNEY HERRERA: I don't.
21 COMMISSIONER WAITS: We don't.
22 DISTRICT ATTORNEY HERRERA: I didn't even know that.
23 TAMMY DIMITROFF: Your water department doesn't send one
24 out?
25 COMMISSIONER WAITS: I don't know.
26 TAMMY DIMITROFF: Oh.
27 COMMISSIONER WAITS: That's what I'm saying.
28 TAMMY DIMITROFF: That's in my program. So it --
29 COMMISSIONER WAITS: Okay.
30 TAMMY DIMITROFF: -- automatically --
31 COMMISSIONER WAITS: So who is over that, since we're going
32 to put it on the rolls?
33 DISTRICT ATTORNEY HERRERA: Well, that would be --
34 COMMISSIONER CLARK: Isn't Austin water separate?
35 DISTRICT ATTORNEY HERRERA: (Indiscernible.) Yeah, they're
36 a --
37 COMMISSIONER ALLAN: Yeah.
38 DISTRICT ATTORNEY HERRERA: -- separate district.
39 COMMISSIONER WAITS: Yes, they are. But we take their
40 liens and put them on our property at our treasurer.

1 And I'm saying --
2 COMMISSIONER CLARK: So you're -- want to know who's
3 responsible to send the notice.
4 COMMISSIONER WAITS: Right.
5 COMMISSIONER CLARK: Austin or us? Well, if the offense --
6 COMMISSIONER WAITS: No, no, no.
7 COMMISSIONER CLARK: -- is in Austin --
8 COMMISSIONER WAITS: No, no, no, no. It's Austin's
9 responsibility.
10 COMMISSIONER CLARK: Okay.
11 COMMISSIONER WAITS: I'm saying, I want to know if Austin
12 is doing that because we're putting it on the property rolls.
13 And I've got people that have no idea what's happening.
14 So where do we come in?
15 What kind of authority do we have to say, Austin, I want to
16 make sure you're doing your liens right.
17 COMMISSIONER CLARK: Yeah. That's a --
18 COMMISSIONER WAITS: Your --
19 COMMISSIONER CLARK: -- good --
20 COMMISSIONER WAITS: -- notice of liens.
21 DISTRICT ATTORNEY HERRERA: I -- well --
22 COMMISSIONER CLARK: That's a good --
23 COMMISSIONER WAITS: Do you --
24 COMMISSIONER CLARK: -- question.
25 COMMISSIONER WAITS: -- understand my point?
26 DISTRICT ATTORNEY HERRERA: I do understand your point.
27 COMMISSIONER WAITS: Okay.
28 DISTRICT ATTORNEY HERRERA: And -- and --
29 COMMISSIONER WAITS: So how do we do this?
30 DISTRICT ATTORNEY HERRERA: And Austin Water and Sewer
31 District should ask us to cooperate with them by doing so.
32 And then in the spirit of cooperation or by a interlocal
33 agreement, which would be even better, the Lander County treasurer
34 would do that on the --
35 COMMISSIONER WAITS: Okay.
36 DISTRICT ATTORNEY HERRERA: -- property.
37 COMMISSIONER WAITS: So we could ask Gene, as our
38 treasurer, would -- would you ask them if they need an
39 interlocal agreement to do that? Or if they are indeed sending
40 notices of lien, just like this, --

1 GENE ETCHEVERRY: Right.
2 COMMISSIONER WAITS: -- just like we do in Battle Mountain,
3 that they are notified.
4 This is after the fact now because we're at the end of June
5 and we're first of July. So all those liens are going on.
6 DISTRICT ATTORNEY HERRERA: And they're probably invalid if
7 they haven't complied with the notice.
8 TAMMY DIMITROFF: Uh-huh.
9 And Commissioner --
10 COMMISSIONER WAITS: Anyway.
11 TAMMY DIMITROFF: -- waits, --
12 COMMISSIONER WAITS: Anyway, I want to be sure it's
13 handled --
14 TAMMY DIMITROFF: Commissioner --
15 COMMISSIONER WAITS: -- properly.
16 TAMMY DIMITROFF: -- Waits, I have no problem if they want
17 to see my notice to -- to help them out each month -- that we
18 send out each month. I don't know if they have the same program
19 that we do do --
20 COMMISSIONER WAITS: I don't --
21 TAMMY DIMITROFF: -- ADS.
22 COMMISSIONER WAITS: -- either. I have no --
23 TAMMY DIMITROFF: But if --
24 COMMISSIONER WAITS: -- idea.
25 TAMMY DIMITROFF: -- if they want to, I have no problem
26 helping them on it --
27 COMMISSIONER WAITS: Okay. I'm just saying, we're doing --
28 TAMMY DIMITROFF: -- unless I --
29 COMMISSIONER WAITS: -- it for both entities, --
30 TAMMY DIMITROFF: Uh-huh.
31 COMMISSIONER WAITS: -- but we only have half of our
32 information in our agenda.
33 COMMISSIONER CLARK: I'm -- I'm --
34 GENE ETCHEVERRY: Commissioner Waits, I've been working
35 fairly closely, particularly the last month, with Gwen down at
36 Austin Water and Sewer #2.
37 COMMISSIONER WAITS: Uh-huh.
38 GENE ETCHEVERRY: And we have got it now --
39
40 (Indiscernible side conversation.)

1
2 GENE ETCHEVERRY: -- to where their documents are able to
3 be recorded and recorded easily.
4 I spoke with Gwen yesterday because she also had the
5 question about the amount of what was actually transferred. And
6 she did indicate they do send letters.
7 But certainly, between Tammy and myself, we can work with her
8 if --
9 COMMISSIONER WAITS: Thank you.
10 GENE ETCHEVERRY: -- she wants the letters updated or -- or
11 maybe there's a subsequent --
12 COMMISSIONER WAITS: I know they just --
13 GENE ETCHEVERRY: -- letter.
14 COMMISSIONER WAITS: -- cut her time again. And I know
15 that things are really tough down there again.
16 And she doesn't have time to do everything to even complete
17 her own work. So it's a real concern. And it's a county issue.
18 So if you would handle that and then we can put something maybe
19 together so when we do do it, we'll do it properly for sure, if
20 we're not.
21 So we need a motion to accept the water and sewer liens?
22 GENE ETCHEVERRY: No, Commissioner. Actually, we did that
23 last meeting.
24 COMMISSIONER WAITS: Oh, okay.
25 GENE ETCHEVERRY: And then, of course I had to come in with
26 a very different number.
27 It'll be on your next agenda because --
28 COMMISSIONER WAITS: With the different number?
29 GENE ETCHEVERRY: As it --
30 COMMISSIONER WAITS: Okay.
31 GENE ETCHEVERRY: -- turns out, the numbers are within a
32 hundred dollars of each other, --
33 COMMISSIONER WAITS: Okay.
34 GENE ETCHEVERRY: -- what was presented?
35 UNIDENTIFIED PARTICIPANT: I was going to say, --
36 COMMISSIONER WAITS: Good.
37 UNIDENTIFIED PARTICIPANT: -- how --
38 COMMISSIONER WAITS: Thank you.
39 COMMISSIONER CLARK: Don't -- don't leave --
40 GENE ETCHEVERRY: Thank you.

1 CHAIRMAN MILLS: Hm.
2 COMMISSIONER CLARK: -- yet, Gene. I've got one question
3 for you and Ted.
4 GENE ETCHEVERRY: I thought I could escape.
5 COMMISSIONER CLARK: Okay. So -- so someone has a
6 property, say, a rental, or two or three rentals, and they
7 haven't been paying their water bills, like I've seen on the
8 rolls. And they sell.
9 Where -- how do you get your money?
10 They sell their house and they owe taxes. Who get -- how do
11 you true that up?
12 COMMISSIONER ALLAN: That's through --
13 GENE ETCHEVERRY: Commissioner Clark.
14 COMMISSIONER ALLAN: That's --
15 GENE ETCHEVERRY: Oh, I'm sorry. Go ahead.
16 COMMISSIONER ALLAN: No, I apologize. I interrupted.
17 GENE ETCHEVERRY: No.
18 COMMISSIONER WAITS: The title companies handle --
19 COMMISSIONER ALLAN: It's --
20 COMMISSIONER WAITS: -- all --
21 COMMISSIONER ALLAN: -- it's the title --
22 COMMISSIONER WAITS: -- of that.
23 COMMISSIONER ALLAN: -- company that --
24 COMMISSIONER CLARK: Title does that? Okay. I just didn't
25 want anybody --
26 GENE ETCHEVERRY: Exactly.
27 COMMISSIONER CLARK: -- getting stuck with --
28 CHAIRMAN MILLS: If it goes --
29 COMMISSIONER CLARK: -- a \$3,000 --
30 CHAIRMAN MILLS: -- through --
31 COMMISSIONER WAITS: No, no.
32 CHAIRMAN MILLS: -- escrow.
33 COMMISSIONER CLARK: -- water bill.
34 DISTRICT ATTORNEY HERRERA: The title company handles it.
35 But the liens run with the property, not with the person.
36 COMMISSIONER CLARK: Okay. Okay.
37 COMMISSIONER WAITS: So the property has to be clear. And
38 they check --
39 DISTRICT ATTORNEY HERRERA: Yes.
40 COMMISSIONER WAITS: -- with the county on all that before.

1 DISTRICT ATTORNEY HERRERA: And that's where the title
2 comes --
3 COMMISSIONER WAITS: Unless --
4 DISTRICT ATTORNEY HERRERA: -- in.
5 COMMISSIONER WAITS: -- they quitclaim it.
6 DISTRICT ATTORNEY HERRERA: Unless they quitclaim it.
7 COMMISSIONER WAITS: But then it's not clear. So --
8 DISTRICT ATTORNEY HERRERA: No.
9 GENE ETCHEVERRY: And, Commissioners, the -- the great
10 thing about our code and -- and talking with other treasurers to
11 see if there's some way we can streamline this and make it
12 easier and found out maybe I didn't want to go there once I
13 asked the questions.
14 But it's great because our county code coincides with
15 pertinent state statute. And it says the minute we set a water
16 bill, sewer bill, any utility bill of a municipality, it's an
17 automatic lien on the property. Title companies don't like that.
18 And, of course, as Commissioner Waits pointed out, quitclaim, 90
19 percent of our issues come from quitclaim. But, anyway, that's
20 where we're at with water sewer --
21 COMMISSIONER CLARK: Thanks, --
22 GENE ETCHEVERRY: -- liens.
23 COMMISSIONER CLARK: -- Gene.
24 COMMISSIONER WAITS: Thank you.
25 GENE ETCHEVERRY: Thank you.
26
27

28 FINANCE

29
30 19) Discussion for possible action to approve/disapprove
31 Resolution 2018-10 directing the apportionment of net
32 proceeds in an amount not to exceed \$82,512.53 for FY 17/18
33 and all other matters properly related thereto.
34

35 CHAIRMAN MILLS: Okay. Item 19. Discussion for possible
36 action to approve/disapprove Resolution 2018-10 directing the
37 apportionment of net proceeds in an amount not to exceed
38 \$82,512.53 for fiscal year 2017-18, and all other matters
39 properly related thereto.

40 COMMISSIONER WAITS: Want the whole --

1 COMMISSIONER ALLAN: So I'll make --

2 COMMISSIONER WAITS: -- thing read in?

3 COMMISSIONER ALLAN: Yeah. I'll make a motion that we
4 approve Resolution Number 2018-10 -- -10 of the Board of Lander
5 County Commissioners.

6 A resolution directing apportionment of net proceeds
7 received in the month of June 2018.

8 Whereas on June 29th, 2018, the Lander County treasurer
9 received \$82,512.53 in net proceeds.

10 And whereas it is the desire of the Lander County Board of
11 Commissioners to appropriate the net proceeds as follows:

12 Under mandated, we have Commission Fees/General Fund 3%,
13 amount of \$2,475.38 to go to Fund 001-000-38045; Assessor Tech
14 Fees 2%, amount of \$1,650.25 to go to Fund 300-000-32223; China
15 Springs in the amount of \$75.12, account -- or Fund 001-000-38040;
16 State Medical Indigent in the amount of \$1,696.78 to Fund
17 004-000-38040; State Indigent NACO, amount of \$388.57 to Fund
18 004-000-38041; Capital Acquisition in the amount of \$777.15 to
19 Fund 031-000-38040; Landfill, amount \$1,295.25 to Fund
20 011-000-38040; Hospital, amount of \$12,573.11 to Fund
21 060-000-38040; School District, amount of \$18,457.29 to Fund
22 070-000-38040, for a total amount of \$39,388.91.

23 Discretionary: Building and Equipment Fund, the amount of
24 \$21,561.81 to Fund 029-000-38040; CCP account, amount \$21,561.81
25 to Fund 055-000-38040. For total discretionary of \$43,123.62.

26 Grand total, \$82,512.53.

27 Whereas the Lander County Board of Commissioners desires to
28 use the discretionary net proceeds to fund Building and
29 Equipment Fund, 029, and Infrastructure Project Fund, 055.

30 Be it further resolved that the fiscal officer and the
31 treasurer are directed to distribute the money -- the payment of
32 net proceeds according to the schedule.

33 Passed and adopted this 12th day of July, 2018.

34 And authorize the chair to sign.

35 COMMISSIONER WAITS: Second.

36 CHAIRMAN MILLS: Okay. Judie made a motion. Patsy
37 seconded.

38 Do we have any public comment?

39 {No comment.}

40 CHAIRMAN MILLS: All in favor?

1 COMMISSIONER ALLAN: Aye.

2 CHAIRMAN MILLS: Aye.

3 COMMISSIONER WAITS: Aye.

4 COMMISSIONER CLARK: Aye.

5
6
7 **CORRESPONDENCE**

8
9 **20) Correspondence, reports, potential upcoming agenda items.**

10
11 CHAIRMAN MILLS: Okay. Item 20. Correspondence, reports,
12 potential upcoming agenda items.

13
14 (The following correspondence was received:

15 1. Monthly reports to Lander County Commissioners, May
16 2018.)

17
18 COMMISSIONER ALLAN: I have a couple.

19 We talked about handicapped parking by the Owl Club.

20 CHAIRMAN MILLS: Hm.

21 COMMISSIONER ALLAN: Now I did notice that actually there
22 is a ramp out -- ADA code ramp on the corner of Reese and Front
23 Street.

24 There's also further down on -- on Front Street -- I don't
25 know if it's in front of Reese River Outfitters. Somewhere along
26 that block, there is a zone in the sidewalk that does have a
27 handicap-accessible section.

28 So I don't know if we want to paint a section on maybe the
29 corner of Reese and Front as a handicap parking zone, but possibly
30 bring that -- put that on the agenda for discussion.

31 And one of the other things I'd like to comment on as far as
32 agendas is I think when we do set the agenda and it involves
33 certain parties that they should be notified. I -- I think
34 sometimes they are, but sometimes they're not.

35 That if there is an item on the agenda that pertains to a
36 particular organization or whatnot that we need to make it -- a
37 very valid effort to notify those parties involved that they
38 will be on -- heard on the agenda.

39 And they can get the appropriate documentation to us before
40 the meeting.

1 KEITH WESTENGARD: Can I ask, is there a certain
2 organization?
3 COMMISSIONER ALLAN: Any of them. I mean, if you've got --
4 KEITH WESTENGARD: No, I -- I just mean is -- is there
5 something recently?
6 COMMISSIONER ALLAN: What's this related to?
7 KEITH WESTENGARD: Yeah.
8 COMMISSIONER ALLAN: And I'm not saying it's our office's
9 fault or anything --
10 KEITH WESTENGARD: Okay.
11 COMMISSIONER ALLAN: Is the fire department. We should've
12 had their information. Now whether they dropped the ball on it
13 --
14 KEITH WESTENGARD: Well, I --
15 COMMISSIONER ALLAN: -- you know --
16 KEITH WESTENGARD: -- I -- I want to say that --
17 COMMISSIONER ALLAN: They dropped the ball?
18 KEITH WESTENGARD: -- they dropped the ball, clearly. I --
19 COMMISSIONER ALLAN: Okay.
20 KEITH WESTENGARD: There were two attempts made -- an email
21 and, I believe, a phone call to contact Ron to -- to ask
22 about -- because he told us -- told me he had backup or
23 information on North Fork.
24 And I wish Ron was here. I mean, I'm not -- I don't want to
25 be talking behind his back, --
26 COMMISSIONER ALLAN: Yeah.
27 KEITH WESTENGARD: -- but it was made.
28 And then he was asked -- or request was sent, to get the --
29 the documents he gave to you guys, last week.
30 It was made Tuesday --
31 COMMISSIONER ALLAN: Oh, okay.
32 KEITH WESTENGARD: -- after -- or whenever we did agenda
33 setting, it was -- the attempt to contact through email and
34 phone call was that -- was made.
35 And we never got any response back.
36 COMMISSIONER ALLAN: And -- and I --
37 KEITH WESTENGARD: So --
38 COMMISSIONER ALLAN: -- understand that. I just didn't
39 know what -- what the procedures were. I've heard --
40 KEITH WESTENGARD: I don't know if -- I don't know if he

1 was busy or what, --

2 COMMISSIONER ALLAN: Yeah.

3 KEITH WESTENGARD: -- but we -- we try to contact
4 everybody. We try to get the backup in there. But it --

5 COMMISSIONER ALLAN: But you have it for the next agenda;
6 right?.

7 KEITH WESTENGARD: Yeah. It's --

8 COMMISSIONER WAITS: Okay.

9 KEITH WESTENGARD: -- wherever. It's in this pile
10 somewhere.

11 COMMISSIONER WAITS: Okay.

12 KEITH WESTENGARD: But -- okay.

13 CHAIRMAN MILLS: Anything else?
14
15

16 **PUBLIC COMMENT**
17

18 CHAIRMAN MILLS: Okay. Move to public comment for
19 nonagendized items only.

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

28 Any public comment?

29 (No comment.)
30
31

32 **ADJOURNMENT**
33

34 COMMISSIONER WAITS: Motion to --

35 UNIDENTIFIED PARTICIPANT: (Indiscernible.)

36 COMMISSIONER WAITS: -- adjourn.

37 COMMISSIONER CLARK: Second.

38 UNIDENTIFIED PARTICIPANT: (Indiscernible.)

39 COMMISSIONER ALLAN: Sec- --

40 COMMISSIONER CLARK: Aye.

1 UNIDENTIFIED PARTICIPANT: (Indiscernible) notify people.
2 And then if you do notify them, don't go out of order if they're
3 trying to get to their agendized item.

4 It's not (indiscernible) legal.

5 UNIDENTIFIED PARTICIPANT: Well, most of the agenda items
6 are (indiscernible).

7 CHAIRMAN MILLS: All in favor?

8 COMMISSIONER ALLAN: Aye.

9 COMMISSIONER CLARK: Aye.

10 COMMISSIONER WAITS: Aye.

11
12 (Indiscernible simultaneous conversation.)
13

14 CHAIRMAN MILLS: Aye.

15
16 (Meeting ended at 2:49 p.m.)
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**CHAIRMAN OR VICE CHAIRMAN OF THE
BOARD OF LANDER COUNTY
COMMISSIONERS AND THE LANDER
COUNTY LIQUOR BOARD**

ATTEST:


LANDER COUNTY CLERK

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