

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 November 29, 2018, at 9:00 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**
8 **SEAN BAKKER, COMMISSIONER**
9 **ART CLARK III, COMMISSIONER**
10 **DOUG MILLS, COMMISSIONER**
11 **JUDIE ALLAN, COMMISSIONER**
12 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**
13 **SADIE SULLIVAN, COUNTY CLERK**
14 **THEODORE HERRERA, DISTRICT ATTORNEY**
15
16

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

21
22 CHAIRMAN MILLS: So I call this meeting to order.
23 Lander County Commission meeting, Town Board of Battle
24 Mountain and Austin, Board of Highway County Commissioners,
25 November 29th, 2018.

26 Please join us for the Pledge of Allegiance.

27 Judie, will you --

28 COMMISSIONER ALLAN: Certainly.

29 CHAIRMAN MILLS: -- lead us off.

30 COMMISSIONER ALLAN: Please join me.
31

32 (Pledge of Allegiance)
33

34 CHAIRMAN MILLS: Okay. Thank you. We'd like a moment of
35 silence, please.
36

37 (Moment of silence)
38

39 CHAIRMAN MILLS: Okay. Thank you.

40 Lander County Commissioners may break for lunch from 12:00

1 p.m. to 1:15 p.m. Any agenda item may be taken out of order, may
2 be combined for consideration by the public body, and items may be
3 pulled or removed from the agenda at any time.
4
5

6 **COMMISSIONER REPORTS**
7

8 CHAIRMAN MILLS: Commissioners' reports on meetings,
9 conferences, and seminars attended.

10 Judie?

11 COMMISSIONER ALLAN: Okay. So on November 9th, we had a
12 Humboldt River Basin Water Authority meeting. And I have notes
13 here, but I can't make sense of them.

14 I guess mai- -- mainly the main thing that came out of it was
15 Judge Shirley did sign a writ of mandamus on the Pershing County
16 Conservation Water District issue.

17 And in that he stated that -- that the district has showed
18 that there is probable cause for the state engineer, that they did
19 over appropriate, that they cannot grant rights that contradict
20 existing rights, and the writ should go forward.

21 So the state has 45 days to respond.

22 And in talking with the state engineer's office, they are
23 continuing some studying.

24 The earliest they think that they will have some
25 information regarding this -- their module studies, et cetera --
26 would be January.

27 So they're hoping sometime in -- in middle January and
28 starting in Elko, they can discuss some of these water issues and
29 -- and what they've discovered and possibly what they might have
30 planned.

31 And then Tuesday was a NDOT workshop. And pretty much we
32 just went over what the commission has discussed, you know, kind
33 of a little briefing that -- that has been discussed with NDOT
34 before, brought before us, updated.

35 And I know Lee Bonner mentioned it before, but the Trump
36 administration has issued \$1.5 billion for grants -- is it
37 billion? -- million? -- billion to the states for -- for grants.
38 And that those grants are being made a lot more user friendly. A
39 lot of them are a hundred percent. A lot of them -- I mean,
40 typically a lot -- a lot of grants are a match or a percentage.

1 Some of these can be up to a hundred percent. And it's not
2 going to be jumping through as many hoops, hopefully, to get the
3 grants for projects. So that's kind of good news.

4 So that's all I have.

5 CHAIRMAN MILLS: Okay.

6 The only thing I have is that the hospital board has put the
7 seats out to advertise.

8 And I believe today is the last day to get your application
9 in if you're interested in applying for a seat on the hospital
10 board.

11 And we should have those appointments decided upon by the
12 board and submitted to this commission for the next meeting.

13 So everything's looking like it's working pretty good so far,
14 this time.

15 I think that's it.

16 COMMISSIONER BAKKER: I don't have --

17 CHAIRMAN MILLS: Sean?

18 COMMISSIONER BAKKER: -- I don't have anything.

19 Patsy?

20 COMMISSIONER WAITS: Thank you.

21 On November 12th, we did have the Austin Airport Board
22 meeting. And we had a full quorum for the first time. Tom
23 Anderson, our new member, was there and came in.

24 We're looking at several things -- budget, et cetera.

25 And as far as the fuel system, that was supposed to be all
26 checked out online by the end of this week or next week,
27 absolutely; right?

28 KEITH WESTENGARD: I have an update for you. I can give it
29 --

30 COMMISSIONER WAITS: Yeah.

31 KEITH WESTENGARD: -- when --

32 COMMISSIONER WAITS: Okay.

33 KEITH WESTENGARD: -- I get to me.

34 COMMISSIONER WAITS: On the 13th, 14th, and 15th, we had
35 the NACO annual conference.

36 At our annual meeting, which we also have at the
37 conference, Marilyn Kirkpatrick, the commissioner from Clark
38 County, was elected our vice president. So she will be stepping
39 up the first of January.

40 We also had -- we had a nice representation from Lander.

1 Unfortunately, our new commissioners couldn't attend.
2 But there were several excellent workshops.
3 Our speaker actually spoke on the power of understanding
4 people. And -- and it was an excellent, excellent meeting.
5 Everybody loved it. I was not only understanding other people,
6 but understanding yourself and how you relate to them. And it
7 was -- it was really cool. A lot of insight things that -- that
8 were kind of neat.
9 As I said, several excellent workshops.
10 One was on disasters in the county and preparedness.
11 And our speakers -- of course, one of them was from Clark
12 County who spoke about the -- the horrible shooting there.
13 Another one was from Washoe County. He spoke on the
14 tragedy of the air races that they had.
15 And our third speaker was from Lyon County, the manager who
16 talked about preparedness that they have been doing for many
17 years. And so that was also excellent.
18 Also had one on marijuana. Department of Taxation was
19 there in full glory and gave us all kinds of good information.
20 On the 28th -- gee, that was yesterday. It seems so long
21 ago. So much has happened since yesterday. Storms, I guess.
22 In conjunction with Cooperative Extension, Lisa and I went
23 to the school in Austin to talk about trees. If you remember,
24 we spoke about trees before. And I gave you a general idea that
25 we had given information to the children on the general idea of
26 what trees do with oxygen and -- and homes with nests for the
27 little birds and critters and wood, et cetera.
28 Well, this time we spoke on Christmas trees and the origin of
29 Christmas trees, which was -- that's the neatest thing about
30 speaking is the research gives you so much.
31 But there was one thing I wanted to share with you because
32 I thought of it last night when I was watching the news and they
33 were lighting the national Christmas tree at the White House
34 lawn.
35 And so since I had the information, I -- I thought it was
36 really interesting. I just wanted to share that part.
37 In 1923 it was President Coolidge that actually put in the
38 first national Christmas tree. So this is -- we're -- we're
39 almost up to a hundred years. Not quite.
40 And there's only two times that it wasn't lit in total,

1 early.

2 And once was in 1963 when we had the assassination, of
3 course, of President Kennedy. And we had a 30-day mourning. So
4 the Christmas tree wasn't lit until the 22nd of December.

5 And the other time was 1979 when we had the Iran hostages.
6 Some of you may remember that. Yeah. You're --

7 CHAIRMAN MILLS: Yeah.

8 COMMISSIONER WAITS: -- you're -- you're -- you're up to
9 that age. And they didn't light the tree in full. They only
10 lit the top.

11 And so I thought -- thought that was kind of interesting.
12 Since they just lit it last night, I wanted to pass it on.

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

14 COMMISSIONER ALLAN: Patsy, I'm sorry. I -- I do have a
15 question about NACO.

16 COMMISSIONER WAITS: Yes.

17 COMMISSIONER ALLAN: You mentioned the vice president. My
18 understanding is you were up for president this year?

19 COMMISSIONER WAITS: Yes. I'm president-elect this year,
20 so I automatically take over in January.

21 COMMISSIONER ALLAN: So I think that needs to be
22 recognized.

23 COMMISSIONER WAITS: Thank you.

24 COMMISSIONER ALLAN: And I think that it's -- it's quite an
25 honor to have a Lander County commissioner.

26 COMMISSIONER WAITS: Thank you. Actually, it's been -- the
27 last commission -- we've only had two Lander County
28 Commissioners. One was in 1955 and the last one was in 1958.

29 So --

30 CHAIRMAN MILLS: Wow.

31 COMMISSIONER WAITS: -- we're looking at a long time.
32 And --

33 COMMISSIONER ALLAN: No, I --

34 COMMISSIONER WAITS: Thank you.

35 COMMISSIONER ALLAN: -- definitely --

36 COMMISSIONER WAITS: Yeah. I -- I --

37 COMMISSIONER ALLAN: -- I think that's --

38 COMMISSIONER WAITS: -- think it's me.

39 UNIDENTIFIED PARTICIPANT: (Indiscernible.)

40 COMMISSIONER ALLAN: Yeah.

1 COMMISSIONER WAITS: Thank you.
2 CHAIRMAN MILLS: Okay. Art?
3 COMMISSIONER CLARK: No. I don't have anything.
4 CHAIRMAN MILLS: Okay.
5
6

7 **STAFF REPORTS**
8

9 CHAIRMAN MILLS: We'll move on to staff reports on
10 meetings, conferences, and seminars attended.

11 KEITH WESTENGARD: Okay. So I -- I wanted to elaborate a
12 little more about NACO as well.

13 And there was -- we did have about six people from Lander
14 County that went to the NACO conference this year.

15 One of the things that caught my attention was the -- the
16 legislators that spoke of the upcoming legislative session and
17 their thoughts on it.

18 We have a new governor, a Democratic governor. And there was
19 some challenges.

20 COMMISSIONER BAKKER: We do?

21 KEITH WESTENGARD: I would say something, but -- just
22 (indiscernible) right now.

23 So there's the challenges that are going to be come- -- going
24 to be coming up where we're -- are -- are going to be interesting
25 as far as dealing with a Democratic governor and -- and some of
26 the things that might come forth.

27 One of the things I'm real concerned about is our net
28 proceeds. I believe that to be coming forth, probably in the next
29 two years.

30 It was real close on the last election. So I would ask the
31 commission to -- when we go to budgets this year that we look at
32 real -- at some conservative things. I see some real -- real
33 possible issues there.

34 Our union negotiations are well. I see -- I -- I think we're
35 going to have some draft contracts for you at the next meeting.

36 You mentioned the DOT workshop.

37 The Jet A in Austin, we had a filtering problem. So they're
38 working on cleaning -- on the filter issue to try to get that in
39 line. Hopefully we'll have -- have that up and running mid- to
40 late-December.

1 Battle Mountain, same thing. We're looking at mid- to
2 late-December on that one as well.

3 Our hangars, we've run into a little -- not a -- not a big
4 problem, just a small problem, getting the power put in. NV
5 Energy was gracious enough they've moved us up on their list. And
6 we're looking at hopefully next week having our -- our power in so
7 we can final the -- the hangars.

8 Next -- next meeting I -- I've got a note here to talk
9 about what you want to charge, what this commission wants to put
10 out there for costs of rental of the hangars. There's --

11
12 (Cell phone ringing.)

13
14 KEITH WESTENGARD: -- several people involved already or
15 interested already.

16 I got a call from Walt Wardell, our FBO, and -- wanting to
17 know about cost. So we're going to put that at the next
18 meeting.

19 COMMISSIONER CLARK: Wasn't there something that happened
20 at NACO with baskets?

21 KEITH WESTENGARD: With the baskets? Well, --

22 COMMISSIONER CLARK: Didn't --

23 KEITH WESTENGARD: -- we --

24 COMMISSIONER CLARK: -- we win a --

25 KEITH WESTENGARD: Yeah. So we provide a basket every year
26 for all of the different --

27 COMMISSIONER BAKKER: For a silent auction?

28 KEITH WESTENGARD: -- counties.

29 COMMISSIONER WAITS: For a silent auction.

30 KEITH WESTENGARD: Yeah. To do a silent auction.

31 And -- and we -- I'm not sure what we received on that, but
32 there was -- there was quite a bit of money pulled in by the
33 baskets.

34 COMMISSIONER CLARK: And we won.

35 KEITH WESTENGARD: I -- I don't -- I -- I don't know.
36 Patsy, do you know what we --

37 COMMISSIONER WAITS: It was over 300 with the two.

38 KEITH WESTENGARD: Okay. So got -- we had two separate
39 baskets. And they -- we got over \$300 that we brought in as --
40 in the silent auction for a -- the different -- or for NACO.

1 To elaborate a little bit more on that \$1 billion that you
2 were speaking of earlier, Judie. So we're getting in on that
3 through our airports. We're looking at some different airport
4 expansions now that will actually bring in -- we're looking at
5 some thicker runways for the heavier air tankers. And we're --
6 we've actively been pursuing that for our general a- -- they're
7 for general aviation airports only that we meet the criteria.

8 So hopefully we're going to get in on some of that 1 billion.
9 It is a hundred percent in most cases.

10 And the rest of the things are on the agenda.

11 Thank you.

12 CHAIRMAN MILLS: Thank you, Keith.

13
14
15 **PUBLIC COMMENT**

16
17 CHAIRMAN MILLS: We'll move to public comment for
18 nonagendized items only.

19 Persons are invited to submit comment in writing and/or
20 attend and make comment on any nonagenda item at the board
21 meeting, if any, and discussion of those comments at the
22 discretion of the board. All public comment may be limited to
23 three minutes per person, again at the discretion of the board.
24 Reasonable restrictions may be placed on public comment based
25 upon time, place, and manner, but public comment based upon
26 viewpoint may not be restricted.

27 COMMISSIONER BAKKER: Frank.

28 COMMISSIONER CLARK: Good morning, Frank.

29 COMMISSIONER WAITS: Good morning.

30 FRANK WHITMAN: Frank Whitman, for the record.

31 Just very briefly, I -- I know that some of you are
32 leaving; some of you are staying. And I just wanted to give you
33 my personal thanks for all this board working together.

34 It has really done so much for southern Lander County and in
35 particular for Austin. I -- I wanted to make that clear from
36 myself and thank you very much.

37 COMMISSIONER BAKKER: Thank you, Frank.

38 COMMISSIONER ALLAN: Thank --

39 CHAIRMAN MILLS: Thanks, --

40 COMMISSIONER ALLAN: -- you, --

1 CHAIRMAN MILLS: -- Frank.
2 COMMISSIONER CLARK: Thanks, --
3 COMMISSIONER ALLAN: -- Frank.
4 COMMISSIONER WAITS: Thank you, Frank.
5 COMMISSIONER BAKKER: I appreciate --
6 COMMISSIONER CLARK: -- Frank.
7 COMMISSIONER BAKKER: -- it.
8 COMMISSIONER CLARK: We need to vote you mayor of Lander
9 County, Frank.
10 FRANK WHITMAN: No, I don't think so.
11 JODI MOORE: My name is Jodi Moore. I am vice president of
12 the Battle Mountain Chamber of Commerce.
13 And we just wanted to come up here. And I want to
14 introduce to you our new executive director, Felicia Ochoa.
15 She's been with us for about two weeks. She's done a great
16 job. She had to jump in because we're really busy this month.
17 So she's going to tell you a little bit about herself and a
18 couple of events that we have coming up this Saturday.
19 FELICIA OCHOA: So my name is -- oh, good morning, by the
20 way -- so my name's Felicia Ochoa. And I moved here from
21 California. So I'm new here.
22 My husband's been a part of the community for about three
23 years. He's a miner.
24 And I have two children, which I enrolled in your guys'
25 school. And they absolutely love it.
26 So some of the -- some of the things that we have going on in
27 the community this month, which is -- or next month, actually,
28 beginning December, we have the Festival of Trees, which we're
29 auctioning off ten trees and has been a huge success so far.
30 Also we have the Parade of Lights, which we have 18
31 volunteers from the local community which are participating.
32 And the list keeps growing as the last applicants keep coming
33 in. So that's super fun.
34 And we have the Santa Clause coming who's going to be
35 taking pictures as well with the -- with the children and be
36 giving gifts as they come.
37 And then we also have the cookie walk, which is on the 1st as
38 well. And you have 34 members of the community participating in
39 that. And so it's been a really huge success. We've sold over
40 250 tickets with that. And so it's been pretty exciting and busy.

1 So --
2 And that's it.
3 COMMISSIONER BAKKER: Awesome. Well, --
4 COMMISSIONER ALLAN: Well, welcome.
5 COMMISSIONER BAKKER: -- congrats.
6 COMMISSIONER WAITS: You're --
7 COMMISSIONER CLARK: Thank you.
8 COMMISSIONER WAITS: -- welcome.
9 COMMISSIONER BAKKER: Good luck.
10 CHAIRMAN MILLS: Glad to have you here.
11 COMMISSIONER BAKKER: Any other public --
12 CHAIRMAN MILLS: Do we have any other public comment?
13 (No comment.)
14 CHAIRMAN MILLS: Okay.

15
16
17 **CONSENT AGENDA**

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

28 One, approval of November 29, 2018, agenda notice; two,
29 approval of October 25, 2018, meeting minutes; three, approval
30 of November 8, 2018, meeting minutes; four, approval of the
31 payment of bills; five, approval of payroll change requests.

32 COMMISSIONER BAKKER: Okay. Well, we don't have
33 November 8th.
34 We do?

35 COMMISSIONER WAITS: No, we don't. You're right.

36 COMMISSIONER BAKKER: Yeah. Okay.

37 So we'll take that out.

38 And then, you good with the 29th -- 25th? Okay. For the
39 25th --

40 COMMISSIONER BAKKER: I -- I've got a question.

1 Keith, do -- do we have some kind of special billing
2 agreement with the hospital and the clinic?
3 KEITH WESTENGARD: For --
4 COMMISSIONER WAITS: If you'd have to -- we have to pull
5 that if you're going to discuss --
6 COMMISSIONER BAKKER: Let's pull -- so --
7 COMMISSIONER WAITS: -- something.
8 COMMISSIONER CLARK: Yeah. Let --
9 COMMISSIONER BAKKER: -- is that a payment?
10 COMMISSIONER CLARK: Yeah. Just pull --
11 COMMISSIONER BAKKER: Okay.
12 COMMISSIONER CLARK: -- it.
13 COMMISSIONER BAKKER: Let me pull the --
14 COMMISSIONER WAITS: Do you want us to --
15 COMMISSIONER BAKKER: -- bills.
16 COMMISSIONER WAITS: -- pull it?
17 COMMISSIONER CLARK: Yeah.
18 COMMISSIONER BAKKER: Okay. Hold on.
19 I'll make a motion to approve November 29, 2018, agenda
20 notice; October 25th, 2018, meeting minutes; and the payroll
21 change requests.
22 COMMISSIONER ALLAN: Second.
23 CHAIRMAN MILLS: Okay. Sean made a motion. Judie
24 seconded.
25 Do we have any public comment?
26 (No comment.)
27 CHAIRMAN MILLS: All in favor?
28 COMMISSIONER BAKKER: Aye.
29 COMMISSIONER ALLAN: Aye.
30 CHAIRMAN MILLS: Aye.
31 COMMISSIONER CLARK: Aye.
32 COMMISSIONER WAITS: Aye.
33 COMMISSIONER CLARK: Aye.
34 COMMISSIONER BAKKER: And then we'll pull the payment of
35 the bills.
36 COMMISSIONER CLARK: Yeah.
37 It'd be 201096 and 201097.
38 KEITH WESTENGARD: Okay.
39 COMMISSIONER CLARK: And I just have a question about it.
40 If you look, the -- the top, the -- on 201096, 5/15/18,

1 5/17/18, all the way to 10/17/18, and then you go down to the next
2 097, you have 8/21/18 to 10/17/18.

3 I -- do -- do they just wait until they get a certain amount
4 of claims and then bill us?

5 Because, you know, being billed in December or the end of
6 November for May, you know, that's the same old problems that
7 everybody's having. I'm just wondering is there a special -- do
8 they wait?

9 KEITH WESTENGARD: They -- they usually get us mon- -- a
10 monthly billing. And these are related to drug tests --

11 COMMISSIONER CLARK: Right.

12 KEITH WESTENGARD: -- and physicals for --

13 COMMISSIONER CLARK: Yeah.

14 KEITH WESTENGARD: -- for the county.

15 And I don't know what happened. They're usually pretty much
16 on top --

17 COMMISSIONER CLARK: Yeah.

18 KEITH WESTENGARD: -- of this stuff.

19 COMMISSIONER CLARK: Okay.

20 KEITH WESTENGARD: Because actually you go back to May,
21 and -- and we're in another fiscal --

22 COMMISSIONER CLARK: Yeah.

23 KEITH WESTENGARD: -- year (indiscernible) --

24 COMMISSIONER CLARK: -- I know. I just --

25 KEITH WESTENGARD: -- (indiscernible) --

26 COMMISSIONER CLARK: -- I just had --

27 KEITH WESTENGARD: -- (indiscernible).

28 COMMISSIONER CLARK: -- a que- --

29 That's my only question. I'm not opposed to paying for it
30 or -- or anything like that. I just --

31 KEITH WESTENGARD: Okay.

32 COMMISSIONER CLARK: Hospital --

33 COMMISSIONER WAITS: So --

34 COMMISSIONER CLARK: -- billing is an issue in Lander
35 County.

36 COMMISSIONER WAITS: So with that, since you have such a
37 nice working relationship with our new CEO, can you give them a
38 call and --

39 KEITH WESTENGARD: I certainly will.

40 COMMISSIONER WAITS: -- and request that and tell them that

1 Commissioner Clark was concerned about the time frame on it.
2 KEITH WESTENGARD: I will.
3 COMMISSIONER CLARK: I thought it was m- --
4 KEITH WESTENGARD: I've got it on --
5 COMMISSIONER WAITS: As --
6 KEITH WESTENGARD: -- my --
7 COMMISSIONER WAITS: -- as we --
8 KEITH WESTENGARD: -- notes --
9 COMMISSIONER WAITS: -- all --
10 KEITH WESTENGARD: -- right now.
11 COMMISSIONER WAITS: -- are.
12 KEITH WESTENGARD: Sure.
13 COMMISSIONER CLARK: Yeah.
14 COMMISSIONER WAITS: Yes.
15 KEITH WESTENGARD: I understand --
16 COMMISSIONER CLARK: That's --
17 KEITH WESTENGARD: -- that.
18 COMMISSIONER CLARK: -- what my recommendation would be is
19 give Jason a call. And --
20 CHAIRMAN MILLS: Do we have a --
21 COMMISSIONER WAITS: I'll --
22 CHAIRMAN MILLS: -- motion?
23 COMMISSIONER WAITS: -- make a motion that we approve the
24 payment of bills.
25 COMMISSIONER BAKKER: Second.
26 CHAIRMAN MILLS: Okay. Patsy -- Patsy made a motion and
27 Sean seconded.
28 Do we have any public comment?
29 (No comment.)
30 CHAIRMAN MILLS: All in favor?
31 COMMISSIONER BAKKER: Aye.
32 COMMISSIONER ALLAN: Aye.
33 COMMISSIONER CLARK: Aye.
34 CHAIRMAN MILLS: Aye.
35 COMMISSIONER WAITS: Aye.
36 COMMISSIONER BAKKER: We've got to --
37 CHAIRMAN MILLS: Okay. We are going to take an item out
38 of --
39 DISTRICT ATTORNEY HERRERA: (Indiscernible.)
40 CHAIRMAN MILLS: -- sequence here.

1 JEANNE FALZONE: Are these the first two?
2 COMMISSIONER BAKKER: Number --
3 KEITH WESTENGARD: It's just --
4 COMMISSIONER BAKKER: -- 7.
5 KEITH WESTENGARD: -- the line --

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COMMISSIONERS

9
10 7) **Discussion and possible action regarding request of the**
11 **district attorney to declare a critical labor shortage**
12 **pursuant to NRS 286.523 for the position of chief deputy**
13 **district attorney, and all other matters properly related**
14 **thereto.**

15
16 CHAIRMAN MILLS: Item Number 7.

17 KEITH WESTENGARD: Check -- check that, would you?

18 JEANNE FALZONE: Right.

19 KEITH WESTENGARD: Discussion, possible action regarding
20 request of the district attorney to declare a critical labor
21 shortage pursuant to NRS 286.523 for the position of chief
22 deputy district attorney, and all other matters properly related
23 thereto.

24 COMMISSIONER CLARK: Good morning, Ted.

25 DISTRICT ATTORNEY HERRERA: Good morning, Commissioners.

26 COMMISSIONER BAKKER: Good morning.

27 DISTRICT ATTORNEY HERRERA: How are you today?

28 CHAIRMAN MILLS: Good.

29 COMMISSIONER CLARK: Grand.

30 Good morning, Mr. Forgeron.

31 DEPUTY DISTRICT ATTORNEY FORGERON: Morning.

32 COMMISSIONER WAITS: Good morning.

33 CHAIRMAN MILLS: Morning.

34 DISTRICT ATTORNEY HERRERA: What we're here to do is to ask
35 this honorable body to declare a critical labor shortage
36 pursuant to NRS 286.523 for the position of chief deputy
37 district attorney.

38 And this is a two-year appointment. You can't go further
39 than two years.

40 And in the backup, we have an agenda request form that I did.

1 We had a critical need position designation form, which spells it
2 all out and shows what -- what we've done as far as sending out
3 publications.

4 We have copies of the letters for publication. And then we
5 have copies of the publications.

6 We've done everything we could.

7 And -- and I've also talked to the fiscal officer of Lander
8 County. Based on his present salary, every year he works under
9 the critical labor shortage statute, it saves the county \$34,998
10 that the county does not have to pay for his PERS.

11 So I just throw that in there because if I was paying someone
12 else that wasn't a critical labor shortage person, it would be
13 costing us \$35,000 more for the same experience. And -- and
14 that's a savings for Lander County. I just wanted to bring that
15 up.

16 And Mr. Forgeron is very experienced. He knows what he's
17 doing. And -- and by him being -- by him being in his position, I
18 sincerely believe that we're saving one -- probably two, other
19 employees in our office.

20 So we're handling things. And -- and I'd like that to
21 continue.

22 And -- and I did -- I did reach out to everyone in the
23 Nevada State Bar: Las Vegas, Reno, Elko, Winnemucca.

24 (Indiscernible.) I reached out.

25 And -- and I could get a brand-new attorney, but then I'd
26 have to get two of those for one, which we'd be paying a lot
27 more money for.

28 So -- so I'm asking if you would declare a critical labor
29 shortage and let me continue to work with Mr. Forgeron for another
30 two years.

31 COMMISSIONER BAKKER: Mr. Forgeron, you seriously want to
32 do this two more years?

33 COMMISSIONER CLARK: You really want to put up with Ted,
34 Hy?

35 DEPUTY DISTRICT ATTORNEY FORGERON: Well, first off let me
36 thank you for taking this out of order. I managed to get both a
37 dental and a doctor's appointment today. So I appreciate being
38 able to get out and go to those.

39 I also appreciate Mr. Herrera's remarks because apparently
40 if I'm replacing two people, I should get a raise.

1 COMMISSIONER ALLAN: Nice try.
2 CHAIRMAN MILLS: I knew that was going to come up.
3 DEPUTY DISTRICT ATTORNEY FORGERON: But thirdly and most
4 importantly, if I stay on this job, I am saving you from him on
5 certain occasions.
6 CHAIRMAN MILLS: Well, that's worth --
7 COMMISSIONER ALLAN: Sold.
8 CHAIRMAN MILLS: -- it right there.
9 COMMISSIONER BAKKER: I'll make a motion to approve the
10 request of the district attorney to declare a critical labor
11 shortage pursuant to NRS 286.523 for the position of chief
12 deputy district attorney.
13 COMMISSIONER CLARK: Second.
14 DISTRICT ATTORNEY HERRERA: And -- and that if you could --
15 if you could specifically say that we declare that a critical
16 labor shortage exists in Lander County for this position.
17 COMMISSIONER BAKKER: We declare that a critical labor
18 shortage exists in Lander County for this position.
19 DISTRICT ATTORNEY HERRERA: Thank you.
20 COMMISSIONER CLARK: Second.
21 COMMISSIONER BAKKER: Thank you, Hy.
22 CHAIRMAN MILLS: So --
23 DEPUTY DISTRICT ATTORNEY FORGERON: Thank you for
24 considering me. And we'll see how the vote goes.
25 CHAIRMAN MILLS: Sean made a --
26 COMMISSIONER WAITS: Thank you --
27 CHAIRMAN MILLS: -- motion.
28 COMMISSIONER WAITS: -- for staying --
29 CHAIRMAN MILLS: Art --
30 COMMISSIONER WAITS: -- on.
31 CHAIRMAN MILLS: -- seconded.
32 Do we have any public comment?
33 COMMISSIONER ALLAN: I just have a question. And this is
34 in no way reflecting. I'm just curious.
35 Did you get any response?
36 DISTRICT ATTORNEY HERRERA: None. Not one.
37 COMMISSIONER ALLAN: Yeah.
38 DISTRICT ATTORNEY HERRERA: That surprised me. That
39 surprised me.
40 Not one.

1 COMMISSIONER WAITS: I thought there might be a phone call
2 for -- for additional information or something.

3 Nothing?

4 DISTRICT ATTORNEY HERRERA: Nothing.

5 COMMISSIONER ALLAN: Nothing.

6 DISTRICT ATTORNEY HERRERA: Nothing.

7 COMMISSIONER ALLAN: Wow.

8 COMMISSIONER WAITS: Well, thank heavens you're there for
9 us again.

10 DEPUTY DISTRICT ATTORNEY FORGERON: Thank you.

11 COMMISSIONER ALLAN: Well, they already know what their
12 competition is anyway. So --

13 CHAIRMAN MILLS: Okay.

14 All in favor?

15 COMMISSIONER BAKKER: Aye.

16 COMMISSIONER ALLAN: Aye.

17 CHAIRMAN MILLS: Aye.

18 COMMISSIONER WAITS: Aye.

19 COMMISSIONER CLARK: Aye.

20 DISTRICT ATTORNEY HERRERA: Thank you, Commissioners.

21 COMMISSIONER BAKKER: Thank you, --

22 CHAIRMAN MILLS: Hey.

23 COMMISSIONER BAKKER: -- guys.

24 CHAIRMAN MILLS: Thank you.

25 COMMISSIONER CLARK: You're welcome.

26 DEPUTY DISTRICT ATTORNEY FORGERON: Thank you --

27 COMMISSIONER CLARK: Thank you, Hy.

28 DEPUTY DISTRICT ATTORNEY FORGERON: -- folks.

29 COMMISSIONER ALLAN: Well, have fun at the dentist and the
30 doctor.

31 DEPUTY DISTRICT ATTORNEY FORGERON: I'll stick around with
32 my wife for just a minute or two, and then she can console me on
33 those issues.

34

35 1) **Discussion and possible action regarding a letter of support**
36 **for Barrick's Deep South Expansion Project, and all other**
37 **matters properly related thereto.**

38

39 CHAIRMAN MILLS: Okay. We'll move to Item Number 1.

40 Discussion and possible action regarding a letter of

1 support for Barrick's Deep South Expansion Project, and all
2 other matters properly related thereto.
3 Good morning.
4 MARIA ANDERSON: Good morning.
5 I'm Maria Anderson with Barrick and community relations.
6 And Barrick is asking for a letter of support for expansion
7 of our Deep South Project.
8 In your packet, we've provided information about the project
9 and then the benefits to Lander County.
10 This project is located all in Lander County -- Lander
11 County.
12 So we ask that a letter of support be submitted, if approved,
13 before close of business on December 5th to the BLM. And the
14 contact information for BLM is -- is there as well.
15 COMMISSIONER BAKKER: Okay.
16 Keith, --
17 CHAIRMAN MILLS: Okay.
18 COMMISSIONER BAKKER: -- got that?
19 KEITH WESTENGARD: Uh-huh.
20 COMMISSIONER ALLAN: Well, I guess, I'll make a motion
21 that --
22 COMMISSIONER BAKKER: Yeah.
23 COMMISSIONER ALLAN: -- we --
24 KEITH WESTENGARD: I got it.
25 COMMISSIONER ALLAN: -- we --
26 KEITH WESTENGARD: I was writing.
27 COMMISSIONER ALLAN: -- we send a letter of support for
28 Barrick's Deep South Expansion Project to the BLM.
29 COMMISSIONER BAKKER: Second.
30 CHAIRMAN MILLS: Okay.
31 COMMISSIONER ALLAN: And authorize our executive -- or our
32 county manager to get that handled.
33 COMMISSIONER BAKKER: Okay.
34 MARIA ANDERSON: Wonderful.
35 CHAIRMAN MILLS: Okay. Judie made a motion. Sean
36 seconded.
37 Do we have any public comment?
38 (No comment.)
39 CHAIRMAN MILLS: Okay. All in favor?
40 COMMISSIONER BAKKER: Aye.

1 COMMISSIONER WAITS: Aye.
2 CHAIRMAN MILLS: Aye.
3 COMMISSIONER ALLAN: Aye.
4 COMMISSIONER CLARK: Aye.
5 CHAIRMAN MILLS: Okay.
6 COMMISSIONER BAKKER: Thank you, Marie.
7 CHAIRMAN MILLS: Thank you.
8 MARIA ANDERSON: Thank you so much for your support and for
9 (indiscernible).
10 COMMISSIONER WAITS: Thank you.
11 COMMISSIONER BAKKER: Keith, do you have a copy of the
12 letter that we need to send?
13 KEITH WESTENGARD: Yep. Got it right --
14 COMMISSIONER BAKKER: Okay.
15 KEITH WESTENGARD: -- here.
16 MARIA ANDERSON: Okay. Great.
17 COMMISSIONER BAKKER: Okay.
18 COMMISSIONER WAITS: Yeah. We have --
19 COMMISSIONER BAKKER: Good.
20 COMMISSIONER WAITS: -- a deadline --
21 CHAIRMAN MILLS: Okay.
22 COMMISSIONER WAITS: -- on there, the December 5th.
23 KEITH WESTENGARD: Yes.
24 COMMISSIONER WAITS: So we need to be --
25 MARIA ANDERSON: Right.
26 COMMISSIONER WAITS: -- doing it right away like --
27 KEITH WESTENGARD: It will --
28 COMMISSIONER WAITS: -- to- --
29 KEITH WESTENGARD: -- be done.
30 COMMISSIONER BAKKER: Today would --
31 COMMISSIONER WAITS: -- this afternoon --
32 COMMISSIONER BAKKER: -- be --
33 COMMISSIONER WAITS: -- or tomorrow.
34 COMMISSIONER BAKKER: -- today would be preferable.
35 KEITH WESTENGARD: It will be --
36 COMMISSIONER WAITS: Yes.
37 KEITH WESTENGARD: -- done.
38 COMMISSIONER BAKKER: Yeah.
39 COMMISSIONER WAITS: I gave --
40 KEITH WESTENGARD: It will be done --

1 COMMISSIONER WAITS: -- them tomorrow.
2 KEITH WESTENGARD: -- prior to --
3 COMMISSIONER BAKKER: Tomorrow works --
4 KEITH WESTENGARD: -- December 5th --
5 COMMISSIONER BAKKER: -- too.
6 KEITH WESTENGARD: -- close of --
7 COMMISSIONER BAKKER: Today --
8 KEITH WESTENGARD: -- business.
9 COMMISSIONER BAKKER: -- or tomorrow. Okay.
10 MARIA ANDERSON: Thank you so much.
11 COMMISSIONER BAKKER: We'll make sure it gets done.
12 MARIA ANDERSON: (Indiscernible.)
13 COMMISSIONER BAKKER: Thank you.
14 CHAIRMAN MILLS: Thanks.

15
16 2) **Discussion and possible action to establish a list of events**
17 **at the Battle Mountain Civic Center whose fees shall be**
18 **waived because said event will provide a direct benefit to**
19 **the community (ie., chukar tournament, crab feed, et cetera);**
20 **cleaning deposit to be waived, and all other matters properly**
21 **related thereto.**

22
23 CHAIRMAN MILLS: Item Number 2.
24 Discussion and possible action to establish a -- establish a
25 list of events at the Battle Mountain Civic Center whose fees
26 shall waived because said event will be provided -- will provide a
27 direct benefit to the community, ie., chukar tournament, crab
28 feed, et cetera; cleaning deposits will not be waived, and all
29 other matters properly related thereto.

30 RITA ROGERS: Rita Rogers, for the record. I'm the
31 director of the civic center now.

32 And we've just come upon some questions of who needs to pay,
33 who doesn't need to pay, and, you know, if they benefit the
34 community, and -- and all of that.

35 So I just need some direction --

36 COMMISSIONER BAKKER: Okay.

37 RITA ROGERS: -- of what we need to do.

38 COMMISSIONER ALLAN: So, Rita, you want to explain
39 basically right now who is not paying? 501- --

40 RITA ROGERS: Okay.

1 COMMISSIONER ALLAN: -- -(c)(3)s?
2 RITA ROGERS: The one that -- that has- -- hasn't paid is
3 the -- our chukar tournament.
4 COMMISSIONER WAITS: We handled that --
5 COMMISSIONER ALLAN: And we've --
6 COMMISSIONER WAITS: -- at --
7 COMMISSIONER ALLAN: -- discussed --
8 COMMISSIONER WAITS: -- the last --
9 COMMISSIONER ALLAN: -- that.
10 RITA ROGERS: And we handled --
11 COMMISSIONER WAITS: -- meeting.
12 RITA ROGERS: -- you guys handled that and stuff.
13 And I see on here on the crab feed, they did pay last year.
14 Our Basque dinner, you know, we house -- although we feed
15 over 300 people, we pay.
16 The turkey dinner that they put on here, they pay.
17 But they have to have a 501(c), which is a nonprofit. And
18 they have to show that to me in order --
19 And then what their fee is, is \$200.
20 COMMISSIONER ALLAN: And you said -- I'm sorry -- two --
21 RITA ROGERS: Uh-huh.
22 COMMISSIONER ALLAN: They have paid, though, even though if
23 they have the 501(c)(3) --
24 RITA ROGERS: They pay \$200.
25 COMMISSIONER ALLAN: They paid \$200? Okay.
26 RITA ROGERS: Yes.
27 CHAIRMAN MILLS: And the regular --
28 RITA ROGERS: I'll --
29 CHAIRMAN MILLS: -- rate's 4-?
30 RITA ROGERS: Our regular rate is 500 for a --
31 CHAIRMAN MILLS: Oh, 5-.
32 RITA ROGERS: -- private event.
33 CHAIRMAN MILLS: Okay.
34 RITA ROGERS: Yes.
35 COMMISSIONER CLARK: Isn't it \$500 if there's alcohol?
36 RITA ROGERS: No, it is \$500 to rent. A -- a private
37 rental is \$500. You pay a \$500 deposit if there's alcohol. And
38 you have to show -- be an insurance event, --
39 COMMISSIONER CLARK: Okay.
40 RITA ROGERS: -- that you have --

1 COMMISSIONER CLARK: Event --
2 RITA ROGERS: -- insurance --
3 COMMISSIONER CLARK: -- insurance.
4 RITA ROGERS: -- on that --
5 COMMISSIONER CLARK: Okay.
6 RITA ROGERS: -- event with alcohol.
7 No alcohol, it's a 300 deposit.
8 But the actual rental on a private event is \$500.
9 And I've got our rental rates right here if you guys would
10 like to see them and kind of know what's going on.
11 COMMISSIONER CLARK: Now funerals are still free; right?
12 RITA ROGERS: Funerals are free. But I also request a \$300
13 deposit.
14 COMMISSIONER CLARK: Yeah. Yeah. I don't blame you.
15 RITA ROGERS: Only because sometimes, you know how funerals
16 can be.
17 Unbelievable.
18 For you, Patsy.
19 It brings things out of people you don't expect.
20 This kind of gives you an --
21 COMMISSIONER ALLAN: Thank you.
22 RITA ROGERS: -- idea.
23 COUNTY CLERK SULLIVAN: We need to get into the packet.
24 RITA ROGERS: Uh-huh.
25 COUNTY CLERK SULLIVAN: (Indiscernible.)
26 COMMISSIONER ALLAN: Okay. Well, one thing I do have to --
27 to comment on this actually is -- I don't know. Never mind.
28 COMMISSIONER WAITS: Well, the only thing that actually
29 makes it -- makes it different is, of course, the -- the
30 Convention & Tourism Authority.
31 And because we keep saying that's a government authority and
32 -- and it's put together with -- with just the room taxes and
33 because of what they have done to actually help us put the civic
34 center together. And that -- that be- -- because of -- of the
35 fact they've always been there, we never had a problem. And now
36 that they're not there anymore, now there's a problem with: Are
37 we going to charge them or not? And that's what's been coming up.
38 And I'm okay with the nonprofit price and -- and the other
39 price. I think it's good that we -- we certainly give them a
40 break to doing that.

1 But most of them are associations and clubs and such. And
2 this isn't.

3 So that's the only thing that -- that makes it different.
4 I don't think it's a matter of -- of whether they have a
5 direct benefit to the community because I think a lot of them
6 do.

7 RITA ROGERS: They do.
8 As far as a lot of our nonprofits, they do have, you know,
9 something for the community.

10 COMMISSIONER WAITS: Right.

11 RITA ROGERS: It's like us with our Basque Fest. You know,
12 we've been doing it for 20 years. And -- and we -- we feed over
13 300 people.

14 You know, we bring in as many to feed as the chukar
15 tournament does. The thing is, is that we don't do the prices and
16 stuff that they do.

17 And what we do with our Basque dinner is we make enough
18 money to be able to make uniforms for our dancers and kind of
19 promote the Basque culture here.

20 But all of our dancers are not all Basque. We -- we welcome
21 anybody that would love to learn, you know.

22 We -- we have a big meeting that goes on in Boise every five
23 years. So we try to get them, you know, everybody to go to that
24 so they can learn if they want.

25 We have music camp. We have all of that kind of stuff.
26 That's what we raise our money for --

27 COMMISSIONER WAITS: Well, --

28 RITA ROGERS: -- are our --

29 COMMISSIONER WAITS: -- that --

30 RITA ROGERS: -- dancers.

31 COMMISSIONER WAITS: -- that's true with -- with a -- like
32 I said, a lot of clubs and associations.

33 RITA ROGERS: Yes, they do.

34 COMMISSIONER WAITS: And they bring it in. They bring in a
35 lot -- a lot for us.

36 RITA ROGERS: Our --

37 COMMISSIONER WAITS: There's no --

38 RITA ROGERS: -- our --

39 COMMISSIONER WAITS: -- question.

40 RITA ROGERS: -- turkey foundation. They --

1 COMMISSIONER WAITS: Yeah.
2 RITA ROGERS: -- bring in a lot too.
3 COMMISSIONER WAITS: So -- so it isn't a matter of whether
4 it's a direct benefit because many of them do it. It's a
5 (indiscernible) --
6 RITA ROGERS: Yes, they to.
7 COMMISSIONER WAITS: -- (indiscernible).
8 COMMISSIONER BAKKER: Why don't we lump governmental into
9 the 501(c)(3), then?
10 RITA ROGERS: I don't know why.
11 COMMISSIONER WAITS: Because they're not.
12 COMMISSIONER BAKKER: Well, no, no. I understand that.
13 But, I mean, --
14 RITA ROGERS: Why shouldn't --
15 COMMISSIONER BAKKER: -- as far as --
16 RITA ROGERS: -- they --
17 COMMISSIONER BAKKER: -- the pricing --
18 RITA ROGERS: -- base it --
19 CHAIRMAN MILLS: Put it in --
20 RITA ROGERS: -- on --
21 COMMISSIONER BAKKER: -- on the --
22 CHAIRMAN MILLS: -- put it --
23 COMMISSIONER BAKKER: -- list.
24 CHAIRMAN MILLS: -- on the same prices.
25 COMMISSIONER CLARK: If we're --
26 COMMISSIONER BAKKER: If meet in the middle, they get a
27 discount. It'd solve everyone's issues.
28 COMMISSIONER CLARK: If we --
29 COMMISSIONER ALLAN: Well, --
30 COMMISSIONER CLARK: -- if we don't do something to make it
31 equitable, --
32 COMMISSIONER BAKKER: Making it --
33 COMMISSIONER CLARK: -- then -- then there's --
34 COMMISSIONER BAKKER: -- free for them --
35 COMMISSIONER CLARK: -- favoritism.
36 COMMISSIONER BAKKER: -- where it's no good.
37 COMMISSIONER CLARK: And we can't provide favoritism. You
38 can't say one group gets it free and the other group that's
39 basically doing the same thing --
40 RITA ROGERS: Uh-huh.

1 COMMISSIONER CLARK: -- has to --
2 RITA ROGERS: Yes.
3 COMMISSIONER CLARK: -- pay. Where is --
4 RITA ROGERS: Yes.
5 COMMISSIONER CLARK: -- how is that equitable?
6 RITA ROGERS: It's not.
7 COMMISSIONER WAITS: That's not. You're absolutely right.
8 But the --
9 COMMISSIONER CLARK: And that's what's --
10 COMMISSIONER WAITS: -- diff- -- but --
11 COMMISSIONER CLARK: -- been going on.
12 COMMISSIONER WAITS: No.
13 COMMISSIONER CLARK: And --
14 RITA ROGERS: And that's --
15 COMMISSIONER WAITS: No.
16 RITA ROGERS: -- what's been --
17 COMMISSIONER WAITS: The difference --
18 RITA ROGERS: -- going on.
19 COMMISSIONER CLARK: Yes, it is.
20 COMMISSIONER WAITS: -- is, is the government situation
21 of -- of who it is compared to a club or an association.
22 And they're not a 501(c)(3). And -- and --
23 COMMISSIONER BAKKER: Well, I mean --
24 COMMISSIONER WAITS: -- I'm open --
25 COMMISSIONER BAKKER: -- why don't we make a governmental
26 line item and say what's -- what's the 501(c)(3) play -- pay?
27 RITA ROGERS: We pay two hun- -- they pay 200 --
28 COMMISSIONER BAKKER: There you --
29 RITA ROGERS: -- for the use --
30 COMMISSIONER BAKKER: -- go.
31 RITA ROGERS: -- of the building and everything in it.
32 COMMISSIONER BAKKER: And it's -- they're getting a
33 discount. They're -- they're paying a little.
34 COMMISSIONER CLARK: Yeah.
35 COMMISSIONER BAKKER: And it's --
36 RITA ROGERS: It's not much, --
37 COMMISSIONER BAKKER: -- good --
38 RITA ROGERS: -- you know.
39 COMMISSIONER BAKKER: -- for everyone.
40 RITA ROGERS: And, I mean, even our small clubs that --

1 COMMISSIONER BAKKER: \$200 --
2 RITA ROGERS: -- have a --
3 COMMISSIONER BAKKER: -- a day --
4 RITA ROGERS: -- 501 --
5 COMMISSIONER BAKKER: -- is not much.
6 RITA ROGERS: -- (c) pay the 200. So, you know --
7 COMMISSIONER ALLAN: One of the issues I have with this is,
8 you know, we discussed this specifically with a certain
9 organization, an advisory board, last commissioners' meeting.
10 And it was discussed. It was voted on. And we made a decision.
11 And so now we're coming back a following meeting to rediscuss
12 the same thing?
13 RITA ROGERS: Well, I'll -- I don't know what you discussed
14 at the last meeting. I thought it was only for the Convention &
15 Tourism and the chukar feed of whether you waive them or whether
16 they pay.
17 But I don't know if anything was ever decided on the 501(c)
18 of who pays and who doesn't at that --
19 COMMISSIONER ALLAN: Well --
20 RITA ROGERS: -- time.
21 COMMISSIONER ALLAN: -- it -- it -- it's --
22 RITA ROGERS: And I --
23 COMMISSIONER ALLAN: -- it states right here, Rita.
24 You know, it's --
25 RITA ROGERS: You know --
26 COMMISSIONER ALLAN: -- a nonprofit event, --
27 RITA ROGERS: So --
28 COMMISSIONER ALLAN: -- you know, falling under the sa- --
29 a 501(c)(3).
30 RITA ROGERS: But I think --
31 COMMISSIONER ALLAN: Is --
32 RITA ROGERS: -- that's what we're here to decide. Do they
33 -- 501(c) get it free? Or do you want to still --
34 I need to have direction of what's going on.
35 COMMISSIONER ALLAN: You had direction before.
36 RITA ROGERS: No.
37 COMMISSIONER ALLAN: You had this in play.
38 RITA ROGERS: Yeah. That's --
39 COMMISSIONER ALLAN: There's --
40 RITA ROGERS: -- that's what -- that's my --

1 COMMISSIONER ALLAN: That's --
2 RITA ROGERS: -- direction. That's what I --
3 COMMISSIONER ALLAN: Is --
4 RITA ROGERS: -- go --
5 COMMISSIONER ALLAN: -- that's --
6 RITA ROGERS: -- by.
7 COMMISSIONER ALLAN: -- your direction. That's what --
8 RITA ROGERS: Yes.
9 COMMISSIONER ALLAN: -- we've been going on.
10 RITA ROGERS: Yes.
11 COMMISSIONER ALLAN: This issue was -- item was discussed
12 previously.
13 You're bringing it back, basically.
14 RITA ROGERS: Well, I didn't --
15 COMMISSIONER ALLAN: You don't need --
16 RITA ROGERS: -- I didn't --
17 COMMISSIONER ALLAN: -- further direction.
18 RITA ROGERS: -- put it on the agenda. I was just told I
19 was on the agenda for the meeting today. So I'm here.
20 COMMISSIONER ALLAN: Okay. And I --
21 RITA ROGERS: Tell Sean --
22 COMMISSIONER ALLAN: -- appreciate --
23 RITA ROGERS: -- this.
24 COMMISSIONER ALLAN: I'm -- I'm -- I -- okay.
25 CHAIRMAN MILLS: If you'll --
26 COMMISSIONER ALLAN: I'm not picking on you. It's --
27 RITA ROGERS: Oh, that's okay, because you -- yep. That's
28 okay.
29 CHAIRMAN MILLS: If you'll -- if you'll recall at the last
30 meeting, what was decided was that Convention & Tourism wouldn't
31 have to pay for use of -- of the facility --
32 COMMISSIONER BAKKER: This year.
33 CHAIRMAN MILLS: -- for this year.
34 COMMISSIONER CLARK: Right. Even --
35 CHAIRMAN MILLS: That's what --
36 COMMISSIONER CLARK: -- though --
37 CHAIRMAN MILLS: -- was --
38 COMMISSIONER CLARK: -- they --
39 CHAIRMAN MILLS: -- decided.
40 COMMISSIONER CLARK: -- had over a million dollars in their

1 checkbook, they didn't have to pay.
2 CHAIRMAN MILLS: So it wasn't decided.
3 We -- we asked them to present to us what they were willing
4 to pay. And I think pretty much what they're telling us is
5 they're willing to pay nothing.
6 So it didn't resolve the issue going forward. It resolved
7 the issue for this year.
8 All we did last time was kick the can down the road. That's
9 all that happened.
10 So that's why -- that's really why we're here again is do
11 people pay for the use of the civic center or not? Or what
12 conditions is it to where they don't?
13 COMMISSIONER BAKKER: I'm going to make a motion.
14 RITA ROGERS: Okay.
15 COMMISSIONER BAKKER: And if it dies, then it dies or --
16 COMMISSIONER CLARK: I've got one --
17 COMMISSIONER BAKKER: -- whatever.
18 COMMISSIONER CLARK: -- more -- I've got one more --
19 COMMISSIONER BAKKER: Okay.
20 COMMISSIONER CLARK: -- thing to say.
21 Rita's the executive director. I think you should have
22 some say in this, Rita.
23 You've been here long enough to know how it really works.
24 RITA ROGERS: Well, the way I look at it -- okay -- it is a
25 county facility. But as a county entity, I don't think we have
26 to give everything free.
27 And I don't feel that \$200 to use that building and
28 everything that's in it -- the kitchen, the chairs, the tables,
29 and everything like that -- is too much to pay for anything, --
30 COMMISSIONER CLARK: I -- I don't think so --
31 RITA ROGERS: -- myself, --
32 COMMISSIONER CLARK: -- either.
33 RITA ROGERS: -- you know.
34 And now if it's a private event, like weddings or
35 quinceaneras, you know, that goes on, you bet, \$500. It's a
36 private event. And, you know, follow the same rules we've been on
37 our rental rates here.
38 Now I've had a couple of deals where we've had our local
39 crafters would, you know, like to use the building to sell their
40 stuff. And we have let them come in twice now. But that's also

1 another factor of do we do this or not? Because if we do this for
2 them, then we've got to do it for others.
3 So I'm -- I just -- I like it black and white, myself.
4 So I think we've done very well, you know. Our -- we have
5 all of our meetings there with our mines.
6 And you can see in here our business meetings, what it costs
7 to have those.
8 And sometimes they're only there for half a day.
9 COMMISSIONER WAITS: Well, of course, the -- the background
10 is that we -- we may not have had the civic center when we did
11 without the Convention & Tourism Authority.
12 RITA ROGERS: Well, okay.
13 COMMISSIONER WAITS: It was there, --
14 RITA ROGERS: Now --
15 COMMISSIONER WAITS: -- and --
16 RITA ROGERS: And I have --
17 COMMISSIONER WAITS: -- it was all --
18 RITA ROGERS: -- I have a question on this one too because
19 I've been here a long time.
20 The Convention & Tourism actually didn't start. It was the
21 Fair Board --
22 COMMISSIONER WAITS: But that's what --
23 RITA ROGERS: -- at that time.
24 COMMISSIONER WAITS: -- it's called, Fair --
25 RITA ROGERS: The Fair --
26 COMMISSIONER WAITS: -- and Rec.
27 RITA ROGERS: It was fair board at that --
28 COMMISSIONER WAITS: Fairground.
29 RITA ROGERS: -- time.
30 And then after our department was deleted at that time, when
31 we were in there, then when Rogene went in, they went in under --
32 and started their new Convention & Tourism board, which they went
33 with the fair board. That's what they started calling it,
34 Convention & Tourism.
35 So --
36 COMMISSIONER WAITS: Yes. But it was all --
37 RITA ROGERS: But --
38 COMMISSIONER WAITS: -- done.
39 RITA ROGERS: -- it's all with the motel taxes and stuff.
40 COMMISSIONER WAITS: Right.

1 RITA ROGERS: Yes.
2 COMMISSIONER WAITS: And it was created by the
3 commissioners.
4 RITA ROGERS: Uh-huh.
5 COMMISSIONER ALLAN: And it's still --
6 RITA ROGERS: Yes.
7 COMMISSIONER ALLAN: -- an --
8 COMMISSIONER WAITS: Okay.
9 COMMISSIONER ALLAN: -- NRS --
10 COMMISSIONER WAITS: So --
11 RITA ROGERS: Yes.
12 At --
13 COMMISSIONER WAITS: But I'm --
14 RITA ROGERS: -- that --
15 COMMISSIONER WAITS: -- going, --
16 RITA ROGERS: -- time.
17 COMMISSIONER WAITS: -- but it is --
18 RITA ROGERS: Yes.
19 COMMISSIONER WAITS: -- a little bit different --
20 RITA ROGERS: Yes.
21 COMMISSIONER WAITS: -- because that's all they exist to do
22 is to collect the room and board tax, and they give it away, of
23 course, on -- on any kind of an application for grants --
24 RITA ROGERS: Uh-huh.
25 COMMISSIONER WAITS: -- for other people --
26 RITA ROGERS: Yes.
27 COMMISSIONER WAITS: -- to bring in more tourism and
28 continue.
29 So -- so it is different, whatever way we look at it.
30 But I'll go ahead and let Sean make his motion.
31 COMMISSIONER BAKKER: Sadie?
32 RITA ROGERS: Don't say nothing.
33 COMMISSIONER BAKKER: I would let Sadie --
34 COUNTY CLERK SULLIVAN: Sadie --
35 COMMISSIONER BAKKER: -- talk --
36 COUNTY CLERK SULLIVAN: -- Sullivan, --
37 COMMISSIONER BAKKER: -- for --
38 COUNTY CLERK SULLIVAN: -- Lander --
39 COMMISSIONER BAKKER: -- her.
40 COUNTY CLERK SULLIVAN: -- county clerk, for the record.

1 I just took a couple of notes and just questions.
2 It was stated as government entities would need to pay
3 possibly as well if that's what the motion is.
4 So with that being said, if there would -- could be or would
5 be a clarification because we do go over there for our elections.
6 And then also the school goes over and does testing --
7 RITA ROGERS: Uh-huh.
8 COUNTY CLERK SULLIVAN: -- for the kids as well.
9 COMMISSIONER BAKKER: Well, the school has a interlocal
10 agreement between the county and the school --
11 COMMISSIONER CLARK: Right. They're not --
12 COMMISSIONER BAKKER: -- that's already --
13 COMMISSIONER CLARK: -- paying for --
14 COMMISSIONER BAKKER: -- in place.
15 COMMISSIONER CLARK: -- two years.
16 COUNTY CLERK SULLIVAN: Okay.
17 RITA ROGERS: Yeah.
18 COMMISSIONER BAKKER: So they would --
19 COUNTY CLERK SULLIVAN: So --
20 COMMISSIONER BAKKER: -- be --
21 CHAIRMAN MILLS: Yeah.
22 COUNTY CLERK SULLIVAN: -- I just wanted --
23 COMMISSIONER BAKKER: -- held to the --
24 COUNTY CLERK SULLIVAN: -- clarification --
25 COMMISSIONER BAKKER: -- contract.
26 COUNTY CLERK SULLIVAN: -- on that. And I just didn't know
27 if there'd need to be a resolution or an ordinance or --
28 So those are some questions. If I need to put it in my
29 budget? So those were my questions.
30 RITA ROGERS: And one of my --
31 COMMISSIONER BAKKER: The county wouldn't --
32 RITA ROGERS: -- others --
33 COMMISSIONER BAKKER: -- pay to use what the county's
34 already paying. It'd be like just a --
35 COUNTY CLERK SULLIVAN: Right. Right.
36 COMMISSIONER BAKKER: That wouldn't make --
37 RITA ROGERS: Right.
38 COMMISSIONER BAKKER: -- any sense.
39 COUNTY CLERK SULLIVAN: Yeah.
40 RITA ROGERS: Yeah. And my --

1 COUNTY CLERK SULLIVAN: Exactly.
2 RITA ROGERS: -- other question is the extension office.
3 Okay.
4 You know they're partly UNR --
5 COMMISSIONER BAKKER: They're part of the --
6 RITA ROGERS: -- and then --
7 COMMISSIONER BAKKER: -- county --
8 RITA ROGERS: -- they're partly --
9 COMMISSIONER BAKKER: -- too, though.
10 RITA ROGERS: -- county too. So I've always -- they've
11 always got it free too.
12 COMMISSIONER BAKKER: Governmental that is noncounty
13 functions.
14 RITA ROGERS: See, because I got a double there.
15 So what would I do with them? Because we do have a big
16 meeting coming up January 16th. And I was just kind of
17 wondering what do I do there?
18 I've been talking to Lisa about it.
19 LISA TAYLOR: I'm here.
20 RITA ROGERS: And she's got the contract, you know.
21 LISA TAYLOR: Hi.
22 RITA ROGERS: Oh, there --
23 UNIDENTIFIED PARTICIPANT: That's why --
24 RITA ROGERS: -- she is.
25 UNIDENTIFIED PARTICIPANT: -- I'm here.
26 RITA ROGERS: Okay. Of what we need to do, guys? I
27 mean --
28 COMMISSIONER BAKKER: Well, I --
29 RITA ROGERS: We've got two --
30 COMMISSIONER BAKKER: -- would --
31 RITA ROGERS: -- departments.
32 COMMISSIONER BAKKER: -- say -- in my motion, I'll clarify
33 that our -- as long as it's not a county function from a county
34 department.
35 Now Lisa is half county.
36 RITA ROGERS: Yes.
37 COMMISSIONER BAKKER: Her department's paid for half by
38 county taxation.
39 LISA TAYLOR: Taxation.
40 RITA ROGERS: Yes.

1 COMMISSIONER BAKKER: So she would be exempt.
2 RITA ROGERS: Okay.
3 LISA TAYLOR: Okay.
4 COMMISSIONER ALLAN: So Rita --
5 RITA ROGERS: So if the Department of Agriculture is the
6 one that's actually putting this event on --
7 COMMISSIONER BAKKER: Through the extension office, which
8 is paid by the county.
9 RITA ROGERS: Yes.
10 COMMISSIONER BAKKER: So that's different.
11 RITA ROGERS: So that's different. See?
12 COMMISSIONER BAKKER: Yes.
13 RITA ROGERS: So --
14 COMMISSIONER BAKKER: Because it --
15 COMMISSIONER ALLAN: So I'd like to see in black and white
16 who -- who gets it for free.
17 RITA ROGERS: Who --
18 COMMISSIONER ALLAN: County?
19 RITA ROGERS: -- gets it? Who --
20 COMMISSIONER ALLAN: County --
21 RITA ROGERS: -- get- --
22 COMMISSIONER ALLAN: -- county entities.
23 RITA ROGERS: All county entities get it for free.
24 COMMISSIONER BAKKER: Yep.
25 COMMISSIONER ALLAN: And funerals?
26 RITA ROGERS: And funerals. Yes.
27 COMMISSIONER BAKKER: Okay.
28 I'm going to make a motion that we make a line item and lump
29 governmental taxation departments that are noncounty functions
30 into the nonprofit charge of \$200.
31 What do you need a clarification on? Because let's
32 clarify --
33 KEITH WESTENGARD: You said --
34 COMMISSIONER BAKKER: -- it now.
35 KEITH WESTENGARD: -- you said noncounty. You're talking
36 about county.
37 COMMISSIONER WAITS: No, if it's --
38 COMMISSIONER BAKKER: No, --
39 COMMISSIONER WAITS: -- a -- if it's --
40 COMMISSIONER BAKKER: -- non- --

1 COMMISSIONER WAITS: -- a noncounty --
2 DISTRICT ATTORNEY HERRERA: Function.
3 COMMISSIONER WAITS: -- function, --
4 COMMISSIONER BAKKER: -- function.
5 COMMISSIONER WAITS: -- they pay 200.
6 COMMISSIONER BAKKER: Yes.
7 DISTRICT ATTORNEY HERRERA: (Indiscernible.)
8 COMMISSIONER BAKKER: So the extension --
9 DISTRICT ATTORNEY HERRERA: -- talking about --
10 COMMISSIONER BAKKER: -- office would be exempt, the
11 school, and -- there was one more -- oh, and Sadie's.
12 RITA ROGERS: Yeah. And Sadie.
13 Yeah.
14 COMMISSIONER BAKKER: Or county offices --
15 RITA ROGERS: That's all county.
16 COMMISSIONER BAKKER: -- would be --
17 RITA ROGERS: Yes.
18 COMMISSIONER BAKKER: -- exempt.
19 RITA ROGERS: And then if you have any kind of meetings as
20 far as commissioners or anything --
21 COMMISSIONER BAKKER: Right.
22 RITA ROGERS: -- that comes up, --
23 COMMISSIONER CLARK: And -- and -- and I have --
24 RITA ROGERS: -- that's all --
25 COMMISSIONER CLARK: -- a --
26 RITA ROGERS: -- free.
27 COMMISSIONER CLARK: -- question about the Basque Club.
28 RITA ROGERS: Yes.
29 COMMISSIONER CLARK: You're not paying -- you're not paying
30 a fee every time you have practice there? Or --
31 RITA ROGERS: No. No. I've --
32 COMMISSIONER CLARK: Okay.
33 RITA ROGERS: -- let them come in.
34 Well, what happened is they didn't have a place. So I've let
35 them come in these --
36 COMMISSIONER CLARK: Okay.
37 RITA ROGERS: -- last two weeks to practice for our big
38 winter fest.
39 COMMISSIONER CLARK: Okay.
40 RITA ROGERS: Because they don't have another place to

1 practice. They come in in the evenings for an hour or so.
2 And I've had others that will come in, same thing, that
3 might be affiliated with the schools or some function that they
4 need to practice a little in the evenings. So then I take and
5 -- and let them come in too.
6 So yes.
7 COMMISSIONER WAITS: So do we --
8 ROBIN SMITH: Robin Smith.
9 COMMISSIONER WAITS: -- do we need to clarify the
10 Convention & Tourism Authority at the nonprofit rate?
11 COMMISSIONER BAKKER: Yes. So do you want me to make that
12 motion?
13 CHAIRMAN MILLS: Yeah. Throw that in.
14 COMMISSIONER WAITS: No. Your -- your motion was okay. I
15 just want --
16 COMMISSIONER BAKKER: Oh, yeah. So --
17 COMMISSIONER WAITS: -- just to clarify.
18 COMMISSIONER BAKKER: -- Convention & Tourism, Taxation,
19 they're -- they're all governmental agencies that fall under the
20 \$200 rate.
21 RITA ROGERS: Okay.
22 And --
23 ROBIN SMITH: So Robin Smith.
24 You need to bring up the bike.
25 RITA ROGERS: Oh, yes. We had --
26 ROBIN SMITH: Because they're --
27 RITA ROGERS: -- the --
28 ROBIN SMITH: -- there for almost two weeks.
29 RITA ROGERS: We have the --
30 ROBIN SMITH: And --
31 RITA ROGERS: -- big --
32 ROBIN SMITH: -- we were charging --
33 RITA ROGERS: -- bike --
34 ROBIN SMITH: -- them \$200 a day.
35 Just another --
36 COMMISSIONER CLARK: The -- the --
37 RITA ROGERS: The bike --
38 I forgot.
39 ROBIN SMITH: Something --
40 RITA ROGERS: The --

1 ROBIN SMITH: -- you guys should know.
2 RITA ROGERS: I had you -- on my list --
3 COMMISSIONER WAITS: Just --
4 RITA ROGERS: -- the --
5 COMMISSIONER WAITS: -- just --
6 RITA ROGERS: -- bike --
7 COMMISSIONER WAITS: -- a minute. We're in the middle of a
8 motion. Let's just wait just --
9 RITA ROGERS: Well --
10 COMMISSIONER WAITS: -- a minute and bring --
11 RITA ROGERS: This -- this is coming in to where -- who do
12 we charge?
13 And this is -- there you are, brought in through the
14 Convention & Tourism. They bring in the human-powered bikes that
15 for -- two weeks -- and they don't pay nothing.
16 COMMISSIONER BAKKER: Yeah. But --
17 RITA ROGERS: So --
18 COMMISSIONER BAKKER: -- aren't -- but Convention & Tourism
19 would pay that at the \$200 rate, then.
20 RITA ROGERS: If that's -- if this is going to be --
21 COMMISSIONER BAKKER: If that goes through.
22 RITA ROGERS: If this goes --
23 COMMISSIONER CLARK: Okay. But --
24 COMMISSIONER BAKKER: Could --
25 RITA ROGERS: -- through. Then --
26 COMMISSIONER BAKKER: They're the ones --
27 RITA ROGERS: -- I --
28 COMMISSIONER BAKKER: -- putting it --
29 RITA ROGERS: -- will know --
30 COMMISSIONER BAKKER: -- on; right?
31 RITA ROGERS: -- what to --
32 COMMISSIONER CLARK: Finish --
33 RITA ROGERS: -- do.
34 COMMISSIONER CLARK: -- finish what you were going to say.
35 I think I know where you're headed.
36 COMMISSIONER BAKKER: Okay.
37 RITA ROGERS: Well, knowing what -- who needs, you know,
38 like I said, they're here for two weeks. They have full control
39 of that civic center. And they're getting it for free through
40 the Convention & Tourism because that's government. And they've

1 --
2 COMMISSIONER CLARK: And they have people sleeping there
3 and cooking food. And --
4 RITA ROGERS: They do cook there all the time. Yes, they
5 do.
6 As far as sleeping, we don't allow that no more.
7 COMMISSIONER CLARK: Okay.
8 RITA ROGERS: That's been put a stop to.
9 And this next year they might not even be able to cook
10 there. But --
11 COMMISSIONER WAITS: The cooking was a misunderstanding
12 too. They should not have been. But they just --
13 RITA ROGERS: But they have been.
14 COMMISSIONER WAITS: One of --
15 RITA ROGERS: Yes.
16 COMMISSIONER WAITS: -- the groups took it upon themselves
17 to --
18 RITA ROGERS: Yes. They --
19 COMMISSIONER WAITS: -- do that.
20 RITA ROGERS: -- did. One of the --
21 COMMISSIONER WAITS: Yes.
22 RITA ROGERS: -- groups that came in.
23 COMMISSIONER WAITS: Okay. Well, that --
24 RITA ROGERS: And -- and, I mean, Paula was very upset this
25 year. And I don't think they'll be able to get to come in next
26 year to cook. Because they really let Paula down, you know,
27 when they did. Because, I mean, she bends over backwards for
28 them to be here and all.
29 So this is -- this is --
30 COMMISSIONER BAKKER: So you're saying --
31 RITA ROGERS: -- one of those other --
32 COMMISSIONER BAKKER: So --
33 RITA ROGERS: -- gray areas, guys.
34 COMMISSIONER BAKKER: Are you saying that the \$200 is not
35 enough? Or --
36 RITA ROGERS: No, --
37 COMMISSIONER BAKKER: -- I --
38 RITA ROGERS: -- I think --
39 COMMISSIONER BAKKER: -- I -- I --
40 RITA ROGERS: -- 200 --

1 COMMISSIONER BAKKER: Oh, okay.
2 RITA ROGERS: I think 200 is great if we do it because
3 that's 200 a day, you know, the days they are there.
4 Or is it a one-time shot of \$200?
5 But they tie that building up for two full weeks.
6 COMMISSIONER WAITS: No, \$200 a day.
7 RITA ROGERS: Okay. That's -- that's the other --
8 COMMISSIONER ALLAN: They do have a --
9 RITA ROGERS: -- that needs to be voted on.
10 COMMISSIONER ALLAN: I do have a --
11 COMMISSIONER BAKKER: I need a --
12 COMMISSIONER ALLAN: -- question.
13 COMMISSIONER BAKKER: -- second, though.
14 COMMISSIONER ALLAN: And this would -- this would be a
15 legal question. And it's hypothetically because, you know, it's
16 nothing that'll probably ever happen.
17 But the RTC Commission is an NRS board. Is would you charge
18 us if we were to decide to have some kind of function at the civic
19 center?
20 The RTC --
21 COMMISSIONER BAKKER: County.
22 COMMISSIONER ALLAN: -- Commission come in and -- and have
23 a workshop or --
24 RITA ROGERS: If it's county affiliated. I mean, it -- I
25 mean, it's up to you --
26 COMMISSIONER BAKKER: It is county --
27 RITA ROGERS: -- guys.
28 COMMISSIONER BAKKER: -- affiliated.
29 DISTRICT ATTORNEY HERRERA: It is.
30 RITA ROGERS: It's county --
31 COMMISSIONER ALLAN: So --
32 RITA ROGERS: -- affiliated. So, yeah, it'd be free.
33 COMMISSIONER ALLAN: So my point being is the Convention &
34 Tourism, no matter what you call them, they are still an NRS
35 board. They are the exact same thing as the RTC Commission.
36 We take in the fuel tax. They take in the bed tax.
37 RITA ROGERS: Uh-huh.
38 COMMISSIONER ALLAN: There's absolutely no difference other
39 than they actually do have an employee.
40 And that's one of my issues about this is when you are trying

1 to say that Convention & Tourism is not involved with the county
2 is it is under the NRS statutes so their -- their rules and
3 regulations. And they are doing a county service.
4 So there is absolutely no difference between Convention &
5 Tourism and RTC in that respect.
6 That's --
7 DISTRICT ATTORNEY HERRERA: Is that a question?
8 COMMISSIONER BAKKER: Well, there is a big difference
9 because they're --
10 DISTRICT ATTORNEY HERRERA: They're --
11 COMMISSIONER BAKKER: -- putting on an event for their own
12 profit.
13 DISTRICT ATTORNEY HERRERA: There's a big difference.
14 COMMISSIONER BAKKER: And the RTC board, if you guys put on
15 an event, is for the roads and taxation for the county
16 government, not their own profit and their own --
17 COMMISSIONER ALLAN: They --
18 COMMISSIONER BAKKER: -- government.
19 COMMISSIONER ALLAN: -- they --
20 COMMISSIONER BAKKER: There's a big, --
21 COMMISSIONER ALLAN: They're --
22 COMMISSIONER BAKKER: -- big difference.
23 COMMISSIONER CLARK: Duh.
24 COMMISSIONER ALLAN: Their own --
25 COMMISSIONER CLARK: Here we go.
26 COMMISSIONER ALLAN: -- profit goes into grants --
27 COMMISSIONER BAKKER: They're --
28 COMMISSIONER ALLAN: -- that goes towards the county.
29 They don't -- we -- they --
30 COMMISSIONER BAKKER: They cut a lot of that out.
31 COMMISSIONER CLARK: Yeah. They cut --
32 RITA ROGERS: The only --
33 COMMISSIONER CLARK: -- a lot --
34 RITA ROGERS: -- thing --
35 COMMISSIONER CLARK: -- of --
36 COMMISSIONER BAKKER: They cut --
37 RITA ROGERS: -- that they --
38 COMMISSIONER BAKKER: -- a lot of that --
39 RITA ROGERS: -- have done --
40 COMMISSIONER BAKKER: -- out.

1 RITA ROGERS: -- this last year are two events. That's the
2 chukar and that's the bike. And that's all they --
3 COMMISSIONER BAKKER: For their own --
4 RITA ROGERS: -- have done for --
5 COMMISSIONER BAKKER: -- pocket.
6 RITA ROGERS: -- quite a while.
7 COMMISSIONER ALLAN: They are still a non-for-profit
8 organization.
9 COMMISSIONER BAKKER: Is RTC putting the money back into
10 the county government or is they putting it in their own bank
11 account for their own profit?
12 COMMISSIONER CLARK: Legally I think there's a difference
13 between not for profit and not losing money.
14 RITA ROGERS: See, I don't know. That's Ted's -- that's
15 Ted's area, not --
16 COMMISSIONER BAKKER: That's a --
17 RITA ROGERS: -- mine.
18 COMMISSIONER BAKKER: -- big difference too.
19 DISTRICT ATTORNEY HERRERA: One's a district and one isn't.
20 It's that simple.
21 COMMISSIONER CLARK: Yeah.
22 One's a district --
23 COMMISSIONER BAKKER: Okay.
24 COMMISSIONER CLARK: -- and one isn't.
25 DISTRICT ATTORNEY HERRERA: I mean, that's the distinction.
26 That's the legal distinction.
27 CHAIRMAN MILLS: So Sean's made a motion. Do we have a
28 second on that motion?
29 COMMISSIONER CLARK: Yeah. I'll second it.
30 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
31 Do we have any public comment?
32 Come on up.
33 KATHLEEN ANCHO: Kathy Ancho, for the l- -- record.
34 When this subject came up last month, I pulled their
35 records to see what they had put into the county in the last two
36 years. They put rou- -- about 200 -- over \$200,000 that they
37 donated back into this county.
38 So to say they're not putting anything back into the county
39 is misspeaking.
40 They did the --

1 (Cell phone ringing.)
2
3 KATHLEEN ANCHO: -- the museum and numerous other grants.
4 If you pull the report, there's several different grants that
5 they put thousands of dollars in.
6 So I think that that needs to be said that they are doing
7 something. They're not just taking the money and not putting
8 anything back in.
9 So fair is fair.
10 You know, yeah, maybe they have a large bank account -- and I
11 respect that, I truly do -- but they also are putting stuff back
12 into this community.
13 RITA ROGERS: And I also know that they are there to
14 advertise for any event or function that's going on. They will
15 do your advertising for you --
16 COMMISSIONER BAKKER: Well, and I --
17 COMMISSIONER CLARK: You will --
18 RITA ROGERS: -- out of --
19 COMMISSIONER CLARK: -- you will --
20 RITA ROGERS: -- theirs.
21 COMMISSIONER BAKKER: -- a big part of --
22 COMMISSIONER CLARK: -- find --
23 COMMISSIONER BAKKER: -- their bank account --
24 RITA ROGERS: But, you know, --
25 COMMISSIONER BAKKER: -- is --
26 RITA ROGERS: -- it's up to --
27 COMMISSIONER BAKKER: -- from --
28 RITA ROGERS: -- you guys.
29 COMMISSIONER BAKKER: I think --
30 COMMISSIONER CLARK: You will find that we have people come
31 to us for grants --
32 RITA ROGERS: Uh-huh.
33 COMMISSIONER CLARK: -- that have already been to Fair and
34 Rec -- okay? --
35 RITA ROGERS: Uh-huh.
36 COMMISSIONER CLARK: -- more often than not.
37 COMMISSIONER ALLAN: Well, and I --
38 COMMISSIONER BAKKER: I --
39 COMMISSIONER ALLAN: -- think --
40 RITA ROGERS: Yes.

1 COMMISSIONER ALLAN: -- that -- that -- I will not say
2 positively on this -- they are limited in what they can and
3 can't do with those grants because of the bed taxes.
4 The same thing with the RTC money. You know, we've got a
5 lot of money in the RTC, but we can only spend it on certain
6 things.
7 And I'm sure Fair and Rec, Convention & Tourism, it's the
8 same thing. Is people can go to them and ask for a grant, but if
9 it does not fit within the parameters of what that money will be
10 available for, they have to turn them down.
11 So you can't just say, hey, I want to go do this. Go to Fair
12 and Rec and ask for the money, and they're going to say, no.
13 State taxation is telling us, we can't give you the money for
14 that.
15 COMMISSIONER CLARK: And what things can't you give grants
16 for?
17 COMMISSIONER BAKKER: They can. They just --
18 COMMISSIONER CLARK: No, what --
19 COMMISSIONER BAKKER: -- they --
20 COMMISSIONER CLARK: -- thing --
21 COMMISSIONER BAKKER: -- they -- they made --
22 COMMISSIONER CLARK: I'm -- I'm asking --
23 COMMISSIONER BAKKER: -- made --
24 COMMISSIONER CLARK: -- Judie --
25 COMMISSIONER BAKKER: -- their own policies --
26 COMMISSIONER CLARK: -- on --
27 COMMISSIONER BAKKER: -- to not --
28 COMMISSIONER CLARK: I'm asking Commissioner Allan --
29 COMMISSIONER BAKKER: Oh.
30 COMMISSIONER CLARK: -- what things can't --
31 COMMISSIONER BAKKER: They -- they --
32 COMMISSIONER CLARK: -- they --
33 COMMISSIONER BAKKER: -- they --
34 COMMISSIONER CLARK: -- give money --
35 COMMISSIONER BAKKER: -- can.
36 COMMISSIONER CLARK: -- for that we can't?
37 COMMISSIONER ALLAN: And I can't -- I can't tell you that.
38 COMMISSIONER CLARK: Oh, okay.
39 COMMISSIONER WAITS: It's easier to say what do they give
40 grants for. And that's for anything in advertising the

1 community to bring more -- more people in to -- for room and
2 board taxes and such.

3 COMMISSIONER CLARK: Right.

4 COMMISSIONER BAKKER: Now I --

5 COMMISSIONER WAITS: That's the main thing.

6 COMMISSIONER BAKKER: If I misspoke and said they don't do
7 anything, I'm sorry, because they do do things in the community.

8 But part of their large bank account is from the last 20
9 years of renting out the civic center, collecting the fees from
10 it, the county paying the maintenance out of the taxpayer
11 dollars.

12 So that's what contributed to a large -- if you pull their
13 records now, they're actually going backwards from not having
14 the civic center because the civic center made them money. And
15 the county paid for it.

16 RITA ROGERS: Uh-huh.

17 CHAIRMAN MILLS: Jodi?

18 JODI MOORE: I -- I just -- my name's Jodi Moore -- I just
19 think it's important to see the whole picture. And I don't know
20 if you guys are aware or not, but I have, because I've done a
21 lot of research.

22 They have the two events. And one of the events every year
23 they take around \$10,000 and they go to Reno to buy all their
24 stuff. They bought from two local businesses and that's it.

25 COMMISSIONER CLARK: Yeah.

26 JODI MOORE: So I -- that's an important thing for me
27 because --

28 COMMISSIONER CLARK: Yeah.

29 JODI MOORE: -- we're all supposed be working together,
30 supporting each other.

31 And when you take \$10,000 out of the community -- and I
32 know they have to buy certain things. But there is things that
33 they're buying that they could get within the community.

34 So that's part of the whole picture that needs to be looked
35 at.

36 COMMISSIONER CLARK: I buy my jeans in Lander County now.

37 COMMISSIONER BAKKER: Okay.

38 Any other --

39 CHAIRMAN MILLS: Do we have any other --

40 RITA ROGERS: So --

1 CHAIRMAN MILLS: -- public comment?
2 RITA ROGERS: I just need direction.
3 CHAIRMAN MILLS: Okay.
4 So, again, Sean made a motion. Art seconded.
5 All those in favor?
6 COMMISSIONER BAKKER: Aye.
7 CHAIRMAN MILLS: Aye.
8 COMMISSIONER CLARK: Aye.
9 CHAIRMAN MILLS: Opposed?
10 COMMISSIONER ALLAN: Nay.
11 COMMISSIONER WAITS: Nay.
12 COMMISSIONER BAKKER: Okay.
13 CHAIRMAN MILLS: Okay.
14 COMMISSIONER BAKKER: Thank you, Rita.
15 RITA ROGERS: Thank you.
16 What was the school?
17 COMMISSIONER CLARK: What was the vote? Doug, did you
18 vote?
19 COMMISSIONER BAKKER: No. The --
20 CHAIRMAN MILLS: Yes.
21 COMMISSIONER BAKKER: -- school has an interlocal agreement
22 --
23 CHAIRMAN MILLS: I voted in --
24 COMMISSIONER BAKKER: -- with --
25 CHAIRMAN MILLS: -- favor.
26 COMMISSIONER BAKKER: -- the county.
27 COMMISSIONER CLARK: Oh.
28 RITA ROGERS: For how long?
29 COMMISSIONER BAKKER: Oh. I don't --
30 RITA ROGERS: What was --
31 COMMISSIONER BAKKER: -- know.
32 RITA ROGERS: -- the interagreement for the school?
33 COMMISSIONER BAKKER: The school has an interlocal --
34 COMMISSIONER CLARK: Two years.
35 COMMISSIONER BAKKER: -- agreement. We have a --
36 RITA ROGERS: Of two years.
37 COMMISSIONER BAKKER: -- interlocal agreement --
38 RITA ROGERS: Okay.
39 COMMISSIONER BAKKER: -- with the school.
40 RITA ROGERS: I had heard different things so I wasn't

1 sure. I wanted to make sure.
2 COMMISSIONER CLARK: And -- and let me --
3 DISTRICT ATTORNEY HERRERA: I thought it was a --
4 COMMISSIONER CLARK: -- let me --
5 DISTRICT ATTORNEY HERRERA: -- five-year.
6 CHAIRMAN MILLS: (Indiscernible.)
7 COMMISSIONER CLARK: -- let me --
8 COMMISSIONER BAKKER: Well, --
9 COMMISSIONER CLARK: -- tell you --
10 COMMISSIONER BAKKER: -- the DA --
11 COMMISSIONER CLARK: -- why.
12 COMMISSIONER BAKKER: -- the DA's office can pull it
13 and get --
14 DISTRICT ATTORNEY HERRERA: Yeah.
15 COMMISSIONER BAKKER: -- that information --
16 RITA ROGERS: Okay.
17 COMMISSIONER BAKKER: -- to you.
18 CHAIRMAN MILLS: Yeah.
19 COMMISSIONER CLARK: Okay.
20 RITA ROGERS: Okay. I'll --
21 CHAIRMAN MILLS: We give --
22 RITA ROGERS: I don't --
23 COMMISSIONER CLARK: The reason --
24 COMMISSIONER BAKKER: (Indiscernible) probably --
25 RITA ROGERS: -- know if it --
26 COMMISSIONER BAKKER: -- have that.
27 RITA ROGERS: -- was related so I know, personally.
28 DISTRICT ATTORNEY HERRERA: Okay.
29 COMMISSIONER BAKKER: Yeah. You should --
30
31 (Indiscernible simultaneous conversations.)
32
33 COMMISSIONER BAKKER: -- probably have that --
34
35 (Indiscernible simultaneous conversations.)
36
37 COMMISSIONER BAKKER: -- anyway.
38 RITA ROGERS: Thank you, guys.
39 COMMISSIONER CLARK: The reason --
40 COMMISSIONER BAKKER: Thank you.

1 COMMISSIONER CLARK: -- why we gave a break to the school
2 district is because they have something that's called a true-up
3 with their money. And they're operating on a shoestring right
4 now.

5 RITA ROGERS: Right.

6 COMMISSIONER CLARK: So --

7 RITA ROGERS: Okay. Thank you, guys.

8 COMMISSIONER BAKKER: Okay.

9
10 **3) Discussion and possible action to approve/disapprove the use**
11 **of the Austin rodeo grounds for the 2019 MVPA**
12 **Transcontinental Motor Convoy for overnight use September 8**
13 **through 9, 2019, and all other matters properly related**
14 **thereto.**
15

16 CHAIRMAN MILLS: Okay. Item Number 3.

17 Discussion and possible action to approve/disapprove the
18 use of the Austin rodeo grounds for the 2019 MVPA
19 Transcontinental Motor Convoy for overnight use September 28th
20 -- September 8th and 9th, 2019, and all other matters properly
21 related thereto.

22 COMMISSIONER CLARK: Is this --

23 COMMISSIONER ALLAN: Do you want to repeat --

24 COMMISSIONER CLARK: Are these --

25 COMMISSIONER ALLAN: -- that?

26 COMMISSIONER CLARK: -- military vehicles, Patsy?

27 COMMISSIONER WAITS: Yes. They are all --

28 COMMISSIONER CLARK: Okay.

29 COMMISSIONER WAITS: -- old military vehicles. And --

30 COMMISSIONER CLARK: Well, that's really cool.

31 COMMISSIONER WAITS: Yeah, it -- it --

32 COMMISSIONER CLARK: That's really --

33 COMMISSIONER WAITS: -- it really, really is.

34 COMMISSIONER CLARK: -- cool.

35 COMMISSIONER WAITS: And that they're celebrating --

36 COMMISSIONER CLARK: And when is --

37 COMMISSIONER WAITS: -- their --

38 COMMISSIONER CLARK: -- that? Next --

39 COMMISSIONER WAITS: Yeah.

40 COMMISSIONER CLARK: -- year, --

1 COMMISSIONER WAITS: Their --
2 COMMISSIONER CLARK: -- September --
3 COMMISSIONER WAITS: -- centennial --
4 COMMISSIONER CLARK: -- 8th --
5 COMMISSIONER WAITS: -- anniversary.
6 COMMISSIONER CLARK: -- and 9th. I want to be there for
7 that.
8 COMMISSIONER BAKKER: Okay. I'll make a motion to approve
9 the use of the Austin rodeo grounds for the 2019 MVPA
10 Transcontinental Motor convey -- Convoy for an overnight use,
11 September 8th through the 9th, 2019.
12 COMMISSIONER ALLAN: I'll second that.
13 DISTRICT ATTORNEY HERRERA: We might have to kick -- kick
14 the people out of the rodeo grounds because --
15 CHAIRMAN MILLS: The ones --
16 COMMISSIONER BAKKER: Huh?
17 DISTRICT ATTORNEY HERRERA: -- they're holdovers. We do
18 not have a lease with them.
19 But we believe -- we've been told that they are still
20 occupying the fairgrounds.
21 But Keith is --
22 COMMISSIONER WAITS: Okay.
23 DISTRICT ATTORNEY HERRERA: -- has plans, needs to take
24 care of that.
25 COMMISSIONER BAKKER: There's people there now?
26 KEITH WESTENGARD: People in the -- in the -- the fifth
27 wheel up there that --
28 DISTRICT ATTORNEY HERRERA: Yeah.
29 ANNA PENOLA: The watchman's quarters.
30 KEITH WESTENGARD: The watchman's --
31 COMMISSIONER BAKKER: Okay.
32 KEITH WESTENGARD: -- quarters. Yeah.
33 COMMISSIONER BAKKER: Well, you handle that.
34 KEITH WESTENGARD: Yeah. We --
35 DISTRICT ATTORNEY HERRERA: Yeah. Well, I just --
36 CHAIRMAN MILLS: You've got to --
37 DISTRICT ATTORNEY HERRERA: -- wanted to --
38 CHAIRMAN MILLS: You've got almost a --
39 DISTRICT ATTORNEY HERRERA: Just wanted to --
40 CHAIRMAN MILLS: -- year to --

1 DISTRICT ATTORNEY HERRERA: -- bring --
2 CHAIRMAN MILLS: -- work --
3 DISTRICT ATTORNEY HERRERA: -- the --
4 CHAIRMAN MILLS: -- it out --
5 DISTRICT ATTORNEY HERRERA: -- commissioners up to date.
6 COMMISSIONER WAITS: Yeah. There's -- there's about 150 of
7 them. And there's no place in town for 150. And some of them
8 are large vehicles.
9 So that -- it's just a -- it's just a -- kind of a holding
10 place. They're going to be --
11 COMMISSIONER CLARK: Are they modern vehicles? Are they --
12 COMMISSIONER WAITS: No, no.
13 COMMISSIONER CLARK: -- vintage?
14 COMMISSIONER WAITS: No. No. These are old vintage
15 vehicles.
16 COMMISSIONER CLARK: Okay.
17 COMMISSIONER WAITS: Yes.
18 COMMISSIONER CLARK: Well, that's really cool. And we need
19 to help them with --
20 COMMISSIONER WAITS: Yes. And --
21 COMMISSIONER CLARK: -- somewhere to park.
22 COMMISSIONER WAITS: -- because it's their transcontinental
23 anniversary, they're going all the way across the country.
24 COMMISSIONER BAKKER: Cool.
25 CHAIRMAN MILLS: Okay.
26 DISTRICT ATTORNEY HERRERA: That's good.
27 CHAIRMAN MILLS: So Sean made a motion. Judie seconded.
28 Do we have any public comment?
29 (No comment.)
30 CHAIRMAN MILLS: All in favor?
31 COMMISSIONER BAKKER: Aye.
32 COMMISSIONER CLARK: Aye.
33 COMMISSIONER ALLAN: Aye.
34 CHAIRMAN MILLS: Aye.
35 COMMISSIONER WAITS: Aye.
36 CHAIRMAN MILLS: Okay. We're going to take a five-minute
37 break.
38 COMMISSIONER BAKKER: Really?
39 CHAIRMAN MILLS: Yes.
40 COMMISSIONER BAKKER: Oh.

1 COMMISSIONER WAITS: Really.
2 CHAIRMAN MILLS: For real.
3 COMMISSIONER BAKKER: Austin?

4
5 (Break taken between 9:52 p.m. and 10:04 a.m.)
6
7

8 **PLANNING**
9

- 10 4) **Discussion and possible action regarding a special-use permit**
11 **application for Rural Remedies dba Doc's Apothecary to**
12 **operate a medical/recreational marijuana cultivation and**
13 **production facility on APN 005-500-05, zoned industrial,**
14 **located on Marshall Canyon Road in Austin, Nevada, and all**
15 **other matters properly related thereto.**
16

17 CHAIRMAN MILLS: Number 4.

18 Discussion and possible action regarding a special-use
19 permit application for -- for Rural Remedies dba Doc's
20 Apothecary to operate a medical/recreational marijuana
21 cultivation and production facility on APN 005-500-05, zoned
22 industrial, located in Marshall -- on Marshall Canyon Road in
23 Austin, Nevada, and all other matters properly related thereto.

24 JOSEPH RAMOS: Good morning.

25 CHAIRMAN MILLS: Good morning.

26 COMMISSIONER CLARK: Good morning.

27 JOSEPH RAMOS: For the record, Joe Ramos, --

28 COMMISSIONER BAKKER: Good morning.

29 JOSEPH RAMOS: -- Jr., not to be confused with the senior
30 for dang sure.

31 Got a -- as I talk here, I've got a property plotted I'd
32 like to ask the commission to pass down.

33 This is a proposed plot of this. You guys have this in a
34 smaller version in the packet you've been given. I think it's
35 -- it's much better visualized here.

36 So Rural Remedies is -- as the commission knows -- was
37 approved for a license on the other side of the county. The --
38 the way that the county set it up was that there would be
39 locations on the Battle Mountain half of things and on the
40 Austin half of things.

1 As we -- we applied with the state and were approved for a
2 license in Gilman Springs only later then to find out that the
3 Township of Gilman Springs disqualified the location.

4 So we have an approval from the state for a disqualified
5 location.

6 So we began to look elsewhere for other locations.

7 As you know from Austin, if you look at it like a star
8 where the roads would go out from it, we can go down Smoky
9 Valley, down to where the -- the county border's there. We can
10 head out towards Fallon, towards Battle Mountain, maybe a very
11 short distance over there towards Eureka.

12 And as all of you are very familiar from being around the
13 county, those are all extremely rural to get out in the middle
14 of nowhere.

15 We started calling property owners there. And there are
16 surprisingly very few.

17 The Inchauspes own pretty much from Austin all the way down
18 towards Battle Mountain.

19 The Youngs own the great majority of everything out towards
20 Round Mountain.

21 As you come out towards Fallon, what you see there is, is
22 there's a couple properties available. There's one owned by Ben
23 Williams out there that's about 40 acres. And it's out there in
24 the middle of nowhere as well.

25 As we started calling property owners, we called Pauline
26 Inchauspe. She said she wasn't real excited about us having a
27 location there. And she also raised some safety issues that
28 then brought my attention to something that we needed to
29 consider deeper for this -- for Lander County.

30 What those safety issues are is that for these grows and --
31 and in our case a -- an extraction facility to be safe for the
32 residents of Lander County, which was a major concern the last
33 time we came before you for licensing, what -- what they need in
34 order to be safe is you need to have good access, first of all,
35 to police, good access to fire, and you need to have readily
36 available police support should something go wrong, such as the
37 emergency buttons that are placed in these to notify the police
38 department.

39 If you look at those areas that we've looked at, they just
40 don't fit. There were -- it would -- frankly, would be somewhat

1 scary to work out towards Fallon in the middle of the flats out
2 there with a building. Same thing out with -- towards the
3 Inchauspe's place and the Young's place as well. You're really,
4 really isolated.

5 We happen to have a lot of ranchers, farmers, and big
6 property plots that make Austin really almost undoable, not --
7 not feasible for a -- for a grow facility.

8 So we began to look closer. I also made a call to the
9 sheriff, Mr. Unger, who is sitting here, because I wanted to
10 know if there were any other ideas. What -- what can we do?
11 What's another option, a realistic option?

12 And I -- he can speak for himself, but I -- I will -- I
13 will paraphrase for him in that he said, I don't -- I don't see
14 any good solutions here either with a safety perspective.

15 We then talked to my -- my old man. Now if you want to
16 talk about something funny is approach your dad about marijuana,
17 particularly my dad.

18 Surprisingly, he was -- he was in support of it. And he
19 was in support of the use being where we've applied to you for
20 today for a variance down at the -- at his bolt plant. That
21 actually is about an ideal location.

22 As you'll see from the larger plat that I've given you
23 there, it's 1.1 miles from the nearest building in town. Now it
24 may encroach on the town city limits, though. And that's why
25 we're -- we're here before you now.

26 But it's 1.1 miles from the nearest facility.

27 We then went to talk to neighbors because we wanted to g-
28 -- just as I talked to the sheriff, I wanted to talk to
29 neighbors and find out if they had any suggestions.

30 Well, there are none.

31 There's somebody living down there illegally in a fifth
32 wheel. And I didn't bother approaching that person because I --
33 I don't know that they'll be there very long anyway. But there
34 are no neighbors, which is actually a nice thing.

35 As far as feasibility for the police officers, you can see
36 it from the top. As you come down through the winding road
37 there, you can see the facility, if anybody was down there. And
38 it certainly would be fast to react to.

39 As far as fire goes, there's a fire hydrant directly placed
40 in front of the facility. It's already there.

1 So the infrastructure is there that would -- that would
2 accommodate for many of the factors that the citizens of Lande-
3 -- Lander County were concerned with.

4 Public safety. Reasonably close. Access to phone lines.
5 Access to fire protection. Access to police.

6 Odor. That was a big concern. We heard that. You guys
7 have heard that till you're blue in the face at these meetings.
8 That's about the best place in the world for odor because it's
9 all the way down there in the canyon, hopefully getting drowned
10 out by any of Reuben William's horse manure down there or
11 whatever they -- else there may be.

12 So it's an ideal location for odor as well.

13 The -- the winds tend to come off the mountains and out to
14 the valley, not up the -- up the valley and towards the --
15 towards the homes.

16 And so I think we've -- we've -- with this property
17 variance, we have very good reasons for public safety, primarily
18 for feasibility.

19 And we would ask that the commission consider, strongly,
20 approving a variance to allow us to place that facility there.

21 We have approval of the property owner. It's my dad. We
22 have no neighbors that we could confront for you to bring here
23 today or they -- or we would have.

24 And if you have any questions, I'd be happy to answer them.

25 COMMISSIONER WAITS: Dr. Ramos, I do -- I do.

26 One is how come you didn't go to the planning commission
27 first before us?

28 JOSEPH RAMOS: The reason we didn't go to the planning
29 commission first is when we got our state approval, we thought
30 we were good to go for Gilman Springs. And it's only come real
31 late here. It's been a -- a ninth inning play to learn that
32 where we were located was not accessible. And I'm --

33 COMMISSIONER WAITS: Okay. So it -- it was quicker to put
34 us on our agenda and we work that way?

35 JOSEPH RAMOS: Absolutely. And --

36 COMMISSIONER WAITS: Okay.

37 JOSEPH RAMOS: -- the other thing, Patsy, to answer that
38 even further, I noticed last time that we went before planning
39 and zoning, we ended up before you anyway.

40 COMMISSIONER CLARK: With what --

1 COMMISSIONER ALLAN: Well, that's --
2 COMMISSIONER CLARK: -- Joe?
3 COMMISSIONER ALLAN: -- usually the --
4 COMMISSIONER WAITS: Well, that's --
5 COMMISSIONER ALLAN: -- process.
6 COMMISSIONER WAITS: -- true because --
7 JOSEPH RAMOS: Right.
8 COMMISSIONER WAITS: -- we also approve or disapprove what
9 they do. So, I mean --
10 JOSEPH RAMOS: Right.
11 COMMISSIONER WAITS: -- that -- but that's the way it
12 usually goes.
13 JOSEPH RAMOS: So you're the end-all, be-all.
14 COMMISSIONER WAITS: My understanding is, though, that
15 you're not -- you're not a mile out of town.
16 JOSEPH RAMOS: We're not a mile from the city, from the
17 town residents.
18 We're over a mile from the nearest structure -- 1.1 miles
19 just either on the map. But from the -- you know how the town
20 boundaries obviously extend bigger than the -- than the last
21 building, the last structure?
22 COMMISSIONER WAITS: Uh-huh.
23 JOSEPH RAMOS: We are within a mile of that.
24 COMMISSIONER WAITS: You're within a mile?
25 JOSEPH RAMOS: That's correct.
26 COMMISSIONER WAITS: So -- so we would have to make an
27 exception because it is -- my understanding is where -- where
28 the town borders are and the way we wrote the ordinance is you
29 have to be a mile out of town.
30 JOSEPH RAMOS: That's exactly right. Yep.
31 COMMISSIONER WAITS: And you're not a mile out of town.
32 JOSEPH RAMOS: We're not.
33 COMMISSIONER ALLAN: And I really think that this really
34 should go back before the planning commission for their
35 recommendations.
36 Is I know ultimately we have the say, but we have a process
37 in place that we usually try to abide by.
38 And that's one of the things is we entrust the planning
39 commission to -- to do the research, to make the recommendations
40 or -- or not. But they get their ducks in a row. They make

1 sure you have your ducks in a row. And they -- they make a rem-
2 -- a recommendation to us.

3 JOSEPH RAMOS: Absolutely.

4 And -- and I -- and I have no problems whatsoever going
5 before the planning commission again.

6 I -- I don't see where -- where that's a problem either. And
7 I would welcome most of the commissioners as well in the interim
8 if that's what you decide to do.

9 If you can provide us with a better location or alternative,
10 we're welcoming your input.

11 COMMISSIONER BAKKER: Theodore? A legal question. Do we
12 need to change to fit Austin, the ten mile -- or the mile out of
13 town city limits?

14 DISTRICT ATTORNEY HERRERA: This is a special-use permit
15 application.

16 COMMISSIONER BAKKER: Okay.

17 DISTRICT ATTORNEY HERRERA: You -- like -- like
18 Commissioner Waits points out, you'd have to make an exception.

19 The -- since this is -- even though it's on commercial, it's
20 still going to follow under the -- the state NRS overlay law. So
21 it's going to turn into a commercial overlay.

22 So in the special-use permit, you can put any conditions you
23 wish on it --

24 COMMISSIONER BAKKER: Or allowances?

25 DISTRICT ATTORNEY HERRERA: Hm?

26 COMMISSIONER BAKKER: Or allowances?

27 DISTRICT ATTORNEY HERRERA: Or allowances. Yes.

28 So technically you can make -- but you'd have to carve out
29 the exception. You have to make the exception. You can't just
30 ignore it.

31 COMMISSIONER BAKKER: So how --

32 DISTRICT ATTORNEY HERRERA: You have --

33 COMMISSIONER BAKKER: -- far out from the city limits is
34 this property?

35 JOSEPH RAMOS: As the crow flies, it's probably going to
36 end up being about .8 -- I believe -- miles instead of one.

37 So fairly -- fairly close to what the restrictions are.

38 And I would -- I would add -- and I want to clarify,
39 Mr. Herrera, what you've said here. The property sits within
40 what's applicable by state law, commercial industrial zoned.

1 Completely by state law, we fit --
2 DISTRICT ATTORNEY HERRERA: Right.
3 JOSEPH RAMOS: -- there.
4 What we don't fit by was Lander County in an effort to
5 protect its citizens said greater than one mile or less than ten
6 miles.
7 And that's where if you go to the -- the town border, I
8 think you're talking about 3/4 of a mile. If you go to the
9 nearest structure, you're talking 1.1 mile.
10 Now the one thing I would add to the commission. If you
11 look at where we're at, it's not an area where there's any
12 zoning for any sort of housing projects.
13 I know here off of Allen Road and some of the properties
14 here around Battle Mountain, there have been other housing areas
15 planned and things of that sort.
16 This is down in the canyon, as you guys know.
17 COMMISSIONER WAITS: There's no -- no housing planned.
18 Absolutely. But it is a recreation area. And people go out and
19 run -- and -- and run their horses there. And we do have, you
20 know -- we haven't had rodeos for a long time, but that doesn't
21 mean we won't have them back again. And we do congregate.
22 There are all kinds of things.
23 But you can go out and -- and see people riding their
24 horses and riding their bikes and -- and like that.
25 So even though you're saying it's not residential, it still
26 is a recreation area for us. So I -- I don't want the impression
27 of everybody that it's just there and nothing is around it.
28 COMMISSIONER BAKKER: Right.
29 COMMISSIONER WAITS: That's all.
30 JOSEPH RAMOS: Yeah.
31 COMMISSIONER ALLAN: Well, we just approved to let the --
32 COMMISSIONER WAITS: That's right. We can let them vet it
33 for us. That's exactly what they should --
34 COMMISSIONER ALLAN: Well --
35 COMMISSIONER WAITS: -- be doing.
36 COMMISSIONER ALLAN: No. No. I mean, we -- we -- we just
37 approved that, you know -- my understanding, it sits above the
38 rodeo grounds.
39 COMMISSIONER WAITS: That's --
40 COMMISSIONER ALLAN: Oh. We --

1 COMMISSIONER WAITS: -- true.
2 COMMISSIONER ALLAN: -- lost Austin.
3 COMMISSIONER BAKKER: Oh.
4 COMMISSIONER WAITS: That's true.
5 COMMISSIONER BAKKER: Hold on.
6 COMMISSIONER CLARK: We lost Austin?
7 COMMISSIONER WAITS: We lost Austin? This isn't the time
8 to lose Austin.

9
10 (Reestablishing telephone contact with Austin.)

11
12 MITESHELL LANHAM: Hello?
13 COMMISSIONER BAKKER: Austin?
14 MITESHELL LANHAM: Yes.
15 COMMISSIONER BAKKER: Okay. Sorry.
16 I don't know what happened, but --
17 COMMISSIONER CLARK: It's the weather.
18 COMMISSIONER BAKKER: Something.
19 You have something to add, Bert?
20 BERT RAMOS: Bert Ramos, for the record.

21 I would like to clarify on the -- bypassing the planning
22 commission. We aren't trying to pull any shenanigans here by
23 bypassing anybody.

24 We're -- we're following what has been set by others before
25 us that came before you guys, without going to the planning
26 commission, for change of locations, which is what happened at
27 the last meeting with other applicants within Lander County.

28 They changed their location without going back to the
29 planning commission. And that's -- that's what we're asking to do
30 here as well.

31 So we aren't trying to bypass anything or get -- get around a
32 meeting or anything of that nature. I just want to clarify that.

33 COMMISSIONER BAKKER: Okay.

34 COMMISSIONER ALLAN: Then thank you, Bert, for that.
35 Although I will say two wrongs don't make a right.

36 So, like I said --

37 My recommendation is that you go back to the planning
38 commission. Is I -- I feel that it needs to go back. It needs
39 to start from square one, the steps.

40 You have your research. You have your -- your back-up

1 material, documentations. You can take it to them. And you can
2 plead your case with them. And they will make their
3 recommendation to the county commissioners.

4 COMMISSIONER BAKKER: Okay.

5 With --

6 JOSEPH RAMOS: Very comfortable doing that.

7 COMMISSIONER BAKKER: I'm going to make a motion to approve
8 a special-use permit application for Rural Remedies, dba Doc's
9 Apothecary, to operate a medical, recreational marijuana
10 cultivation and production facility on APN 005-500-05, zoned
11 industrial, located on Marshall Canyon Road in Austin, Nevada,
12 with the .8 mile allowance from the town boundary.

13 Is that good?

14 DISTRICT ATTORNEY HERRERA: Now what was the last part you
15 said?

16 COMMISSIONER BAKKER: The .8 mile --

17 JOSEPH RAMOS: I'd like --

18 COMMISSIONER BAKKER: -- allowance.

19 JOSEPH RAMOS: I'd like to confirm that distance if
20 you're --

21 COMMISSIONER BAKKER: Oh.

22 JOSEPH RAMOS: -- setting that in stone. Because that's
23 from memory and trying to calculate.

24 COMMISSIONER WAITS: Just -- just say less than a mile.

25 COMMISSIONER BAKKER: Less than a --

26 COMMISSIONER WAITS: Less --

27 COMMISSIONER BAKKER: -- a mile --

28 COMMISSIONER WAITS: -- than the --

29 COMMISSIONER BAKKER: -- allowance.

30 COMMISSIONER WAITS: -- approved -- less than the approved
31 mile.

32 COMMISSIONER BAKKER: From town boundary.

33 COMMISSIONER CLARK: Okay. Here's my question. The spirit
34 of the ordinance is to keep it away from a residence. Okay. If
35 the nearest residence, 1.1 mile away, the nearest -- nearest
36 structure, that -- it basically does meet that guideline.

37 DISTRICT ATTORNEY HERRERA: Well, it meets that -- it meets
38 that guideline.

39 COMMISSIONER CLARK: Right. Okay.

40 COMMISSIONER BAKKER: But the wording in the --

1 COMMISSIONER CLARK: Right.
2 DISTRICT ATTORNEY HERRERA: But there's -- the ordinance --
3 COMMISSIONER BAKKER: Is what we --
4 DISTRICT ATTORNEY HERRERA: -- is --
5 COMMISSIONER BAKKER: -- got --
6 DISTRICT ATTORNEY HERRERA: -- subject --
7 COMMISSIONER BAKKER: -- to --
8 DISTRICT ATTORNEY HERRERA: You have to accept.
9 COMMISSIONER BAKKER: -- cover for.
10 COMMISSIONER CLARK: Right. The town -- the town --
11 DISTRICT ATTORNEY HERRERA: Yeah.
12 COMMISSIONER CLARK: -- lines. But, man, do we know where
13 the lines are in Austin?
14 DISTRICT ATTORNEY HERRERA: Well --
15 COMMISSIONER BAKKER: We're working on --
16 COMMISSIONER CLARK: We don't --
17 COMMISSIONER BAKKER: -- that --
18 COMMISSIONER CLARK: -- even --
19 COMMISSIONER BAKKER: -- too.
20 DISTRICT ATTORNEY HERRERA: We don't know how valid the
21 town lines are for any place in Lander --
22 COMMISSIONER CLARK: Right.
23 DISTRICT ATTORNEY HERRERA: -- County.
24 COMMISSIONER CLARK: Right. So we're --
25 DISTRICT ATTORNEY HERRERA: But we have them established.
26 COMMISSIONER CLARK: Right.
27 Okay.
28 COMMISSIONER WAITS: I'm not so sure.
29 I mean, when I think -- when I think about the history of --
30 of the -- the bet that they had in the 1800s when they were trying
31 to -- to get the -- the station and the railroad tracks up to them
32 at a certain day and they couldn't make it, --
33 DISTRICT ATTORNEY HERRERA: Right.
34 COMMISSIONER WAITS: -- so they had an emergency town
35 meeting and moved the --
36 DISTRICT ATTORNEY HERRERA: That's right.
37 COMMISSIONER WAITS: -- the lines way out. And I have
38 never seen anything --
39 DISTRICT ATTORNEY HERRERA: That's true.
40 COMMISSIONER WAITS: -- that they changed.

1 DISTRICT ATTORNEY HERRERA: That's true. You're right.
2 COMMISSIONER WAITS: No. I'm -- I'm serious. It --
3 DISTRICT ATTORNEY HERRERA: You're right.
4 COMMISSIONER WAITS: -- could be right within it. So --
5 DISTRICT ATTORNEY HERRERA: They did do that. They
6 extended the --
7 CHAIRMAN MILLS: I didn't --
8 DISTRICT ATTORNEY HERRERA: -- town --
9 CHAIRMAN MILLS: -- know about that.
10 DISTRICT ATTORNEY HERRERA: -- boundaries way --
11 COMMISSIONER BAKKER: I didn't either.
12 COMMISSIONER WAITS: That's right.
13 DISTRICT ATTORNEY HERRERA: -- past where the town would --
14 CHAIRMAN MILLS: That's funny.
15 DISTRICT ATTORNEY HERRERA: -- end up. (Indiscernible.)
16 JOSEPH RAMOS: As you consider the motion that's been made,
17 I would -- I would ask you -- I'm going to show it in the next
18 slideshow when we go the next thing that we're here at the
19 meeting for today. If you look around the state of Nevada --
20 and I'm going to show you four or six examples of location near
21 a community facility -- Patsy, as you've brought up -- you'll
22 see that around the state, it's 300 feet.
23 So your con- -- your concern potentially with that being a
24 community recreational area, we're -- we're well in excess of 300
25 feet from the rodeo grounds.
26 COMMISSIONER WAITS: I know. But we haven't done any
27 conditions on this either. And -- and look at all the
28 conditions we put on you before, and other ones. Move back a
29 thousand feet. Do this. Do that. And everything.
30 All of sudden we're just making an exception without even,
31 you know, really looking at it close.
32 I'm going, Come on, guys. This --
33 DISTRICT ATTORNEY HERRERA: The -- the notices --
34 COMMISSIONER WAITS: There -- there might be some
35 conditions you want to put on this.
36 DISTRICT ATTORNEY HERRERA: The notices did go out to all
37 the sur- -- surrounding people. They had to by statute.
38 COMMISSIONER WAITS: Yeah.
39 DISTRICT ATTORNEY HERRERA: I mean, by ordinance.
40 COMMISSIONER WAITS: So I -- I'm -- I'm still in favor of

1 deferring it and letting them vet it there and -- and do a
2 little bit more work. I really am.

3 And I -- I understand your -- your concern down there.
4 And -- and I think it's wonderful to have the economy and all
5 that be boosted.

6 But -- but I still have a real problem that you're not within
7 the mile. And for us to start and make exceptions like that is
8 setting a real precedent that I don't want to see us go to.

9 COMMISSIONER ALLAN: Yeah. Why bother if we're just going
10 to keep changing everything up all the time, you know.

11 If -- if we're going to just, you know, oh, gee, so-and-so
12 wants this. Oh, no problem. Go ahead.

13 COMMISSIONER WAITS: Well, the --

14 We're going to write our ordinances in pencil so all we
15 have --

16 JOSEPH RAMOS: I would --

17 COMMISSIONER WAITS: -- have to do is just erase them.

18 COMMISSIONER ALLAN: So --

19 JOSEPH RAMOS: I would co- -- I would comment to that, to
20 one thing. And -- and you've got your sheriff here. You could
21 probably ask this question directly too here in a public forum
22 and get his position on this.

23 But when you establish boundaries as you did, it's with
24 good purpose. To try to make a one-shoe-fits-all example of
25 Austin and Battle Mountain does not work.

26 And if you place us out at the Inchauspe's, for example, and
27 the place burns down or it gets hit because you made a
28 one-size-fits-all example of safety. And that was the biggest
29 concern of the citizens of Lander County was safety.

30 COMMISSIONER CLARK: I think that's a good point. Because
31 the board has agreed that we have different communities, four
32 different communities with four different needs.

33 So the one size fits all, that argument's pretty strong
34 right here.

35 JOSEPH RAMOS: Well, we didn't -- and we didn't come here
36 loosely today because, you know, we were thinking the bolt plant
37 all along down there.

38 We came here because, again, I spoke with your sheriff. I
39 went out there and talked to landowners out there.

40 We tried to come up with something that fit the -- if you

1 want to call it, the one-size-fits-all example, and it just
2 doesn't fit.

3 I think to approach this that way would be pretty
4 shortsighted.

5 CHAIRMAN MILLS: Does -- does anyone in Austin have
6 anything that they'd like to say on this one?

7 COMMISSIONER BAKKER: Frank? You're usually down there
8 talking from the phone. So --

9 COMMISSIONER CLARK: Come on up, Frank.

10 COMMISSIONER WAITS: Miteshell, is anybody there with you?

11 MITESHELL LANHAM: No.

12 COMMISSIONER WAITS: Okay.

13 That -- that settles --

14 CHAIRMAN MILLS: That's because --

15 COMMISSIONER WAITS: -- that --

16 CHAIRMAN MILLS: -- he's up --

17 COMMISSIONER WAITS: -- part.

18 CHAIRMAN MILLS: -- here.

19 COMMISSIONER WAITS: Do you have anything that you wanted
20 to say, Miteshell.

21 COMMISSIONER ALLAN: How's the weather, Miteshell?

22 MITESHELL LANHAM: Snowing.

23 FRANK WHITMAN: I think the point that -- Frank Whitman,
24 for the record -- I think the point that -- that a one size
25 doesn't fit all is -- is really apropos.

26 I mean, I'm trying to picture in my mind where the closest
27 house is here.

28 You'd have to drive and snake around like this down to --
29 down to here.

30 You've could almost say if you had, you know, the -- the mile
31 distance, if you had a house on one side of a hill versus another
32 side of the hill. Could be less than a mile, but yet, you know,
33 you're a world apart, especially in Austin. Once you, you know,
34 go a little distance, you're -- you're out.

35 I -- I don't know if that's relevant to -- to how you process
36 ones that work here. And -- and I'm not trying to insert that.
37 But I do think that the -- the idea that the one size fit all
38 doesn't fit Austin, just -- just by its geographical shape.

39 So that's my thought on that.

40 COMMISSIONER BAKKER: Thanks, Frank.

1 COMMISSIONER ALLAN: Thank you.
2 COMMISSIONER CLARK: Thanks, Frank.
3 COMMISSIONER ALLAN: Appreciate that, Frank.
4 CHAIRMAN MILLS: That was help.
5 COMMISSIONER BAKKER: Well --
6 COMMISSIONER ALLAN: I will still maintain that it should
7 have gone before the planning board.
8 COMMISSIONER BAKKER: There's a motion.
9 COMMISSIONER CLARK: You make --
10 COMMISSIONER ALLAN: Yes, there --
11 COMMISSIONER CLARK: -- a --
12 COMMISSIONER ALLAN: -- is.
13 COMMISSIONER CLARK: -- motion?
14 COMMISSIONER BAKKER: Yeah. I made a motion. I just need
15 a --
16 COMMISSIONER CLARK: Oh, I'll --
17 COMMISSIONER BAKKER: -- second.
18 COMMISSIONER CLARK: -- second it.
19 CHAIRMAN MILLS: Okay. Sean made a motion. Art seconded.
20 Do we have any public comment?
21 FRANK STEPHENS: I do have a comment.
22 CHAIRMAN MILLS: Come on up.
23 FRANK STEPHENS: Hello. My name's Frank Stephens, for the
24 record.
25 And my question is: What's to be lost by allowing the
26 process to take place?
27 COMMISSIONER CLARK: What's that, Frank?
28 FRANK STEPHENS: What's to be lost by allowing the process
29 to take place like it should? Why not allow the planning
30 commission to institute that?
31 COMMISSIONER BAKKER: The process did take place.
32 CHAIRMAN MILLS: So --
33 FRANK STEPHENS: But it's not -- it's my --
34 COMMISSIONER ALLAN: No, it --
35 FRANK STEPHENS: -- understanding --
36 COMMISSIONER ALLAN: -- didn't.
37 FRANK STEPHENS: -- these are the planning commission --
38 CHAIRMAN MILLS: Do you have -- are there any time
39 constraints --
40 COMMISSIONER BAKKER: So are we going --

1 CHAIRMAN MILLS: -- on this?
2 COMMISSIONER BAKKER: -- single them out because we didn't
3 do the process with the last one when they moved the location?
4 We're doing the same process we did with the last group,
5 exactly --
6 COMMISSIONER ALLAN: And my --
7 COMMISSIONER BAKKER: -- the same.
8 COMMISSIONER ALLAN: -- comment was two wrongs don't make a
9 right.
10 COMMISSIONER BAKKER: Anyway, we're doing the same process
11 we did last time.
12 COMMISSIONER CLARK: I don't think there's anything wrong
13 here.
14 DISTRICT ATTORNEY HERRERA: No.
15 COMMISSIONER BAKKER: I don't either.
16 COMMISSIONER CLARK: There's nothing --
17 UNIDENTIFIED PARTICIPANT: (Indiscernible.)
18 COMMISSIONER CLARK: -- wrong.
19 CHAIRMAN MILLS: Joe, do you have any time constraints on
20 this?
21 JOSEPH RAMOS: The -- we have the time constraint set by
22 the state, which is that the facility has to --
23 COMMISSIONER CLARK: Right.
24 JOSEPH RAMOS: -- be built, functioning within 18 months.
25 It was approved in April. And that puts us already about ten
26 months out, which is --
27 CHAIRMAN MILLS: How long --
28 JOSEPH RAMOS: -- going to be --
29 CHAIRMAN MILLS: -- how --
30 JOSEPH RAMOS: -- it's going to --
31 CHAIRMAN MILLS: -- how long --
32 JOSEPH RAMOS: -- it's going to be --
33 CHAIRMAN MILLS: -- is it --
34 JOSEPH RAMOS: -- a --
35 CHAIRMAN MILLS: -- going to -- how --
36 JOSEPH RAMOS: -- it's going --
37 CHAIRMAN MILLS: -- long is --
38 JOSEPH RAMOS: -- to be a --
39 CHAIRMAN MILLS: -- going to --
40 JOSEPH RAMOS: -- challenge.

1 CHAIRMAN MILLS: -- take you to -- to -- to do your
2 construction and, like, the building that you need to do?

3 JOSEPH RAMOS: It's going to be a challenge with the
4 current time constraints because it's not just a matter of going
5 in and constructing of it, going through the appropriate
6 permitting process and plan reviews and so on and so forth, each
7 then which takes time.

8 But we're -- we're very tight in getting this up.

9 CHAIRMAN MILLS: Okay.

10 COMMISSIONER BAKKER: Okay.

11 CHAIRMAN MILLS: Any other public comment?

12 Okay. All in favor?

13 COMMISSIONER BAKKER: Aye.

14 COMMISSIONER CLARK: Aye.

15 CHAIRMAN MILLS: Aye.

16 Opposed?

17 COMMISSIONER ALLAN: Nay.

18 COMMISSIONER WAITS: Nay.

19 COMMISSIONER BAKKER: Thank you.

20 COMMISSIONER CLARK: Thanks, --

21 JOSEPH RAMOS: Thank you.

22 COMMISSIONER CLARK: -- Joe.

23 CHAIRMAN MILLS: Thank --

24 JOSEPH RAMOS: Thank --

25 CHAIRMAN MILLS: -- you.

26 JOSEPH RAMOS: -- you.

27
28 5) **Discussion and possible action to approve/disapprove the**
29 **Ordinance 2018-06 amending Section 17.08.020(B) of the Lander**
30 **County Code to include an effective date for the application**
31 **to existing uses regarding the provision of parking spaces,**
32 **and all other matters properly related thereto.**
33

34 CHAIRMAN MILLS: Item Number 5.

35 Discussion and possible action to approve/disapprove the
36 Ordinance 2018-06 amending Section 17.08.020 Section B of the
37 Lander County Code to include an effective date for the
38 application of existing use -- existing uses regarding the
39 provision of parking spaces, and all other matters properly
40 related thereto.

1 COMMISSIONER BAKKER: Okay.
2 CHAIRMAN MILLS: So --
3 DISTRICT ATTORNEY HERRERA: This --
4 COMMISSIONER ALLAN: Do you want this to start to take
5 effect January 1st?
6 Well, we can.
7 DISTRICT ATTORNEY HERRERA: Well, but -- yeah. I -- I
8 think it should.
9 I -- I left that blank, Commissioner, because when you guys
10 finally approve it, I thought we'd use that date.
11 COMMISSIONER ALLAN: Okay.
12 CHAIRMAN MILLS: I --
13 DISTRICT ATTORNEY HERRERA: That'd be --
14 CHAIRMAN MILLS: -- believe that was --
15 DISTRICT ATTORNEY HERRERA: -- the --
16 CHAIRMAN MILLS: -- part of the motion --
17 COMMISSIONER ALLAN: Right.
18 CHAIRMAN MILLS: -- that was made --
19 COMMISSIONER ALLAN: Right.
20 CHAIRMAN MILLS: -- before --
21 COMMISSIONER ALLAN: Was --
22 CHAIRMAN MILLS: -- was that it would come --
23 COMMISSIONER ALLAN: -- once it's --
24 CHAIRMAN MILLS: -- effective --
25 COMMISSIONER ALLAN: -- signed.
26 CHAIRMAN MILLS: -- effective once the ordinance is signed.
27 DISTRICT ATTORNEY HERRERA: Right. So -- so that's what I
28 -- I mean, you can do anything you want. Don't get me wrong.
29 I'm just saying what was in my mind when I -- when I wrote it
30 like I did.
31 COMMISSIONER ALLAN: Well, and that's pretty standard
32 anyway.
33 DISTRICT ATTORNEY HERRERA: It is.
34 COMMISSIONER ALLAN: The ordinance isn't in effect till
35 it's signed.
36 DISTRICT ATTORNEY HERRERA: Right.
37 COMMISSIONER ALLAN: So --
38 COMMISSIONER WAITS: I do have a couple concerns on it,
39 though, because we had brought up before that if we do this,
40 it -- it -- there again, our different communities. It's a

1 whole different world down there in Austin and Kingston.
2 COMMISSIONER CLARK: Right.
3 COMMISSIONER WAITS: And -- and -- and I -- I hate to see
4 something like this be enforced in such a rural part of the
5 county.
6 And my other concern is, does it say anything about new
7 ownership? So people are grandfathered in. But when you sell
8 it --
9 DISTRICT ATTORNEY HERRERA: This is the only part of the
10 ordinance you -- you instructed me to change.
11 COMMISSIONER WAITS: Yes. I understand that. And that's
12 why we're dis- -- that's why we are --
13 DISTRICT ATTORNEY HERRERA: So --
14 COMMISSIONER WAITS: -- discussing --
15 DISTRICT ATTORNEY HERRERA: I didn't --
16 COMMISSIONER WAITS: -- this.
17 DISTRICT ATTORNEY HERRERA: -- want to -- I didn't want to
18 throw a bunch of stuff because then you'd be questioning me on,
19 Well, why did you do --
20 COMMISSIONER WAITS: Okay.
21 DISTRICT ATTORNEY HERRERA: -- that?
22 COMMISSIONER WAITS: No.
23 DISTRICT ATTORNEY HERRERA: I didn't --
24 COMMISSIONER WAITS: That's all right.
25 COMMISSIONER BAKKER: So do we need --
26 COMMISSIONER WAITS: I --
27 COMMISSIONER BAKKER: -- to fix this now, Patsy? What do
28 we need to do?
29 COMMISSIONER CLARK: We -- we can't burden Kingston with
30 this kind of --
31 COMMISSIONER BAKKER: Uh-uh.
32 COMMISSIONER CLARK: -- paving stuff.
33 It just doesn't make sense.
34 DISTRICT ATTORNEY HERRERA: Just put Battle Mountain on it.
35 COMMISSIONER CLARK: Okay.
36 COMMISSIONER ALLAN: I'll make --
37 DISTRICT ATTORNEY HERRERA: I'll --
38 COMMISSIONER ALLAN: -- a --
39 DISTRICT ATTORNEY HERRERA: -- change it.
40 COMMISSIONER ALLAN: -- motion that we disapprove the

1 Ordinance 2018-06 amending Section 17.08.02(B) of the Lander
2 County Code to include an effective date --
3 COMMISSIONER BAKKER: Well, we can't just disapprove it,
4 though.
5 COMMISSIONER ALLAN: Yeah. I guess you're right. We just
6 don't --
7 COMMISSIONER BAKKER: Because it's --
8 COMMISSIONER WAITS: You --
9 COMMISSIONER BAKKER: -- already in --
10 COMMISSIONER WAITS: -- you --
11 COMMISSIONER ALLAN: -- (indiscernible).
12 COMMISSIONER BAKKER: -- effect.
13 COMMISSIONER WAITS: -- appro- -- you approve --
14 COMMISSIONER ALLAN: It's --
15 COMMISSIONER WAITS: -- it with -- with the --
16 COMMISSIONER ALLAN: We don't want --
17 COMMISSIONER WAITS: -- amendments.
18 COMMISSIONER ALLAN: -- to approve it. Let's just defer
19 it.
20 COMMISSIONER BAKKER: If we disapprove this, --
21 DISTRICT ATTORNEY HERRERA: Wait.
22 COMMISSIONER BAKKER: -- then they're going to have to go
23 back and make everyone --
24 DISTRICT ATTORNEY HERRERA: Commission- --
25 COMMISSIONER BAKKER: -- start paving their parking lots
26 for the last 20 years.
27 COMMISSIONER ALLAN: No. I --
28 DISTRICT ATTORNEY HERRERA: Commissioners --
29 COMMISSIONER ALLAN: -- know. No, I know.
30 DISTRICT ATTORNEY HERRERA: This is just the original
31 proposal where you just read by title. So we don't have to do
32 anything.
33 COMMISSIONER ALLAN: We don't have to do anything.
34 Let's --
35 DISTRICT ATTORNEY HERRERA: I can -- I can bring another.
36 CHAIRMAN MILLS: Right.
37 COMMISSIONER ALLAN: Let's just put it on the agenda to
38 discuss it further, --
39 DISTRICT ATTORNEY HERRERA: Okay. In more detail.
40 COMMISSIONER ALLAN: -- in more detail involving Kingston

1 and Austin.
2 DISTRICT ATTORNEY HERRERA: Okay.
3 COMMISSIONER BAKKER: Yes. Because if we --
4 COMMISSIONER CLARK: And --
5 COMMISSIONER BAKKER: -- don't --
6 COMMISSIONER CLARK: -- respect the four different
7 communities and their unique --
8 DISTRICT ATTORNEY HERRERA: No.
9 COMMISSIONER CLARK: -- needs.
10 DISTRICT ATTORNEY HERRERA: That's fine. I'll --
11 COMMISSIONER ALLAN: Yeah.
12 COMMISSIONER CLARK: Okay.
13 COMMISSIONER ALLAN: Let's --
14 DISTRICT ATTORNEY HERRERA: Whatever --
15 COMMISSIONER ALLAN: -- just --
16 DISTRICT ATTORNEY HERRERA: -- you guys ask me to do, I put
17 it in there.
18 COMMISSIONER WAITS: Okay. Along with that, then, we need
19 to address if somebody's grandfathered in that the new owners
20 would need to comply.
21 DISTRICT ATTORNEY HERRERA: When they're --
22 COMMISSIONER ALLAN: Right.
23 DISTRICT ATTORNEY HERRERA: -- need- --
24 COMMISSIONER ALLAN: But that will be in in the --
25 DISTRICT ATTORNEY HERRERA: -- whether --
26 COMMISSIONER ALLAN: -- next --
27 DISTRICT ATTORNEY HERRERA: -- it can --
28 COMMISSIONER ALLAN: -- when we reagenda --
29 DISTRICT ATTORNEY HERRERA: -- be transferred.
30 COMMISSIONER ALLAN: -- it.
31 COMMISSIONER CLARK: Isn't that --
32 COMMISSIONER BAKKER: And that's in --
33 DISTRICT ATTORNEY HERRERA: That's --
34 COMMISSIONER BAKKER: -- the --
35 DISTRICT ATTORNEY HERRERA: -- exactly --
36 COMMISSIONER BAKKER: -- ordinance, --
37 DISTRICT ATTORNEY HERRERA: -- right.
38 COMMISSIONER BAKKER: -- isn't that?
39 COMMISSIONER CLARK: Is it?
40 DISTRICT ATTORNEY HERRERA: Huh?

1 COMMISSIONER BAKKER: Isn't the grand- -- if it -- no?
2 COMMISSIONER WAITS: No.
3 COMMISSIONER BAKKER: You're shaking your head, Anna.
4 COMMISSIONER WAITS: We didn't --
5 DISTRICT ATTORNEY HERRERA: It --
6 COMMISSIONER WAITS: -- meet grandfathered --
7 DISTRICT ATTORNEY HERRERA: -- it's very --
8 COMMISSIONER WAITS: -- in.
9 ANNA PENOLA: It's very --
10 DISTRICT ATTORNEY HERRERA: -- ambiguous.
11 ANNA PENOLA: -- vague.
12 COMMISSIONER BAKKER: Okay.
13 COMMISSIONER ALLAN: Yeah.
14 COMMISSIONER WAITS: Oh.
15 DISTRICT ATTORNEY HERRERA: It --
16 COMMISSIONER BAKKER: So --
17 DISTRICT ATTORNEY HERRERA: -- it -- it's vague. Very
18 ambiguous as -- as far as transfers.
19 COMMISSIONER BAKKER: So we need to bring it back.
20 DISTRICT ATTORNEY HERRERA: If you --
21 ANNA PENOLA: Clean it up.
22 DISTRICT ATTORNEY HERRERA: If --
23 COMMISSIONER BAKKER: Yep.
24 DISTRICT ATTORNEY HERRERA: -- that's what you --
25 COMMISSIONER ALLAN: Yeah.
26 DISTRICT ATTORNEY HERRERA: -- want to --
27 COMMISSIONER ALLAN: Let's --
28 DISTRICT ATTORNEY HERRERA: -- clean --
29 COMMISSIONER ALLAN: -- bring --
30 DISTRICT ATTORNEY HERRERA: -- up.
31 COMMISSIONER ALLAN: -- it back and --
32 COMMISSIONER BAKKER: Put it on the next agenda for --
33 COMMISSIONER WAITS: And --
34 COMMISSIONER BAKKER: -- a discussion and --
35 COMMISSIONER WAITS: -- exclude southern Lander County?
36 COMMISSIONER BAKKER: Yep.
37 ANNA PENOLA: I don't --
38 COMMISSIONER ALLAN: We usually --
39 ANNA PENOLA: -- think we --
40 COMMISSIONER ALLAN: -- totally --

1 ANNA PENOLA: -- have to --
2 COMMISSIONER ALLAN: -- exclude --
3 ANNA PENOLA: Anna Penola with the Building Department.
4 I don't believe in excluding anything. Everything is
5 workable. We don't have to say that you're special and your --
6 rules don't apply.
7 The rules don't have a face. They apply to everybody. But
8 they can be worked and rearranged to make things fit.
9 It isn't -- doesn't have to be black and white to exclusion.
10 COMMISSIONER CLARK: Yeah. It --
11 COMMISSIONER BAKKER: So, Anna, --
12 COMMISSIONER CLARK: -- does. Yeah, it --
13 COMMISSIONER BAKKER: So --
14 COMMISSIONER CLARK: -- does.
15 DISTRICT ATTORNEY HERRERA: You can --
16 COMMISSIONER CLARK: And I'm going to --
17 DISTRICT ATTORNEY HERRERA: -- make --
18 COMMISSIONER CLARK: -- tell you --
19 DISTRICT ATTORNEY HERRERA: -- different --
20 COMMISSIONER CLARK: -- why it needs --
21 DISTRICT ATTORNEY HERRERA: -- rules --
22 COMMISSIONER CLARK: -- to be --
23 DISTRICT ATTORNEY HERRERA: -- for each --
24 COMMISSIONER CLARK: -- black --
25 DISTRICT ATTORNEY HERRERA: -- community.
26 COMMISSIONER CLARK: -- and white.
27 ANNA PENOLA: Okay.
28 COMMISSIONER CLARK: Because you're reasonable.
29 When you're gone, we may have an unreasonable building
30 inspector.
31 ANNA PENOLA: I'll -- I respect --
32 COMMISSIONER CLARK: So --
33 ANNA PENOLA: -- that.
34 Okay.
35 COMMISSIONER ALLAN: Kind of doesn't --
36 ANNA PENOLA: But I'm going to --
37 COMMISSIONER ALLAN: -- matter if it's --
38 ANNA PENOLA: -- be here --
39 COMMISSIONER ALLAN: -- black --
40 ANNA PENOLA: -- a while --

1 COMMISSIONER ALLAN: -- and --
2 ANNA PENOLA: -- longer.
3 COMMISSIONER ALLAN: -- white. Doesn't --
4 COMMISSIONER BAKKER: So, Anna --
5 COMMISSIONER ALLAN: -- matter --
6 COMMISSIONER BAKKER: So --
7 COMMISSIONER ALLAN: -- here anyway.
8 COMMISSIONER BAKKER: -- so your thoughts on the south,
9 Battle Mountain and --
10 ANNA PENOLA: We can --
11 COMMISSIONER BAKKER: -- every- --
12 ANNA PENOLA: -- discuss that.
13 COMMISSIONER BAKKER: Would -- would you jot some of those
14 down and maybe --
15 ANNA PENOLA: Yeah.
16 COMMISSIONER BAKKER: -- talk with Ted? And let's --
17 ANNA PENOLA: Because there isn't --
18 COMMISSIONER BAKKER: -- get some ideas.
19 ANNA PENOLA: -- anybody that really doesn't already take
20 care of that that -- you're not going to -- everybody already
21 complies.
22 COMMISSIONER BAKKER: Right.
23 DISTRICT ATTORNEY HERRERA: We'll try to put all the issues
24 down on the next agenda so --
25 ANNA PENOLA: But, yeah, --
26 DISTRICT ATTORNEY HERRERA: -- you can discuss them.
27 ANNA PENOLA: -- we can --
28 COMMISSIONER BAKKER: Okay.
29 ANNA PENOLA: -- discuss.
30 COMMISSIONER BAKKER: So, yeah. So get --
31 ANNA PENOLA: And I will --
32 COMMISSIONER BAKKER: -- some ideas --
33 ANNA PENOLA: -- research it.
34 COMMISSIONER BAKKER: -- that the --
35 DISTRICT ATTORNEY HERRERA: The three of us --
36 COMMISSIONER BAKKER: -- south --
37 DISTRICT ATTORNEY HERRERA: -- will get --
38 COMMISSIONER BAKKER: -- and the --
39 DISTRICT ATTORNEY HERRERA: -- together.
40 COMMISSIONER BAKKER: -- north. And let's figure out --

1 COMMISSIONER WAITS: But we don't have parking lots in --
2 in --
3 COMMISSIONER CLARK: In Austin --
4 COMMISSIONER WAITS: -- Kingston, --
5 COMMISSIONER CLARK: -- or Kingston.
6 COMMISSIONER WAITS: -- you know. And a few of them not
7 even in Austin.
8 DISTRICT ATTORNEY HERRERA: We don't --
9 COMMISSIONER CLARK: Yeah.
10 DISTRICT ATTORNEY HERRERA: -- have them here either.
11 COMMISSIONER WAITS: Well, I -- I know that. But -- but
12 because we have an ordinance, we're trying to change it.
13 DISTRICT ATTORNEY HERRERA: Right.
14 ANNA PENOLA: And I --
15 COMMISSIONER WAITS: And you want to change --
16 ANNA PENOLA: I --
17 COMMISSIONER WAITS: -- it --
18 ANNA PENOLA: -- think --
19 COMMISSIONER WAITS: -- for here.
20 ANNA PENOLA: -- the problem is we're talking parking lots,
21 like we're at Walmart.
22 COMMISSIONER BAKKER: Right.
23 ANNA PENOLA: This is --
24 COMMISSIONER WAITS: No.
25 ANNA PENOLA: -- very straightforward and simple. The
26 ordinance says, parking shall be provided to the use of the
27 building being served.
28 So if it's an office building, you have parking in front of
29 your office.
30 DISTRICT ATTORNEY HERRERA: Well, it says --
31 ANNA PENOLA: If it's --
32 DISTRICT ATTORNEY HERRERA: -- within 500 feet.
33 CHAIRMAN MILLS: I understood that this was about paving.
34 COMMISSIONER WAITS: Yeah. And it's the paving.
35 ANNA PENOLA: Well, they pa- -- it has to be hard surfaced,
36 which is either concrete or paved parking in --
37 COMMISSIONER WAITS: Right.
38 ANNA PENOLA: -- front of the building being served.
39 COMMISSIONER ALLAN: Okay.
40 DISTRICT ATTORNEY HERRERA: Unless -- unless there's no

1 front. Then it has to be within --
2 ANNA PENOLA: Then it's --
3 DISTRICT ATTORNEY HERRERA: -- 500 --
4 ANNA PENOLA: -- then it's --
5 DISTRICT ATTORNEY HERRERA: -- feet.
6 ANNA PENOLA: -- off-street parking.
7 COMMISSIONER ALLAN: So I --
8 COMMISSIONER BAKKER: Okay.
9 COMMISSIONER ALLAN: -- think --
10 COMMISSIONER BAKKER: So --
11 COMMISSIONER ALLAN: -- I think basically where --
12 ANNA PENOLA: So I --
13 COMMISSIONER ALLAN: -- we're --
14 ANNA PENOLA: -- just --
15 COMMISSIONER ALLAN: -- at --
16 ANNA PENOLA: -- wanted to --
17 COMMISSIONER ALLAN: -- now --
18 ANNA PENOLA: -- clarify because I don't --
19 COMMISSIONER ALLAN: Right.
20 ANNA PENOLA: -- think it got clarified. And I want --
21 when you're done, I will speak my thoughts.
22 COMMISSIONER ALLAN: Is we're not going to take any action
23 on this.
24 ANNA PENOLA: Right.
25 COMMISSIONER ALLAN: We want to bring it back for
26 discussion.
27 You make your list of ideas, you know. Patsy --
28 ANNA PENOLA: I may not have the nerve then. I'm ready
29 right now.
30 COMMISSIONER ALLAN: I'm sorry, Anna. I'm just so sorry.
31 Is --
32 ANNA PENOLA: Well, that's -- that's fine.
33 COMMISSIONER ALLAN: Is we don't need to discuss --
34 ANNA PENOLA: No, that's fine. That's -- I'll --
35 COMMISSIONER ALLAN: Is -- is, --
36 ANNA PENOLA: -- do that.
37 COMMISSIONER ALLAN: -- you know --
38 COMMISSIONER BAKKER: Well, what do you want do right now,
39 Anna?
40 ANNA PENOLA: That's fine. We -- I'll talk about it next

1 time.

2 COMMISSIONER BAKKER: You can talk about it now too if you
3 want to talk about it. And then that way --

4 ANNA PENOLA: Well --

5 COMMISSIONER BAKKER: -- your ideas are on the record right
6 now.

7 COMMISSIONER ALLAN: Well, we can't. Because basically --

8 ANNA PENOLA: That's -- I will wait for the next --

9 COMMISSIONER ALLAN: -- it's --

10 ANNA PENOLA: -- agenda --

11 COMMISSIONER ALLAN: -- whether or not to approve the
12 ordinance.

13 DISTRICT ATTORNEY HERRERA: Right.

14 COMMISSIONER ALLAN: We can't discuss anything --

15 DISTRICT ATTORNEY HERRERA: Well --

16 COMMISSIONER ALLAN: -- else.

17 DISTRICT ATTORNEY HERRERA: And Anna's arguments are
18 pertaining to whether you adopt the ordinance as it presently --

19 ANNA PENOLA: I was just --

20 DISTRICT ATTORNEY HERRERA: -- is laid --

21 ANNA PENOLA: -- having --

22 DISTRICT ATTORNEY HERRERA: -- out.

23 ANNA PENOLA: -- public comment.

24 COMMISSIONER ALLAN: Right.

25 DISTRICT ATTORNEY HERRERA: So if we change that -- if you
26 change that, then the comments are going to change.
27 So --

28 COMMISSIONER ALLAN: Right. So we can't discuss it,
29 though, --

30 ANNA PENOLA: Which is fine with me.

31 COMMISSIONER ALLAN: -- everything else now. It's about
32 this ordinance only.

33 DISTRICT ATTORNEY HERRERA: Right.

34 COMMISSIONER ALLAN: And we're not going to discuss it.
35 We're not going to take action. We're just going to go to the
36 next item.

37 COMMISSIONER BAKKER: Are we, Doug?

38 COMMISSIONER CLARK: Well, thank you, chairman.

39 CHAIRMAN MILLS: So --

40 COMMISSIONER BAKKER: That's fine, though. But, yeah.

1 ANNA PENOLA: Okay.
2 COMMISSIONER BAKKER: So jot down some ideas.
3 ANNA PENOLA: I will.
4 COMMISSIONER BAKKER: And let's get it figured out.
5 ANNA PENOLA: Thank you very much.
6 COMMISSIONER CLARK: Unbelievable.
7 CHAIRMAN MILLS: Thanks, Anna.
8 So we'll table Item Number 5 and move to Item Number 6.

9
10
11 **AIRPORT**

12
13 **6) Update presented by J-U-B Engineering, Inc., regarding the**
14 **Austin Airport Master Plan, an all other matters properly**
15 **related thereto.**
16

17 CHAIRMAN MILLS: Update pre- -- update presented by J-U-B
18 Engineering, Inc., regarding the Austin Airport Master plan, and
19 all other matters properly related thereto.

20 STEVE MARSHALL: Good morning, everybody.

21 CHAIRMAN MILLS: Good morning.

22 COMMISSIONER BAKKER: Good morning.

23 STEVE MARSHALL: After such a spirited discussion this
24 morning, I was told that brevity is at times the better part of
25 valor.

26 So we will be moving quickly through the material that you
27 have before you, most of which you've already seen.

28 Back up for a moment.

29 Steve Marshall is my name. I'm a planning project manager
30 for J-U-B Engineers.

31 If my eyes will -- 2875 South Decker, Suite 575, Salt Lake
32 City. I'm -- I'm based out of four or five different J-U-B
33 offices for -- for what we do.

34 So we've reached the alleged conclusion of the airport master
35 plan in Austin, Nevada.

36 It's interesting -- we're -- I'm not going to read through
37 this presentation. You've already seen (indiscernible).

38 But I will give some highlights --

39 COMMISSIONER WAITS: (Indiscernible.)

40 STEVE MARSHALL: -- from the -- from the activities that

1 we've had.

2 I think, given the conversation this morning, it seems like
3 probably a -- a fly-in dispensary is a premature conversation,
4 perhaps, for such kind of a land use at -- at the airport.

5 Perhaps maybe the president-elect's offices, all business
6 shall be received at the Austin Airport in a future office for
7 NACO president-elect. Maybe that might be a fantastic use of
8 the airport in the future. Where a fly-in dispensary, not in
9 the cards.

10 So, Mr. Keith, thank you for allowing us to work with your
11 community, with this man in particular, the --

12 KEITH WESTENGARD: Good man.

13 STEVE MARSHALL: Who did we come up with? The mayor of
14 south Lander County? Is that what I heard?

15 COMMISSIONER BAKKER: Mayor of Lander County. He can --

16 STEVE MARSHALL: May- --

17 COMMISSIONER BAKKER: -- handle it all.

18 CHAIRMAN MILLS: Mayor of all --

19 STEVE MARSHALL: -- mayor of Lander County.

20 CHAIRMAN MILLS: -- things. Yeah.

21 STEVE MARSHALL: Not possible to produce these documents
22 without a man like Frank. He's been with me for lots of
23 different conversations and lots of different cities as we put
24 together the plan and we tried to bring it together.

25 So some of the good things that have come from our process
26 here is a change in land use.

27 There's now a -- sort of an industrial business park --
28 aviation-industrial business park planned at the airport that
29 could accommodate demand in the future if that was to transpire.

30 A runway extension is now on the books. Parallel taxiway.
31 All these kinds of things.

32 Most important part about that is that it does not have to
33 happen, but if it's not on there, it is not going to happen. So
34 we want to have that stuff shown so we can pull the trigger when
35 the time comes.

36 Demand is there. Eligibility is there. Money is there.

37 So let's talk about money. This was a fantastic
38 conversation we had just a moment ago about supplemental
39 funding. That is what, in the vernacular in the *Federal*
40 *Register*, that is -- that's what it's being called.

1 So I'll -- I'll redirect that conversation just a moment ago
2 and that is that there is this bazillion dollars out there that
3 seemingly fell out of the sky with the current administration.
4 And it -- and it is a game changer for some communities and some
5 of their airports.

6 Initially it was envisioned as, you know, it's going to be
7 small airports. And that changed. And it chan- -- it's changed
8 probably ten different times as to who participates in this
9 money, how, and what percentage.

10 So there is a lot of hundred percent money out there.

11 The -- the word that I got from visiting with the folks at
12 WYDOT -- that's Wyoming Department of Aeronautics. They -- they
13 have a pretty good line on things at times. They said they're --
14 what might be happening over the course of the next five years --
15 this is a five-year deal. Every year there's a billion dollars or
16 so coming up next five years, not appropriated, but scheduled for,
17 that we might be going to 80/20 on the match for those sorts of
18 things.

19 That is going to be a very fluid situation that's going to
20 require a lot of monitoring, Mr. Mayor.

21 So we'll be here as much as we can to help.

22 My time is sort of sunsetting on -- on this project. There
23 are those that are much, much more capable than me that have PE
24 behind their names. And they are fully responsible for the things
25 that -- that happen at the airport, like fuel and all those good
26 things that have -- that have transpired --

27 FRANK WHITMAN: Uh-huh. Uh-huh.

28 STEVE MARSHALL: -- at the airport. So I want to for sure
29 thank Mr. Williams for his leadership as we've worked through
30 the board and what's been going on down there.

31 Ms. Patsy, finally, keeping me on the straight and narrow.
32 The boss up there keeps me on the straight and narrow.

33 At the risk of not going through the presentation, is there
34 any questions or anything that I need to make sure that I under--
35 I explain more clearly to members of the commission?

36 CHAIRMAN MILLS: So just --

37 COMMISSIONER CLARK: I --

38 CHAIRMAN MILLS: -- on this --

39 COMMISSIONER CLARK: -- I can say that I never realized how
40 important rural airports were until I became a commissioner.

1 And now I understand how important they are. And we need to
2 move forward with keeping up with the demands.

3 STEVE MARSHALL: I think the -- the mayor is able- -- is
4 ably going to ask you to do those -- those plans.

5 FRANK WHITMAN: Frank Whitman for the board, board member
6 for the Austin Airport Board.

7 Again, I want to thank you for the investment that this
8 county has done to our airport.

9 We're at a place where we can shop our airport finally. I
10 think it'll make a difference.

11 And we have had inquiries. And a lot of it is
12 quasi-governmental and governmental.

13 But -- but even, you know, for the cost of putting in our
14 Jet A, even if it saves one life in terms of --

15 COMMISSIONER CLARK: Yep.

16 FRANK WHITMAN: -- a care flight, and it will. In --
17 increasingly in rural Nevada, you know, for a car accident, it's
18 just best to -- to call care flight.

19 You know, if you call 911 and you get that care flight in --
20 in and out your way and having that fueling availability can save
21 an hour or two on the entire process and that. So it's a critical
22 hour.

23 I -- And I could wax on and on and on.

24 Firefighting, you know.

25 STEVE MARSHALL: Sure.

26 FRANK WHITMAN: How that might impact sage grouse, you
27 know, of -- of a 10,000 burn versus a 100,000- -- you know --
28 -acre burn can be -- you know, all those little things that
29 we're in a position finally to shop our airport. And that will
30 be our -- our next job is to start doing some of that shopping.
31 But --

32 And also what Steve had to say was if we don't put it on
33 paper, we can't ask for it later. I -- I mean, it has to be out
34 there as a dream of where we could go, otherwise we're not even
35 at the table.

36 And -- and so if you lock it, say, wow, that's a lot of
37 money. Or how -- where are we going -- how are we going to --
38 we're not committed to build anything more.

39 We certainly can. But -- but we're -- we're -- we have to
40 have -- with the FAA, we have to have it on paper ahead of time.

1 And, lastly, with the money that you've invested so far in
2 our airport, you've kind of pushed us up into a new league where
3 we could get an increasing amount of money from the feds, from
4 the FAA that we were not able -- able to get before because we
5 didn't have the facilities.

6 The FAA wants to see on the county's part things like the Jet
7 A, the av gas, you know, or a better water system, you know, that
8 we now have or -- and I want to thank Patsy, you know, for her
9 work on getting that pilot's lounge for us.

10 Those -- those things the FAA looks at and say, you -- you
11 know, you -- you have -- this county is taking this airport
12 seriously, and we will too.

13 So thank you.

14 COMMISSIONER BAKKER: Thanks, --

15 COMMISSIONER ALLAN: Frank, --

16 COMMISSIONER BAKKER: -- Frank.

17 COMMISSIONER ALLAN: -- I would like to add, I had a -- a
18 opportunity that I got to pick up some hotshots at the Austin
19 Summit fire this summer and take them to base in Winnemucca.
20 And I spoke to their supervisor.

21 And he was asking when the Jet A was going to be available
22 and was very excited about that.

23 So I -- I think that is exciting that, you know, it's going
24 to provide that op- -- opportunity in Austin that can help.
25 Because it seems to me we actually get, you know, in the Battle
26 Mountain district, south gets more fires than, you know, we do
27 here.

28 I mean, we -- ours go out of, you know, Elko and north and
29 stuff.

30 But, you know, it gives the opportunity to have those --
31 those aircraft down at Austin.

32 I think that's great.

33 FRANK WHITMAN: I have a whole list of emails ready to go
34 as soon as we have that online. Boom, boom, boom, boom, boom.

35 But we will -- it will be known. So --

36 COMMISSIONER WAITS: Well, --

37 FRANK WHITMAN: That's --

38 COMMISSIONER WAITS: -- it -- it is exciting because of the
39 growth we've had in just the very few years.

40 And thank you to J-U-B and to Steve and -- and the staff

1 that's been working so closely with us.
2 But I did have one question. Remember in the one in June
3 that we did all the updates on?
4 STEVE MARSHALL: Yes.
5 COMMISSIONER WAITS: Okay.
6 I need you to clarify something for me, just a point of
7 information.
8 STEVE MARSHALL: Sure.
9 COMMISSIONER WAITS: And it's on the big one. It'll be in
10 your November one, 2-17.
11 STEVE MARSHALL: Okay.
12 COMMISSIONER WAITS: Because I didn't see the change. And
13 so I wasn't sure on the clarification on that. Because they're
14 talking about -- let's see -- we are on the third paragraph on
15 the left-hand side, talking about large tracts of privately held
16 land contribute to the county's agricultural economic footprint.
17 Geothermal near the Battle Mountain Airport.
18 Robust solar --
19 STEVE MARSHALL: Did you say 2-17, boss?
20 COMMISSIONER WAITS: 2-17.
21 STEVE MARSHALL: Seventeen? Financial, economic
22 development? Two -- section. Is this what we're looking at
23 here?
24 COMMISSIONER WAITS: The big one.
25 It's in your June one and your November one.
26 STEVE MARSHALL: Okay.
27 Right.
28 I shouldn't have --
29 COMMISSIONER WAITS: Yeah.
30 STEVE MARSHALL: -- said that here.
31 CHAIRMAN MILLS: That looks like the re- --
32 COMMISSIONER WAITS: It's --
33 STEVE MARSHALL: You mean --
34 COMMISSIONER WAITS: -- Austin.
35 STEVE MARSHALL: -- the third paragraph?
36 COMMISSIONER WAITS: Huh?
37 STEVE MARSHALL: Third paragraph? (Indiscernible.)
38 COMMISSIONER WAITS: Two -- it's under 2.9, financial
39 economic development.
40 STEVE MARSHALL: Thank you.

1 Yes.
2 COMMISSIONER WAITS: Okay.
3 STEVE MARSHALL: I'm with you. Thank you.
4 COMMISSIONER WAITS: Left-hand side, third paragraph --
5 STEVE MARSHALL: Got it.
6 COMMISSIONER WAITS: -- down, --
7 STEVE MARSHALL: I'm with you, boss.
8 COMMISSIONER WAITS: -- talking about our large tracts of
9 privately held land.
10 And then it says the geothermal near the Battle Mountain
11 Airport.
12 And I gave you a correction on that. And it should have
13 been Austin Airport.
14 STEVE MARSHALL: Well, we will get it corrected before our
15 final documents are corrected.
16 COMMISSIONER WAITS: Thank you.
17 STEVE MARSHALL: We -- we have these ones.
18 COMMISSIONER WAITS: The rest I appreciate. I -- I double-
19 --
20 STEVE MARSHALL: Yes.
21 COMMISSIONER WAITS: -- -checked. Everything's in there.
22 So that was only --
23 STEVE MARSHALL: Okay.
24 COMMISSIONER WAITS: -- one.
25 CHAIRMAN MILLS: So I have --
26 STEVE MARSHALL: (Indiscernible.)
27 CHAIRMAN MILLS: -- I have a question on this -- this grant
28 money, the 1.5 --
29 STEVE MARSHALL: Yes.
30 CHAIRMAN MILLS: -- billion. And is -- it's my
31 understanding we're -- we're seeking a hangar possibly for the
32 use of care flight --
33 STEVE MARSHALL: Uh-huh.
34 CHAIRMAN MILLS: -- so they can be stationed down there.
35 And in the process of doing that, is -- is J-U-B helping us
36 with that grant? Are we -- or is the county doing that ourselves?
37 How's -- how's that part of it --
38 KEITH WESTENGARD: We've been working --
39 CHAIRMAN MILLS: -- going?
40 KEITH WESTENGARD: -- with Tom Lemenager on it --

1 CHAIRMAN MILLS: Okay.

2 KEITH WESTENGARD: -- from J-U-B, our -- the airport
3 consultant.

4 CHAIRMAN MILLS: All right. And what's -- where kind of
5 are we at on that?

6 KEITH WESTENGARD: We've submitted papers or requests,
7 justifications, I guess.

8 CHAIRMAN MILLS: Okay.

9 KEITH WESTENGARD: And it's been about, I think, three or
10 four weeks ago.

11 STEVE MARSHALL: Yeah.

12 KEITH WESTENGARD: And we -- he sent them to me.
13 We looked them over, talked about them. And then they were
14 submitted to the FAA.

15 CHAIRMAN MILLS: Okay.

16 STEVE MARSHALL: So quick preview of coming financial
17 attractions.

18 Every year the FAA and the state -- oftentimes Curt is on
19 the phone --

20 FRANK WHITMAN: Uh-huh.

21 STEVE MARSHALL: -- have a discussion about the future of
22 the airport. And that is really -- that discussion every year
23 is when we update the so-called capital improvement plan for the
24 airport.

25 DISTRICT ATTORNEY HERRERA: (To Jeanne Falzone.)
26 (Indiscernible.)

27 STEVE MARSHALL: That is where the rubber truly meets with
28 road --

29 JEANNE FALZONE: (To District Attorney Herrera.) Yeah.

30 STEVE MARSHALL: -- with what's going to happen at the --

31 DISTRICT ATTORNEY HERRERA: (To Jeanne Falzone)
32 (Indiscernible.)

33 STEVE MARSHALL: -- airport.
34 This is sort of a nice, flashy background document. But
35 that is --

36 JEANNE FALZONE: (To District Attorney Herrera.)
37 (Indiscernible.)

38 STEVE MARSHALL: -- that annual discussion, I would
39 encourage any commission --

40 DISTRICT ATTORNEY HERRERA: (To Jeanne Falzone.) Probably

1 in court.

2 STEVE MARSHALL: -- member that would like to participate
3 in that conversation just to hear --

4 JEANNE FALZONE: (To District Attorney Herrera.)
5 (Indiscernible.)

6 STEVE MARSHALL: -- the goings on and the -- and that sort
7 of thing.

8 You'll probably, during that discussion, you'll be able to
9 ask questions about the status of this supplemental money. This
10 supplemental is -- business about the supplemental money is a
11 whole new deal for everybody.

12 And it has changed over the years. And it'll change again
13 and again and again, just the nature of -- of how this money has
14 come down.

15 COMMISSIONER WAITS: That's all new --

16 STEVE MARSHALL: But it --

17 COMMISSIONER WAITS: -- this year.

18 STEVE MARSHALL: -- but it could have serious financial
19 implications for hangars and all of those things that FAA has
20 not historically paid for.

21 Again, that is a very, very, very good thing --

22 COMMISSIONER ALLAN: Boy, that'd --

23 STEVE MARSHALL: -- for Lander --

24 COMMISSIONER ALLAN: -- be nice.

25 STEVE MARSHALL: -- County.

26 COMMISSIONER WAITS: Well, we appreciate you jumping on it
27 for us and keeping us in- -- informed on it. So we're excited
28 about that too.

29 STEVE MARSHALL: Thank you for allowing me to be in your
30 community.

31 COMMISSIONER WAITS: Thank you.

32 COMMISSIONER BAKKER: Thank you.

33 COMMISSIONER ALLAN: Thank you, Steve.

34 COMMISSIONER WAITS: You travel --

35 COMMISSIONER ALLAN: Thank you, --

36 COMMISSIONER WAITS: -- safely.

37 COMMISSIONER ALLAN: -- Frank.

38 CHAIRMAN MILLS: Thank you.

39 COMMISSIONER WAITS: And --

40 CHAIRMAN MILLS: Appreciate it.

1 COMMISSIONER WAITS: You too. Thank you for --
2 CHAIRMAN MILLS: Keith?
3 COMMISSIONER WAITS: -- coming up, --
4 KEITH WESTENGARD: I --
5 COMMISSIONER WAITS: -- Frank.
6 KEITH WESTENGARD: -- I have quick question if --
7 STEVE MARSHALL: Yeah.
8 KEITH WESTENGARD: -- that's okay.
9 Well, actually it's two.
10 GPS approach?
11 STEVE MARSHALL: Yes.
12 KEITH WESTENGARD: Did that kind of fall off -- off the
13 radar? Or are we still working on it?
14 STEVE MARSHALL: So --
15 FRANK WHITMAN: Go ahead.
16 STEVE MARSHALL: Would you like a short answer or a long
17 answer?
18 KEITH WESTENGARD: Short answer.
19 STEVE MARSHALL: Short answer is that it is on the middle
20 burner.
21 KEITH WESTENGARD: Okay.
22 STEVE MARSHALL: It is a -- what we call a private
23 approach, meaning it would not be available to the public. But
24 it is still on the radar as to be done per the -- the -- our
25 document here and per the capital improvement plan from what I
26 understand.
27 FRANK WHITMAN: And the Navy has said they would not object
28 to it this round. It went around.
29 KEITH WESTENGARD: Oh.
30 FRANK WHITMAN: So --
31 KEITH WESTENGARD: Because last time they were --
32 FRANK WHITMAN: That's right. And --
33 KEITH WESTENGARD: -- adamantly opposed to it. So --
34 FRANK WHITMAN: -- ad- -- adaman- -- and that has changed.
35 Their position has changed.
36 KEITH WESTENGARD: Oh, good.
37 FRANK WHITMAN: It's okay.
38 KEITH WESTENGARD: Next one actually has to do with the
39 expansion, the Fallon Na- -- Naval Air Base expansion. So their
40 draft report came out this week. And it's two binders about

1 like that.

2 STEVE MARSHALL: I imagine. I --

3 KEITH WESTENGARD: Did you got a copy of that, Frank, I'm
4 sure?

5 FRANK WHITMAN: I -- I have.

6 KEITH WESTENGARD: I have a hard copy if you want one. So
7 --

8 FRANK WHITMAN: Yeah.

9 KEITH WESTENGARD: Anyway --

10 Bombing runs. Some things came up about bombing runs. And
11 is Highway 50 -- in Lander County -- is that within the new
12 bombing runs? Bombing ranges?

13 FRANK WHITMAN: No.

14 COMMISSIONER WAITS: No.

15 KEITH WESTENGARD: Okay. Because that came -- actually
16 came up at our DOT meeting that in parts of Churchill --

17 FRANK WHITMAN: Uh-huh.

18 KEITH WESTENGARD: -- 50 and 95 both --

19 FRANK WHITMAN: Uh-huh.

20 KEITH WESTENGARD: -- are involved. And it's a -- they're
21 public highways.

22 FRANK WHITMAN: Yeah.

23 KEITH WESTENGARD: And it's p- -- it's within their bombing
24 ranges. So I wanted to see where we fit into that.

25 I didn't think it did, but I wanted to be sure.

26 COMMISSIONER CLARK: Yeah. I -- I talked about this
27 earlier with the representative. And they're -- at a SLUAC
28 meeting about a year ago, the naval air station came and made a
29 presentation. And what they explained was they needed to expand
30 because they have a protocol where they start over Eureka. And
31 they have to come to the bombing range. And they have a target
32 that they have to hit. And what happened was they found the
33 target, they almost hit it, but the missile skipped off the
34 ground over a mountain range and went across 95, I think --
35 93 -- yeah, 95, skipped across 95.

36 So there's potential for some real issues.

37 But since they've -- since they've been using this
38 particular flight pattern, they have not lost one pilot in the
39 Middle East because the terrain in this area is equivalent to
40 that that our pilots are flying over in the Middle East.

1 So it's -- it's robust program. And it's -- it's good.
2 COMMISSIONER WAITS: And -- and it's the only one in the
3 world that's like it. Yes.
4 But -- but they've changed it so many times. And now the new
5 one that's out, actually they're -- they'll be doing their
6 dog-and-pony show all around the area. So ours is set for
7 December 11.
8 FRANK WHITMAN: December 11th from 10:00 --
9 COMMISSIONER WAITS: 10:00 to --
10 FRANK WHITMAN: -- in the morning to --
11 COMMISSIONER WAITS: -- 10:00 to 1:00?
12 FRANK WHITMAN: -- 13:00 in the afternoon.
13 And I -- I don't know why. You commissioners may want to
14 request the Navy to come and give that same presentation or a
15 presentation here. But Austin will have a presentation and open
16 house --
17 COMMISSIONER WAITS: Yeah. So the --
18 FRANK STEPHENS: -- on --
19 COMMISSIONER WAITS: -- open house -- and so you're all
20 invited to that. And that's December 11th.
21 And --
22 FRANK WHITMAN: On that --
23 COMMISSIONER WAITS: Then we follow up with a nativity that
24 evening too at -- in Austin. So --
25 STEVE MARSHALL: You know, my suspicion that your new
26 duties as president-elect, you'll probably have the pulse of --
27 of what's going on for those developments as they -- as it comes
28 down. As it --
29 COMMISSIONER WAITS: Might be your --
30 STEVE MARSHALL: -- might be --
31 COMMISSIONER WAITS: -- full (indiscernible).
32 STEVE MARSHALL: -- as it might be changed from the Navy --
33 COMMISSIONER WAITS: Put my finger --
34 STEVE MARSHALL: -- over the years.
35 COMMISSIONER WAITS: -- on it? Okay.
36 STEVE MARSHALL: Yes.
37 COMMISSIONER WAITS: Thank you.
38 CHAIRMAN MILLS: Okay. So --
39 COMMISSIONER CLARK: But we didn't lose any land, did we,
40 Frank?

1 FRANK WHITMAN: No. Lander County, our -- our -- the
2 actual issues are airspace.
3 COMMISSIONER CLARK: Right.
4 FRANK WHITMAN: And -- but no land, no anything else.
5 All -- all those --
6 COMMISSIONER CLARK: Yeah. Nye County --
7 FRANK WHITMAN: -- other --
8 COMMISSIONER CLARK: -- lost enough land that they're
9 reduced over 300,000 in their PILT money.
10 FRANK WHITMAN: And Churchill lost a --
11 COMMISSIONER WAITS: Yeah, they did.
12 FRANK WHITMAN: -- a -- lots of land and did impact several
13 of our ranchers. Their allotments disappeared. They are well
14 compensated for it.
15 And -- and I -- this is rumor. But the word is that it's not
16 hard to get a desert land entry in southwest Lander County right
17 now if you've been displaced, that the BLM will try to fast track
18 you. You still have to prove of water and -- and all that other
19 stuff.
20 But those desert land entries often take several years to
21 get working through. And apparently they're taking less than a
22 year. There's been five new desert land entries in the
23 southwest corner of Lander County. And I don't -- I have not
24 been able to connect the names to any of the displaced ranchers.
25 But there may be a connection or not. Who knows? But -- so --
26 COMMISSIONER CLARK: Weren't you at that that presen- --
27 you were at that presentation with me when the Naval air station
28 discussed their --
29 FRANK WHITMAN: In Eureka? Or --
30 COMMISSIONER CLARK: Yeah. I think --
31 FRANK WHITMAN: Yeah.
32 COMMISSIONER CLARK: -- it wa- -- yeah. Eureka.
33 FRANK WHITMAN: Uh-huh.
34 COMMISSIONER CLARK: Right.
35 FRANK WHITMAN: So --
36 CHAIRMAN MILLS: Okay.
37 Do we have any public comment before we move on?
38 (No comment.)
39 CHAIRMAN MILLS: Okay.
40 COMMISSIONER BAKKER: Thank you, --

1 CHAIRMAN MILLS: Thank you.
2 COMMISSIONER BAKKER: -- guys.
3 CHAIRMAN MILLS: Appreciate --
4 COMMISSIONER CLARK: Thank you.
5 CHAIRMAN MILLS: -- the work you put into this.

6
7 **8) Discussion and possible action regarding recommendations for**
8 **the Lander County volunteer fire departments given by the**
9 **county manager following an investigation of the Sheep Creek**
10 **Fire, and all other matters properly related thereto.**
11

12 CHAIRMAN MILLS: Okay. Moving on to Item Number 8.
13 Discussion and possible action regarding recommendations for
14 the Lander County volunteer fire departments given by the county
15 manager following an investigation of the Sheep Creek -- Sheep
16 Creek Fire, and all other matters properly related thereto.

17 KEITH WESTENGARD: So I have some things here that I'd like
18 to go over with you, with the --

19 COMMISSIONER BAKKER: Ron, you --

20 KEITH WESTENGARD: -- commissioners.

21 COMMISSIONER BAKKER: -- got it. You don't need Bart. He
22 -- he -- Bart's looking at you like, no.

23 COMMISSIONER ALLAN: Yeah. Bart doesn't want to come up
24 here.

25 KEITH WESTENGARD: So in July and August of this year,
26 Battle Mountain Volunteer Fire Department experienced two
27 separate incidents involving three major accidents.

28 In July there was a severe burn over -- or I'm sorry -- there
29 was an accident at a Fourth of July display, which resulted in a
30 serious injury.

31 And then we had the burn over at the Sheep Creek incident.

32 The fires did start on private land making it the
33 responsibility of Lander County. So that did fall into our
34 jurisdiction.

35 I was notified within hours of the incident by the BLM and by
36 the Nevada Division of Forestry of burn over incident.

37 I immediately met with these officials here in my office that
38 Saturday evening to discuss the incident, what we were going to do
39 as far as suppression of the fire, and how we were going to deal
40 with this incident.

1 It was at that time I decided to request a major accident
2 investigation team through the State of Nevada.
3 The accident -- accident investigation team, we had members
4 from afar -- as far away as Maine that came to -- to help out with
5 this investigation.
6 I was informed recently we are going to receive fines from
7 OSHA related to personnel protective equipment, PPE, as well as
8 training issues.
9 Our comp claims, which goes through POOL/PACT, for the three
10 incidents right now are approaching \$1 million. And they are
11 still not all closed.
12 So these recommendations are formed from the major accident
13 investigation team, the Nevada State fire marshal's office, work
14 comp, POOL/PACT, and OSHA. These are the -- the recommendations I
15 have.
16 Communications. We need to work on -- on communications.
17 I've spoken with both the chief and the assistant chief, Bart
18 and Ron, about this.
19 GPS tracking of equipment. At our safety meeting on
20 Wednesday, the -- we did decide to go ahead and -- and start
21 working on GPS tracking of -- of all emergency response equipment
22 in the county with the exception of the deputies in Battle
23 Mountain. Right?
24 That's what --
25 SHERIFF RON UNGER: That's correct.
26 KEITH WESTENGARD: -- Robert said. Okay. I wanted --
27 SHERIFF RON UNGER: We have --
28 KEITH WESTENGARD: -- to be sure.
29 SHERIFF RON UNGER: -- that in our -- our --
30 KEITH WESTENGARD: Right.
31 SHERIFF RON UNGER: -- our unit already.
32 KEITH WESTENGARD: So --
33 COMMISSIONER BAKKER: Why --
34 KEITH WESTENGARD: -- this --
35 COMMISSIONER BAKKER: -- I g- -- what -- why just Battle
36 Mountain --
37 KEITH WESTENGARD: Well --
38 COMMISSIONER BAKKER: -- for the --
39 KEITH WESTENGARD: -- they already have it in place.
40 COMMISSIONER BAKKER: Oh, okay.

1 KEITH WESTENGARD: So this would include the fire
2 departments, the three in the county; EMS; the two deputies or
3 the two officers in the south.
4 COMMISSIONER BAKKER: What about the fire department in the
5 south?
6 KEITH WESTENGARD: Yeah.
7 COMMISSIONER BAKKER: Okay.
8 KEITH WESTENGARD: Yeah. I -- did -- I -- if I missed
9 that, I'm sorry. Yeah.
10 COMMISSIONER ALLAN: No, you didn't.
11 KEITH WESTENGARD: For sure. Okay.
12 Minimum standards for physical fitness, which would relate to
13 the annual physicals.
14 And we do budget for that every year for the physicals.
15 Countywide policies and procedures that would deal with a
16 countywide policy and procedure. And then each individual
17 department could -- could tweak it to their department. Because
18 each department, as we've spoken of several times in this
19 meeting -- diff- -- there's a difference in the north and the
20 south.
21 So we have some tweaks. But we'd have some -- some general
22 policies and procedures in place.
23 Notifications. And that's -- those notifications are to the
24 county manager, whoever that may be in the future. There are
25 certain things that need to be done in the event of a burn, in the
26 event of an accident. And I was never notified. So we couldn't
27 get these things rolling right away.
28 Work comp. Especially in a burn situation, the fire
29 marshal -- it's in NRS that we report to the fire marshal any
30 burn within 24 hours.
31 And the district attorney can attest to this. We got a --
32 a talking to by the state fire marshal about not turning in
33 anything. This was in middle of August, going back to the July.
34 So these are learning lessons. I want to make that clear.
35 These are things that we're learning about to prevent this from
36 happening in the future.
37 It's -- it also may make OSHA a little less hard on us if
38 we're taking proactive measures to fix the things that -- that
39 have happened.
40 S-130 is a training course. It's about firefighter training.

1 S-190 has to do with introduction to wildland fire
2 behavior. It talks about things to look for: smoke columns,
3 weather, things to recognize when you might be approaching a
4 critical situation.

5 COMMISSIONER BAKKER: And with --

6 KEITH WESTENGARD: Firefighter survival is another one that
7 I -- I would like to recommend. It has to do with our fire
8 shelters or they're sometimes called shake-and-bakes.
9 Our fire shelters. How we use them. Sheltering in place.
10 Shel- -- safe refuge, whether we're in a house, a vehicle. But
11 safe refuge.

12 And the last and probably the biggest thing that I would like
13 to recommend is a full-time fire chief or training officer for the
14 county, countywide. It would be a new position to track, train,
15 and work with the fire departments.

16 COMMISSIONER CLARK: And keep the records?

17 KEITH WESTENGARD: Yeah. Track and train. All track,
18 training, --

19 COMMISSIONER BAKKER: I had --

20 KEITH WESTENGARD: -- information.

21 COMMISSIONER BAKKER: -- two questions.
22 The -- the training classes, will they come here and train
23 them?

24 KEITH WESTENGARD: Yes.

25 COMMISSIONER BAKKER: Train us?

26 KEITH WESTENGARD: The state --

27 COMMISSIONER BAKKER: Whatever?

28 KEITH WESTENGARD: -- fire marshal office -- as long as we
29 have a minimum, a minimum of 15.

30 Now this commission has been very gracious with the training
31 budget for me.

32 So if -- if need be, we can al- -- always hire somebody.
33 And we have hired -- I have hired in the past for our
34 extrication training. We had a con- -- a guy come in who's an
35 expert in auto extrication, when we got the new jaws, the new
36 HURST tool or cutters, extrication equipment. And he came in.
37 He did a class.

38 So we can -- both ways will work.

39 COMMISSIONER BAKKER: Okay.

40 COMMISSIONER ALLAN: I think on the training, like you

1 said, the fire marshal will come in and do training. There are
2 so many agencies available that would be more than willing to --
3 to offer any kind of training.

4 You know, I mean, if -- if you can think of what you want,
5 there's somebody out there that's going to do it. And I think
6 they'd gladly do it.

7 COMMISSIONER WAITS: The hard part, of course, is they're
8 volunteers. And when you have the training, if you miss that
9 day that they can't make it, you know, that's -- that's the hard
10 part because, you know, everybody works different hours and
11 different days. And I know that's certainly our -- our problem
12 in the south.

13 KEITH WESTENGARD: Well, what -- what we've done in the
14 past, my experience with -- with that, is we try to figure out
15 what best works for everybody.

16 And then if we get most of the people there or a majority of
17 them, they can have an in-house training at the fire stations.
18 And they can pass that information on.

19 COMMISSIONER WAITS: Okay. So you're -- you're actually
20 looking at us putting our policies and procedures together from
21 the county first and then the individual policies and
22 procedures. Which we still haven't really accepted. They're
23 still working --

24 KEITH WESTENGARD: Right.

25 COMMISSIONER WAITS: -- on. You're right.

26 I think we accepted Kingston's; didn't we? And that's the
27 only one we accepted?

28 KEITH WESTENGARD: Yes.

29 COMMISSIONER WAITS: Yeah. So we have Battle Mountain and
30 Austin still to finish up. So if we just have the first layer
31 saying, "You will; you will not," whatever on our layer and then
32 they work from there. Is that it?

33 KEITH WESTENGARD: Yes.

34 COMMISSIONER WAITS: Okay.

35 KEITH WESTENGARD: Yep.

36 COMMISSIONER WAITS: That's kind of what we talked about
37 before.

38 KEITH WESTENGARD: Uh-huh. And --

39 COMMISSIONER CLARK: Ted, --

40 KEITH WESTENGARD: -- time to -- yeah.

1 COMMISSIONER CLARK: What -- what would be the effect on
2 our future if we don't accept these recommendations? How would
3 that affect an issue in -- in the foreseeable future with an
4 injury?

5 COMMISSIONER WAITS: Oh, my goodness.

6 DISTRICT ATTORNEY HERRERA: Well -- well, it's -- it's a
7 hard question to answer, that hypothetical, because I'm sure
8 that the fire department would get training in.

9 But if no training was going to take place, it would -- it --
10 we would be at a substantial liability.

11 So some training has to take place. And that's what we're
12 here today to decide, what type of training is going to take
13 place.

14 So -- so we have to have training, particularly since we've
15 had two -- two incidents.

16 And -- and it's always better -- it's always better to show
17 insurance companies and brokers and stuff that we have complied
18 or not even necessarily complied, but we have put together a
19 training list.

20 And -- and that's -- you've got all the people here to do
21 that. So --

22 KEITH WESTENGARD: And I -- I would like to say that I -- I
23 don't want to say they haven't been doing training. Because I
24 believe you do have a monthly training meeting.

25 It's --

26 SHERIFF RON UNGER: Documentation.

27 KEITH WESTENGARD: -- a combi- -- a combination of lack of
28 training -- but they -- they do some. They just -- it's not all
29 there -- and a severe lack of documentation. That's -- that's
30 the big issue. You can do --

31 COMMISSIONER BAKKER: Ron, start --

32 KEITH WESTENGARD: -- all the --

33 COMMISSIONER BAKKER: -- writing it --

34 KEITH WESTENGARD: -- training --

35 COMMISSIONER BAKKER: -- down.

36 KEITH WESTENGARD: -- you can do all the training in the
37 world, but if it's not written down, it didn't happen.

38 COMMISSIONER WAITS: Didn't happen.

39 KEITH WESTENGARD: And that's what they were looking at,
40 OSHA as well as the fire marshal's office.

1 COMMISSIONER WAITS: Well, one of our main charges as
2 commissioners is safety, safety --
3 COMMISSIONER CLARK: Yeah.
4 COMMISSIONER WAITS: -- for all of our residents for the
5 county and most certainly for our departments, such as our --
6 our sheriff's and -- and firefighters and -- and folk's like
7 that.
8 I mean, that's -- that's what we need to do.
9 So, of course, we're all going to step up and do whatever we
10 possibly can to make sure that we're better. Because we can't let
11 it go back. It has to go forward. And like you --
12 KEITH WESTENGARD: Right.
13 COMMISSIONER WAITS: -- said, we'll be lucky if they -- if
14 they don't raise our rates to match.
15 COMMISSIONER CLARK: Boy.
16 KEITH WESTENGARD: So -- so the re--- part of my
17 recommendation is that I work with Bart and/or Ron as well as in
18 the south with Roger James, the fire chief. And then --
19 COMMISSIONER BAKKER: Shannon.
20 KEITH WESTENGARD: -- whoever's going to be in Kingston.
21 SHERIFF RON UNGER: Shannon.
22 COMMISSIONER BAKKER: Shannon.
23 KEITH WESTENGARD: Yeah.
24 SHERIFF RON UNGER: It's Shannon.
25 COMMISSIONER BAKKER: And then set up trainings and --
26 KEITH WESTENGARD: Un- -- until -- I will bring this back,
27 the training officer or fire chief position. But that's what
28 I'm looking at.
29 COMMISSIONER WAITS: Okay.
30 SHERIFF RON UNGER: And -- and if I may, Ron Unger, for the
31 record, assistant chief. And chief can jump in.
32 We did have a meeting with Keith. A lot of this was brought
33 up yesterday.
34 The items that he brought up, like he said, the GPS, the
35 safety committee's taking care of that.
36 We will have the spots in all of our vehicles -- our wildland
37 vehicles, I should say.
38 The physicals. At this point in time, they're still offered
39 to the department. It's getting the department members to do it.
40 So there's going to be some policies that I believe chief is

1 working on some of that.

2 But we'll change communications. He mentioned that
3 yesterday. And we had a discussion on that, Keith and I did. And
4 I didn't -- it didn't dawn on me until last night. And -- and --
5 and what we were talking about was radios for each fireman.

6 There's some issues with that. But to let the commission
7 know what we did do -- and we started this last year mainly or
8 maybe the year before -- we do have extra radios, like I carry.
9 They're a portable radio. There is six of them in the firehall.
10 And what is supposed to happen or should happen is when we go out
11 on a wildland fire, you --

12 COMMISSIONER WAITS: Okay.

13 SHERIFF RON UNGER: -- grab one of those. It's already got
14 all the designated channels for the BLM, the division of
15 forestry, sheriff's office on them.

16 And so we have worked on the communications. But, I mean,
17 that's one of them there, Keith. And --

18 KEITH WESTENGARD: Yes.

19 SHERIFF RON UNGER: -- I did try calling you last --
20 yesterday afternoon.

21 KEITH WESTENGARD: Oh, okay.

22 SHERIFF RON UNGER: I didn't leave you a message.

23 But nevertheless, a lot of what Keith has brought up is stuff
24 that we are working on as we speak.

25 Because we know the training. There is training that goes
26 on in there, not only some of it for wildland. It used to be
27 where the BLM would come in early in the season and put on
28 the -- the S-130s and the S-190s. Some of us would get
29 certificates.

30 We had them certificates at home. They were not to where
31 the secretary treasurer could get his hands on them when the
32 investigation went.

33 So there are a few -- some of us that's got that.

34 So that's something that's an issue. We need to look at
35 that.

36 BART NEGRO: But I think it's a yearly thing, you know.

37 SHERIFF RON UNGER: It is a --

38 BART NEGRO: We need to --

39 SHERIFF RON UNGER: -- yearly --

40 BART NEGRO: -- get them --

1 SHERIFF RON UNGER: -- thing on --
2 BART NEGRO: Yeah.
3 SHERIFF RON UNGER: -- those.
4 And I personally -- and I -- I know that the chief -- we've
5 talked to the BLM. And we did it at the briefing. They're more
6 than willing to come in and put on these classes. And where they
7 put them on here in town that means we might not get everybody.
8 Like Patsy said, they are volunteers. And they do work different
9 shifts and different schedules. But with them here, we can do
10 this more than once.
11 So we agree with a lot of what's being said on this deal. We
12 know that we need some training. And we need a -- a process or a
13 procedure where all this can be documented through the fire
14 department. And I think -- I got some personal opinions on that.
15 I think that a lot of this is -- should be done internally. We
16 have paid positions in there. But that should be part of their
17 job is to document when they have come on board, who they are.
18 All pertinent information is to be put there in the trainings that
19 they've had.
20 So we're here to tell you -- or I'm here to tell you, and
21 Bart -- that we are working on this. We know there's an issue,
22 and we are working on it.
23 And a lot of what's being addressed -- and it goes back to
24 Art. We are making the attempt. So that does cover us in a lot
25 of this (indiscernible).
26 COMMISSIONER CLARK: Yeah. From the beginning, Ron, you
27 guys get all the money you need for everything that you need.
28 SHERIFF RON UNGER: Absolutely.
29 COMMISSIONER CLARK: And I want you to have the absolute
30 best. As long as we can afford it, I want you to have the best.
31 SHERIFF RON UNGER: And we do.
32 COMMISSIONER CLARK: I want you to have a lot of it.
33 SHERIFF RON UNGER: You know, some of us setting at the
34 table wish to hell that had never happened, but it did. And now
35 we'll have to deal with it.
36 COMMISSIONER CLARK: Well, we just need to pick up the
37 pieces from here and put it together and make sure that it's
38 right.
39 BART NEGRO: What you might look into also is instead of
40 just a fire department --

1 COMMISSIONER WAITS: Did Bart identify himself?
2 BART NEGRO: -- training officer type of thing, have a --
3 like a county safety type of thing to where he could, you know
4 --
5 COMMISSIONER CLARK: That's where you guys need to talk
6 with Keith and come up with what you need. And then come back
7 to us and we'll say --
8 BART NEGRO: Yeah.
9 COMMISSIONER CLARK: -- yes and no. But if it comes from
10 the three of you, we're going to say --
11 DISTRICT ATTORNEY HERRERA: Right.
12 COMMISSIONER CLARK: -- probably going to say, yeah.
13 DISTRICT ATTORNEY HERRERA: And --
14 COMMISSIONER BAKKER: And --
15 DISTRICT ATTORNEY HERRERA: -- and that's what I was
16 talking to you yesterday about, Bart, about the change in the
17 ordinance, putting some of those things in the ordinance.
18 BART NEGRO: Yeah.
19 DISTRICT ATTORNEY HERRERA: That would be perfect.
20 BART NEGRO: You know, to have it --
21 DISTRICT ATTORNEY HERRERA: Yeah. To have it all listed
22 out in the ordinance what you three --
23 BART NEGRO: You know, have someone --
24 DISTRICT ATTORNEY HERRERA: -- want to do.
25 BART NEGRO: -- that, if nothing else, go around and check
26 and make sure that there's fire --
27 DISTRICT ATTORNEY HERRERA: Absolutely.
28 BART NEGRO: -- extinguishers everywhere and --
29 DISTRICT ATTORNEY HERRERA: Absolutely.
30 BART NEGRO: -- and stuff like that.
31 COMMISSIONER BAKKER: Bart, will you -- will you state your
32 name, please.
33 BART NEGRO: Oh, Bart Negro.
34 COMMISSIONER BAKKER: Thank you.
35 Okay.
36 DISTRICT ATTORNEY HERRERA: That's a good idea, Bart.
37 SHERIFF RON UNGER: But to let the commission know, we're
38 more than happy to work with --
39 KEITH WESTENGARD: Abso- -- both ways.
40 SHERIFF RON UNGER: -- the -- Keith on it. He's come up

1 with some good ideas. And I think he's done a lot of good
2 research on it. And --

3 COMMISSIONER WAITS: Thank you, gentlemen.

4 SHERIFF RON UNGER: -- we're here to work with him and --
5 and make our department better and safer.

6 It's a good department. We do a good job. But we need to do
7 something a little safer to cover our fannies with the OSHA and --
8 and some of this other stuff.

9 CHAIRMAN MILLS: So do we -- do we need a motion on this of
10 some sort to move forward on anything? Or is --

11 KEITH WESTENGARD: I think --

12 CHAIRMAN MILLS: -- there something you're looking --
13 because --

14 KEITH WESTENGARD: We --

15 COMMISSIONER WAITS: I -- I --

16 KEITH WESTENGARD: -- we kind of agree we're --

17 COMMISSIONER WAITS: -- don't think so.

18 KEITH WESTENGARD: -- going to work together on it, I
19 think.

20 CHAIRMAN MILLS: Okay.

21 COMMISSIONER WAITS: You're going to bring it back to us?

22 KEITH WESTENGARD: Yes.

23 COMMISSIONER CLARK: Okay.

24 CHAIRMAN MILLS: All right.
25 Because I -- I'm --

26 KEITH WESTENGARD: Are these things --

27 CHAIRMAN MILLS: -- not going to be --

28 KEITH WESTENGARD: -- okay?
29 Would you like to modify them? Remove them? Add more? Take
30 away?

31 CHAIRMAN MILLS: I -- whatever -- whatever that OSHA and
32 all those other organizations recommended we do, I mean, we need
33 to do them.

34 KEITH WESTENGARD: Work --

35 CHAIRMAN MILLS: Absolutely.

36 KEITH WESTENGARD: -- toward.

37 SHERIFF RON UNGER: And this is what this is all about, to
38 come into compliance with those people --

39 CHAIRMAN MILLS: Right.

40 SHERIFF RON UNGER: -- to where they're, like Patsy said --

1 at least if we're working on it and something happens tomorrow,
2 --

3 CHAIRMAN MILLS: Right.

4 SHERIFF RON UNGER: -- we're working on it. Because it's
5 been brought up the communications, the PPE. It's -- we've --

6 CHAIRMAN MILLS: Yeah.

7 SHERIFF RON UNGER: -- done a lot of this or we're in the
8 process. I think that would help us.

9 CHAIRMAN MILLS: My -- my --

10 SHERIFF RON UNGER: So --

11 CHAIRMAN MILLS: -- biggest concern at this point is to
12 making sure the commission stays in the loop on progress that's
13 made and we get updates and we kind of keep some tabs on what's
14 going on and make sure it's followed through.

15 DISTRICT ATTORNEY HERRERA: Commissioners, along those same
16 lines, I -- when these three gentlemen are done, I'd -- I'd like
17 to -- I'd like to put it part of the ordinance itself because we
18 have to fix that ordinance.

19 CHAIRMAN MILLS: Okay.

20 DISTRICT ATTORNEY HERRERA: So --

21 SHERIFF RON UNGER: I think that needs to be done first.
22 Huh?

23 DISTRICT ATTORNEY HERRERA: Well, it -- it could. It --
24 maybe it could be because that would be the -- the starting
25 point on --

26 COMMISSIONER WAITS: Okay. So we are requesting this from
27 you, Counselor.

28 DISTRICT ATTORNEY HERRERA: Well, --

29 SHERIFF RON UNGER: He's waiting on us.

30 DISTRICT ATTORNEY HERRERA: -- I'm waiting for these three
31 gentlemen to give me --

32 CHAIRMAN MILLS: All right.

33 SHERIFF RON UNGER: He's been waiting on us. We've been
34 waiting on him. I've been waiting on Bart a little. So --

35 COMMISSIONER WAITS: Yeah. But he always says --

36 BART NEGRO: Yeah.

37 COMMISSIONER WAITS: -- he needs direction --

38 BART NEGRO: My fault.

39 COMMISSIONER WAITS: -- from --

40 SHERIFF RON UNGER: We're going to point the finger.

1 COMMISSIONER WAITS: Yeah. He says, --
2 COMMISSIONER CLARK: Well --
3 COMMISSIONER WAITS: -- I need direction from the
4 commissioners. I go, we're giving him direction.
5 DISTRICT ATTORNEY HERRERA: Okay.
6 CHAIRMAN MILLS: Would you like that --
7 DISTRICT ATTORNEY HERRERA: That --
8 COMMISSIONER BAKKER: Yes.
9 CHAIRMAN MILLS: -- direction in the form of a motion? Or
10 would you --
11 COMMISSIONER WAITS: No.
12 CHAIRMAN MILLS: -- just --
13 DISTRICT ATTORNEY HERRERA: No, no, --
14 CHAIRMAN MILLS: -- you just --
15 DISTRICT ATTORNEY HERRERA: -- no.
16 CHAIRMAN MILLS: -- need a verbal --
17 COMMISSIONER WAITS: It's fine.
18 DISTRICT ATTORNEY HERRERA: I -- I --
19 CHAIRMAN MILLS: -- direction?
20 DISTRICT ATTORNEY HERRERA: -- I want to get on the same
21 page with these three.
22 CHAIRMAN MILLS: Okay.
23 DISTRICT ATTORNEY HERRERA: If I'm on the same page with
24 these three, I'm fine.
25 COMMISSIONER CLARK: So --
26 DISTRICT ATTORNEY HERRERA: Because they know what's needs
27 to be put in there.
28 And then I will put it in there, present it to you, and you
29 can do your --
30 CHAIRMAN MILLS: Stuff.
31 DISTRICT ATTORNEY HERRERA: -- crosses or whatever, --
32 CHAIRMAN MILLS: Okay.
33 DISTRICT ATTORNEY HERRERA: -- strikes.
34 COMMISSIONER CLARK: Okay.
35 CHAIRMAN MILLS: Okay.
36 COMMISSIONER CLARK: Just as long we're moving forward and
37 we have an understanding that you're going to have all the money
38 you need for everything --
39 DISTRICT ATTORNEY HERRERA: And --
40 COMMISSIONER CLARK: -- you need. Because --

1 SHERIFF RON UNGER: Make sure -- did you get that, Sadie?
2 COUNTY CLERK SULLIVAN: Absolutely. As long --
3 DISTRICT ATTORNEY HERRERA: We're thinking --
4 COUNTY CLERK SULLIVAN: -- a you didn't talk over each
5 other for our transcriber.
6 DISTRICT ATTORNEY HERRERA: We're thinking countywide for
7 the ordinance too.
8 SHERIFF RON UNGER: Yes.
9 DISTRICT ATTORNEY HERRERA: And I -- and I --
10 CHAIRMAN MILLS: Right.
11 DISTRICT ATTORNEY HERRERA: -- explained that to all --
12 CHAIRMAN MILLS: Right.
13 SHERIFF RON UNGER: And our needs and stuff will be
14 different. We'll --
15 DISTRICT ATTORNEY HERRERA: Yes.
16 SHERIFF RON UNGER: -- share as --
17 DISTRICT ATTORNEY HERRERA: Absolutely.
18 SHERIFF RON UNGER: -- as Austin and Kingston. So --
19 BART NEGRO: Yeah. And we'll have to work with them also.
20 SHERIFF RON UNGER: We'll be --
21 BART NEGRO: But yeah.
22 SHERIFF RON UNGER: -- they'll be brought into the loop.
23 DISTRICT ATTORNEY HERRERA: Yep.
24 COMMISSIONER BAKKER: Okay.
25 COMMISSIONER CLARK: And your -- Bart, your idea of a
26 safety guy, if we go that way, that guy will be responsible for
27 all the documentation for all the records.
28 DISTRICT ATTORNEY HERRERA: Yeah. In all three.
29 COMMISSIONER CLARK: Yeah. That would be their job to
30 make --
31 DISTRICT ATTORNEY HERRERA: That would be --
32 COMMISSIONER CLARK: -- sure that all the records are --
33 CHAIRMAN MILLS: Make sure the training's --
34 COMMISSIONER CLARK: -- ready to --
35 CHAIRMAN MILLS: -- done, --
36 COMMISSIONER CLARK: -- go if --
37 CHAIRMAN MILLS: -- make sure --
38 COMMISSIONER CLARK: -- needed.
39 CHAIRMAN MILLS: -- it's recorded and tracked and --
40 COMMISSIONER CLARK: Yeah.

1 DISTRICT ATTORNEY HERRERA: That's a good idea.
2 SHERIFF RON UNGER: You'd have to have work with the
3 secretary treasurer on that. But that's not a bad thought.
4 COMMISSIONER CLARK: Yeah.
5 DISTRICT ATTORNEY HERRERA: Yeah.
6 COMMISSIONER ALLAN: Well, I think that --
7 SHERIFF RON UNGER: Not a bad thought.
8 COMMISSIONER ALLAN: -- also justifies the position, you
9 know, as Keith mentioned, training officer, you know. If you
10 had a paid position, you know, incorporating a safety director
11 into that would justify a full-time position for somebody --
12 SHERIFF RON UNGER: Well, that --
13 COMMISSIONER ALLAN: -- countywide.
14 SHERIFF RON UNGER: -- would be within the county.
15 COMMISSIONER ALLAN: Within the county. Yes.
16 COMMISSIONER CLARK: And then --
17 COMMISSIONER ALLAN: But --
18 COMMISSIONER CLARK: -- they would be --
19 COMMISSIONER ALLAN: -- also part of training.
20 COMMISSIONER CLARK: If -- if they were cert- --
21 certificated trainer, they could put on trainings --
22 BART NEGRO: Yeah.
23 COMMISSIONER CLARK: -- to meet --
24 BART NEGRO: They need to go to the --
25 COMMISSIONER CLARK: -- to meet the needs of the
26 volunteers.
27 BART NEGRO: The training classes. And then come back --
28 COMMISSIONER CLARK: Right.
29 BART NEGRO: -- and --
30 COMMISSIONER CLARK: Right.
31 BART NEGRO: -- and give the classes.
32 COMMISSIONER CLARK: It would be at the --
33 BART NEGRO: Yeah.
34 COMMISSIONER CLARK: -- leisure of the volunteers.
35 SHERIFF RON UNGER: And we have people in the department
36 that are certified trainers if need be.
37 DISTRICT ATTORNEY HERRERA: Anybody looking for a job?
38 SHERIFF RON UNGER: No.
39 Thank you.
40 COMMISSIONER BAKKER: Thank you.

1 COMMISSIONER CLARK: Thank you, Ron.

2 BART NEGRO: Thank you.

3 CHAIRMAN MILLS: Appreciate it.

4

5 9) Discussion and possible action requesting the Lander County
6 Board of Commissioners to modify Lander County Code 8.45.030
7 and 8.46.030 to allow for a medical/recreational marijuana
8 dispensary establishment in Lander County, and all other
9 matters properly related thereto.

10

11 CHAIRMAN MILLS: Okay. Item 9.

12 Discussion and possible action requesting Lander County

13 Board of Commission to modify Lander County Code 8.45.030 and

14 8.46.030 to allow for a medical/recreational marijuana

15 dispensary establishment in Lander County, and all other matters

16 properly related thereto.

17 JOSEPH RAMOS: Good morning. I'm going to need just a
18 minute to set this up if you don't mind.

19 COMMISSIONER BAKKER: Okay. Do you want to take a break
20 for a minute or --

21 CHAIRMAN MILLS: How much time do you need?

22 JOSEPH RAMOS: Well, it depend on how agreeable that is.
23 Maybe -- could be anywhere from a minute to three or --

24 COMMISSIONER CLARK: Yeah.

25 JOSEPH RAMOS: -- four.

26 COMMISSIONER CLARK: Let's take a break for --

27 COUNTY CLERK SULLIVAN: Sean?

28 COMMISSIONER CLARK: -- a couple minutes.

29 COMMISSIONER BAKKER: I got to --

30 CHAIRMAN MILLS: I want to ask --

31 COMMISSIONER BAKKER: -- I got to --

32 COMMISSIONER CLARK: Yeah. It's going to be --

33 COUNTY CLERK SULLIVAN: Once he gets it (indiscernible) --

34 COMMISSIONER CLARK: It could be --

35 COUNTY CLERK SULLIVAN: -- will you turn the lights once he
36 starts flipping through the (indiscernible)?

37 CHAIRMAN MILLS: Yeah.

38 COMMISSIONER BAKKER: Yep.

39 CHAIRMAN MILLS: We're going to take a break.

40 COMMISSIONER BAKKER: Hey, Austin --

1 (Break taken between 11:10 a.m. and 11:20 a.m.)
2
3 CHAIRMAN MILLS: Okay. Call this meeting back to order.
4 I've already read the item into the record. Do I need to
5 do it again? Ted?
6 DISTRICT ATTORNEY HERRERA: If you've already --
7 CHAIRMAN MILLS: I've already --
8 DISTRICT ATTORNEY HERRERA: -- read it --
9 CHAIRMAN MILLS: -- read it in. I don't need to do it
10 again, do I?
11 DISTRICT ATTORNEY HERRERA: No. You don't need --
12 CHAIRMAN MILLS: Okay.
13 DISTRICT ATTORNEY HERRERA: -- to.
14 CHAIRMAN MILLS: All right.
15 JOSEPH RAMOS: So (indiscernible) council, I -- Joe Ramos,
16 for the record.
17 I have put in -- a little slide show together here briefly
18 because I anticipate this is a topic we'll have a lot of
19 questions, a lot of controversy, based on the last meetings.
20 But I'm hoping by the end of this that any controversy that
21 exists or any -- any nay votes would be based on fact rather
22 than personal beliefs.
23 And that's what I'm shooting for here.
24 So that's the meat of this.
25 So, as you know, this is for -- a request for modification
26 of the di- -- dispensary prohibition in Lander County. There's
27 the chapters. I think they've been previously read into the
28 record.
29 And in considering this today and amending the chapters of
30 the Lander County code to -- to accommodate for a potential
31 dispensary in Lander County, I went directly to the notes that I
32 had kept from p- -- from our prior meetings here.
33 And, again, some of this will be repetitive of this
34 morning's stuff, and so I'll go through that a little faster.
35 But the big concerns in Lander County were public safety.
36 There was a lot of speak about property values, locations.
37 There was a lot of questions about tax revenues. What did this
38 really mean for Lander County anyway? There were questions
39 about security, odor, fire protection, and resource use.
40 I'll tell you the bottom three on the -- on the list we can

1 get through here in about 15 seconds. And then -- that is if
2 you remove the dispensary prohibitions that -- that have been
3 prior cited, the chapters have been cited, odor is not an issue.
4 Fire protection is not an issue. And resource -- excuse me --
5 use is not an issue.

6 The reason is that with a dispensary -- excuse me -- with a
7 dispensary, it's not the grow. It's not the flowering product.
8 It's packaged, sealed product hanging on the shelves in a store.
9 And -- and so the odor issues that are very real with a grow are
10 not with a store.

11 It's somewhat like if you went to the gummy bear factory
12 there in Colorado, it smells sweet and like sugar and like gummy
13 bears outside the factory.

14 When you walk into King Soopers there -- and here I guess
15 it'd probably be Albertsons or wherever -- to buy some gummy
16 bears, you don't smell them. They're packaged up. Odor is not
17 an issue with regard to a store, a -- a dispensary.

18 Fire protection. There's no additional fire protection
19 over any other building that you have downtown right now.

20 There's not -- again, with a grow, where there was
21 discussions in our prior public meetings of high power loads, of
22 a lot of lights, so on and so forth, these are just storefronts,
23 just like a cell phone store.

24 Resource use. There was also discuss- -- discussions
25 before about what nutrients and stuff may go into the sewer
26 system.

27 You know, large power draws and how much was necessary.

28 Sew- -- the water usage. We had questions on how much
29 water plants used.

30 Again, all of that is not part of the discussion today for
31 a store.

32 What is part of the discussion is public safety. I think
33 that's number one. And the other issues as well up there, which
34 I'd like to address.

35 On the public safety issue, the thing that I -- I think
36 that the commission should consider as well as all the residents
37 of Lander County, the police officers, and that is, is that, you
38 know, learn from -- from the people that have gone before us,
39 say, here in Nevada.

40 And -- and the people who have gone before us are many

1 other states, not just Colorado. And what they found in all
2 these other states is, is that if you just have stores but you
3 -- but you don't -- but you don't protect the ability of people
4 from around those stores to grow, the stores don't do you any
5 good. And the reason is, is that people continue to grow it in
6 their homes. And they continue to sell on the streets. Period.
7 That's what they do.

8 In Nevada Revised Statutes, it's stated up there above
9 "prohibit grows within 25 miles of a dispensary." This is a
10 fantastic provision that the state of Nevada put in. And it's
11 very --

12
13 (Cell phone ringing.)
14

15 JOSEPH RAMOS: -- protective of its communities to try to
16 get out illegal drugs.

17 Ninety -- they -- they've done a survey of the -- of -- of
18 Nevada. And you can pull this right off of the Nevada website
19 and the marijuana site. Ninety percent of all home grows are --
20 would be disallowed across the state of Nevada -- 90 percent --
21 if there were a dispensary located in those communities. That
22 strongly -- as you can see why. If you place a dispensary or
23 you allow a dispensary, let's just say here by the McDonald's,
24 just go 25 miles in every direction and there can't be anybody
25 growing any marijuana or they're doing it illegally.

26 That is -- is an incredible public safety issue for many
27 reasons, not only because people who grow in their houses
28 illegally. They don't file -- they don't follow fire code.
29 They don't file -- fire, you know, plans for their electric to
30 tell you they're going to be doing a grow. And -- and that's
31 where you see a lot of issues safety-wise start developing.

32 When it comes to drug sales in neighborhoods, it's very,
33 very real. And where is it coming from?

34 Well, if you look at just the state law here, if you don't
35 have a dispensary -- and this applies to Battle Mountain right
36 now. You can -- you can grow 12 plants. And I can tell you
37 that the numbers on our grows are about 2 to 2 1/2 pounds per
38 plant. Here you're allowed to have six in flower, six in veg.
39 And you -- we harvest about 4 to 5 1/2 times a year. Four if
40 you don't know what you're doing. Five and a half times a year

1 if you know what you're doing. If you do the math on that,
2 you're looking again -- and we've st- -- we've saved these
3 numbers in prior meetings. You're looking at a -- at about, you
4 know, 12 pounds because if you can do six plants, you'd have 12
5 pounds of marijuana four to five times per year.

6 So somebody with a home grow could potentially be
7 producing, legally, 60 pounds of marijuana a year. I don't know
8 anybody that smokes 60 pounds of marijuana a year.

9 So where is the rest of that marijuana going? I don't
10 think it's going, you know, ground up and mixed it with soil and
11 throwing it in a dumpster. It's going on the streets.

12 I talked with Mr. Melder here locally about giving a talk
13 to the elementary or middle school where he's at about drug --
14 about marijuana use. And I asked him if he thought it would be
15 useful. He told me that he thought 50 to 70 percent of the
16 students were using marijuana. That's pretty --

17 COMMISSIONER CLARK: What was that?

18 JOSEPH RAMOS: -- amazing.

19 COMMISSIONER CLARK: Fifty to 75 percent?

20 JOSEPH RAMOS: Fifty to 70 percent is what Melder quoted to
21 me.

22 COMMISSIONER WAITS: Uh-huh.

23 JOSEPH RAMOS: He thought were using marijuana at the
24 middle school level.

25 COMMISSIONER CLARK: At junior high level?

26 JOSEPH RAMOS: Yes. Fifty percent.

27 And I'll show you numbers in Colorado in a minute that
28 support that that are done by our public health initiative up
29 there.

30 And -- and with quotes and sites for people here, again,
31 who have questions on this.

32 So the -- and the other thing is that you -- you really put
33 law enforcement in a bind without a local dispensary because if
34 -- if I'm driving down the street here and one of the officers
35 pulls me over and I have a bunch of marijuana, I have homegrown
36 for all he knows. What's he going to do? Go get a judge to
37 file an order to allow him into my home to see if I actually
38 have plants growing?

39 I may have bought it illegally from somebody down -- down
40 the street, but he'll never know that. Your officer will never

1 know that.

2 So the -- the laws are very protective of illegal marijuana
3 possession if there's not a local dispensary. You don't get any
4 -- any -- any protective zone.

5 Now, if you have a local dispensary and he catches somebody
6 with marijuana, they better have the -- a record of the
7 dispensary of where it came from, proof of purchase. The
8 product better be labeled. There better -- it better meet all
9 the packaging guidelines, the safety guidelines, all the testing
10 guidelines that the state of Nevada has set forth.

11 So when it comes to public safety, a dispensary is very
12 protective of public safety in Lander County.

13 Now I tried to do research on Nevada. Because it's one
14 thing for me to sit here and say this, but the best way to prove
15 to everybody -- and -- and this is where if anybody gets up here
16 and talks today about this, I just ask you to ask them for some
17 facts. Where are some facts? Show me some facts and
18 literature. If you want to get up here and say something that's
19 outside of your public view, your own personal view on
20 marijuana, support it by facts.

21 I looked in Nevada so I could find you guys some facts.
22 There was an article about one year later, marijuana's impact on
23 Nevada -- on Nevada's public safety. This is the best data
24 Nevada has right now, articles being written and put on Channel
25 2 News.

26 Well, here's what they said -- and -- and it was very
27 funny. Reading this, you'll -- you'll see that it was all the
28 stuff that you all heard in all of the county meetings.

29 There was a big debate in marijuana on the public safety
30 issues like increased DUIs, illegal sales, use of among kids.
31 How often do we all hear all that? And you guys have probably
32 heard that as you've been questioned by people who have gotten
33 up.

34 And you see what -- what they found. The district attorney
35 and the Washoe County sheriff said, so far we're not seeing that
36 spike.

37 Okay?

38 This -- this is Nevada, the best data I could find here.

39 They -- they went on to say -- and this is less of an
40 offender than the -- than the county's number one vice. Alcohol

1 is still the pre- -- predominant problem.

2 They get in with there's no good statistics to share. So
3 in Nevada if you want to find statistics to disprove this,
4 you're not going to find them.

5 Now, at one of the other meetings, one of the people said
6 to me when I kept saying Colorado, Colorado, Colorado -- one of
7 the guys got up and said -- hopefully he's here today -- got up
8 and said, well, don't be talking Colorado. We don't live in
9 Colorado. We live here -- here in Lander County.

10 Well, there's the best you're going to find for -- for
11 Nevada or Lander County. I've just shown it.

12 So let me show you a state that's been in business a lot
13 longer and show you what -- what the -- what the literature's
14 showing.

15 The Colorado Department of Public Health and Environment.
16 That's where this is from. This is not from some marijuana
17 group. This is not from somebody called NORML or somebody who's
18 out there advocating for it. This is the Colorado Department of
19 Public Health and Environment.

20 They found the national average of -- of use was 20
21 percent. The Colorado average in 2017 was 19 percent.

22 Okay?

23 We've been legal there since 2009. Nineteen percent, a
24 percent less.

25 They found an overall decrease of 6 percent in marijuana
26 use amongst youths. If you go back to 2009 from 2017, a 6
27 percent decrease.

28 And found an overall decrease -- and this is where we get
29 to that statistic, Art, that you asked about when you said 50
30 percent. Well, you can see here that -- that youths trying
31 marijuana were 43 percent of the youths reported to the Col- --
32 in the Colorado Department of Public Health surveys.
33 Forty-three percent reported trying marijuana. That's down to
34 35 percent in '17.

35 Now, if you want to know -- again, you might go, Why? How
36 do you -- how do you justify these numbers? Well, it makes
37 perfect sense.

38 Before 2017 and before marijuana was legalized in Colorado,
39 do you know how many parents probably talked to their kids about
40 drugs? Not very many. Drugs in general, but not marijuana.

1 Do you know how many school programs there were? How many
2 commercials were run on television?

3 Well, I can tell you that part. None.

4 Now there are millions of dollars going into educating
5 because the -- the states have the funds. And they're putting
6 money back into education. They're educating youths on don't
7 use marijuana.

8 Just like you see on cigarettes. Don't smoke cigarettes.

9 We have those places up there -- I don't know if you have
10 them here -- where it shows people with cancer and their larynx
11 removed and all this stuff and saying, I smoked.

12 That's now what you're seeing with marijuana. So keep --
13 the youth is getting educated. And they weren't receiving it
14 before.

15 If you go to more on public safety, on arrests and
16 offenses -- now this is from the Colorado Bureau of
17 Investigation. This is a national incident-based reporting
18 system data. So this was reported to the nation by the State of
19 Colorado Bureau of Investigations. Okay. This is, again, very,
20 very unbiased numbers here.

21 There was a 46 percent decrease in marijuana arrests. If
22 you go down that list, you can see the possession arrests, the
23 sales arrests, and -- and the unspecified arrests. Those were
24 the ones they couldn't classify based on the records.

25 Again, why does that make sense?

26 It makes sense because if you have a place to go buy it,
27 you don't need to be growing it. And you don't need to be
28 buying it on the back street.

29 And I think that the public began to get educated on when
30 people are growing their marijuana and they're spraying it for
31 powdery mildew or they're spraying it for aphids and they're
32 spraying it with bug killer and then you're smoking it, that
33 might not be a good idea. Okay.

34 And in Colorado and in Nevada this is -- stuff is tested.
35 And it's tested, strictly tested. And you have to destroy
36 hundreds of thousands of dollars' worth of it if you're spraying
37 it with stuff that harms the public.

38 And there's a -- pages of lists of prohibited substances on
39 it.

40 The guy growing out of his garage does not have that same

1 prohibited list. It's a safety issue.

2 And because of that, we're seeing people that are buying
3 from stores. Police aren't having to arrest them. We're seeing
4 people that have -- have a receipt for their purchase that they
5 legally did it.

6 And -- and it just takes this whole thing of the -- of the
7 -- you know, kind of the decriminalization out of marijuana
8 that's existed for way too long.

9 So there's a decrease in street sales.

10 I think that that -- it makes perfect sense that that would
11 -- that that would also lead to a decrease in -- in overall
12 crimes, a -- a decrease in overall, you know, theft and
13 everything that happens associated with those areas where people
14 go to populate when they want to turn around and buy their --
15 their marijuana.

16 You know, if you're going into a neighborhood with a bunch
17 of money and you're showing up at some thug's house to buy your
18 drugs, naturally you're putting yourself in a zone of danger.

19 I think here's -- here's the thing that you're going to
20 have to struggle with as a committee -- and we saw this a little
21 bit with what we asked you to do in -- in Austin with -- with
22 regard to the -- the location of the grow -- you're going to see
23 a big pushback from the public, I think, a big concern on
24 distance considerations.

25 I mentioned this earlier this morning. If -- if -- if
26 people will agree that it's going to take drugs off the street
27 and it's going to take private grows away and it's going to make
28 people go to stores and be responsible, it's going to be safer
29 because it's publicly tested, that the state's going to collect
30 taxes, the county's going to collect taxes, the only pushback
31 that I think the community can really have is where do you put
32 it? And that -- that's been a concern.

33 Odor? We went through -- went through, you know, some of
34 those other factors. And we can hit those again more in a
35 minute here. But what the state of Nevada has done everywhere
36 else is they put 300 feet back from a -- from any community
37 facility.

38 And -- and here's -- here's, you know, the Nevada Revised
39 Statute citing what a community facility is. It goes all the way
40 to define what I would consider one of the more -- more touchy

1 subjects and that being those of churches and schools.
2 And you'll see 300 feet is what they have placed.
3 And that last one was -- was one jurisdiction. Here's
4 another one. Community facility, 300 feet. There's their code.
5 Happy again to -- to share this with -- with anybody who'd
6 like to see this.
7 North Las Vegas. And, again, I'm -- I'm using the places in
8 Nevada who have approved dispensaries.
9 In North Las Vegas, again, separation of community
10 facilities, 300 feet. And they even allow you to put in a
11 waiver to consider special use for another -- if you think it
12 should be different.
13 Clark County, same thing. Henderson, same thing.
14 These are -- these are repetitive.
15 So I think that location will be something that will need to
16 be considered. But that's for another -- that's for another
17 issue.
18 This first has to be removed from the current chapters in
19 order to give the law. Now the other questions -- and that --
20 this was one of the three that we had in the first slide up
21 there about "What's the financial impact?"
22 Before, there was big questions about "So what does this
23 really mean? And why should we do this?"
24 Well, I'll show you what -- what -- what it means to Nevada
25 and what it means to Lander County.
26 When you have a local dispensary, they pay local licensing
27 fees. You have local purchases. And you have -- and you have
28 inclusion in the state's tax retail collections.
29 I'm going to show you what Lander County gets now and I'm
30 going to show you what some of your neighboring counties get
31 right now.
32 What are those taxes? Well, it's 15 percent. There's a
33 state special marijuana wholesale tax that's 15 percent. There's
34 a state medical retail tax that's 10 percent.
35 Keep in mind those are additional taxes. Those are special
36 classes of taxation. There's also the additional traditional
37 state sales taxes. And then there are local taxes and fees.
38 What you guys have set locally here for Lander County is
39 you've said we want an additional 3 percent here on all of your
40 sales. And then you've also said, we want these licensing fees.

1 Keep in mind these are duplicate fees. We pay these to the
2 state and we pay these to the county.

3 So, for example, a \$30,000 cultivation license here for
4 retail and for a medical cultivation here is another 30,000 to the
5 state. So it's \$60,000 to get that joint license.

6 Okay?

7 To get the retail store license would be 20,000 here in
8 Lander County, 20,000, again, to the state. Another \$40,000.

9 Same with production. Those numbers add up.

10 You already have three cultivation facilities here. Just
11 these fees alone, the local fees, are a substantial amount of
12 money.

13 The 3 percent tax on all sales is a substantial amount of
14 money.

15 But what you're missing out on in those sales for the
16 state -- or for Lander County specifically is, is this. Here's
17 2019's fiscal year impact to date. And I know they run the fiscal
18 year July to June. So the numbers I'm going to show you for '18
19 and '19 cover that -- that -- that spectrum. You can see that in
20 the state of -- of Nevada for July -- if you want to use July of
21 '18, the first month of this fiscal year, there are \$3,808,680 in
22 just excise -- wholesale excise tax collected. That's just on
23 the -- on the cultivation.

24 If you go down then to the -- the state marijuana retail
25 excise tax, there was another 4,099,000.

26 And then if you go down to the state sales tax on just the
27 sales, there was 48,417,000. Keep in mind this is just July.

28 So you're looking here at about \$56 million in that month
29 in taxes.

30 And I'll show you how that shakes out for Lander County.

31 Here's fiscal year 2018. I just pulled the last part of
32 the chart on '18 to show you there were \$529,851,000 in
33 marijuana tax revenues.

34 This is directly from the Nevada marijuana website. And
35 you -- anybody can go there and pull these. They have them in
36 Excel spreadsheets. You can download them.

37 So this is -- now this real bad. Okay. These are real
38 numbers. And so when we start talking about, you know, how much
39 is it really going to bring? What's it really going to do?

40 Well, here -- here's -- here's the categories it puts you in.

1 Let's look at actually what it is doing for some places.
2 Here's Carson City. This is the letter straight from the
3 State of Nevada Department of Taxation. Their distribution date
4 of this check was April 2nd of 2018. You can see that they got
5 a distribution of \$88,235 in general fund money from marijuana
6 taxes alone.
7 Now that's an important number to remember because that's
8 exactly what Lander County got.
9 Now because they also in Carson City have stores, they got
10 an additional \$72,376 in local taxes. This is just taxes, not
11 licensing fees. Just taxes. So Carson City got \$160,611.
12 And you look at bigger -- bigger counties, of course. Look
13 at Clark County's. Again, this is directly -- the letter that
14 went directly to them, their distribution letter. They had
15 \$1,264,000. That's impactful.
16 If you look at Lander County -- remember the \$88,000? And
17 that 88,000 -- if you'll notice, Clark County got the same 88,000,
18 top of the line. You'll notice Carson City got the same 88,000,
19 but they got extra. And they got extra.
20 Lander County just got 88,000.
21 What are the local -- other local counties around you
22 getting?
23 If you look at Humboldt, 88,000. They also don't have any
24 stores or dispensaries.
25 If you look at Pershing, 88,000. Same -- same thing.
26 So you either fall into the -- into the \$88,000 fund or you
27 fall into those who actually get revenue on other sales as well.
28 What could that mean?
29 So I tried to find a county where it might be more
30 applicable. Obviously Lander County's not applicable to Clark
31 County.
32 And Nye County? You know, again, there's not a lot of
33 counties. So I can only find what I can find. If you look at
34 Nye County alone, they had \$142,190 in tax revenue. They have
35 their three little areas there they allowed stores and what they
36 brought them in.
37 So it can be impact. It can be -- here's impactful to the
38 tune of an additional 54,000. But it can impactful to the
39 county.
40 What will it be here? I don't know. I don't know what I-80,

1 you know, traffic sales will drive. I don't know what local sales
2 will drive. I don't know what your neighbors coming over will
3 drive.

4 But that -- that should be another -- another question to
5 answer that had come up before.

6 I'm -- I'm done after this slide, you know.

7 The -- the -- the last thing I think really needs to be
8 considered here, as you guys consider allowing the removing from
9 the chapters the banning of dispensaries and allowing them, is
10 that it is a resource for some Lander County residents.

11 And I understand not everybody uses marijuana. I don't use
12 marijuana, but there are people who do.

13 And here's -- here's an article that came out of -- in Reno.
14 Sierra Well, which if any of you guys have passed that dispensary
15 over in Carson City. And you'll see they added a pick-up window.
16 Why did they do that? Because they had a 45- to a 50-minute wait.

17 Okay.

18 People are using this. It wouldn't be hundreds of millions
19 of dollars in sales if people weren't using it.

20 If it's legal, doesn't mean you're going to start using it
21 now if you don't.

22 If it is -- if -- if you do use it, though, it's nice to
23 have a place you can go legally buy it and not be a criminal.

24 And Lander County residents don't have that opportunity.

25 So by -- so by changing this, what we would ask is -- is
26 that you can consider in Lander County, you know, really
27 decriminalizing it for the citizens of Lander County, making it
28 is a source of tax-based res- -- revenue for the county.

29 And that's why we've asked that you consider removing this
30 from the chapter.

31 I'd be happy to answer any questions.

32 COMMISSIONER WAITS: Dr. Ramos, thank you so much, not only
33 for the overview, but most certainly for the education.

34 And that's always appreciated. We've been trying to take
35 up all the workshops we possibly can.

36 Let me assure you that whatever decision that I do is not
37 done for personal reasons. That has to be true when you're a
38 commissioner be- -- because otherwise you come in so prejudiced.
39 It's not all about you. It's about my constituents.

40 And with that said, number one, the money doesn't really

1 mean that much at this point because we're still okay with our
2 net proceeds. That may change. That's why we try and curtail
3 our spending and watch what we're doing.

4 But fortunately we're one of those counties that is in black.
5 So we can't be bought at this point. So that's okay on that side.

6 The other side is that very definitely, whether they were
7 educated properly or not, when they voted, Lander County voted no
8 on recreational marijuana. And that's what I have to go by.

9 Now I mentioned it before that only two areas that actually
10 passed recreational marijuana in our county was Gilman Springs and
11 Kingston. And -- and the rest of us all voted it down. And we're
12 the bigger part of the county.

13 So that being said, that's where I'm going to base my
14 decision today.

15 Thank you.

16 JOSEPH RAMOS: Thank you. Am I -- am I allowed to comment
17 after each commissioner's comments?

18 COMMISSIONER WAITS: You can do --

19 COMMISSIONER BAKKER: Yeah.

20 COMMISSIONER WAITS: -- anything --

21 CHAIRMAN MILLS: Go ahead.

22 COMMISSIONER WAITS: -- you want to. It's always open.

23 JOSEPH RAMOS: I -- I would just give two comments to that.
24 Number one, with regard to the money aspect. I would then
25 bring a motion that you guys waive our 3 percent fees because
26 you guys are already in the black anyway and you don't need the
27 money.

28 COMMISSIONER WAITS: That's a no.

29 JOSEPH RAMOS: Because I think --

30 You already have plenty of money. You don't need any more.

31 The -- the second thing is -- is with regard to the vote on
32 recreational marijuana. And, as you've stated, I would
33 challenge you to find out how educated your constituents are who
34 voted on it. A lot of people voted, as they did in Colorado, on
35 marijuana. Marijuana itself. That I -- the vote is as you've
36 said.

37 COMMISSIONER WAITS: Yeah.

38 JOSEPH RAMOS: A lot of people if you went to them and you
39 said, this prohibits your neighbor from growing, four neighbors
40 down from growing, the guy who's selling to your kids because

1 he's growing --
2 COMMISSIONER WAITS: Uh-huh.
3 JOSEPH RAMOS: -- not just 12 plants a year, if he was
4 trying to pretend like he's legal, but 40 in his garage.
5 This prevents that. This gives the law enf- -- enforcement
6 some teeth. And it prevents some of the illegal growing and
7 illegal drug use out there that is fueling kids.
8 COMMISSIONER WAITS: And I appreciate what you're -- what
9 you're saying. And that's why I prefaced it.
10 I said, educated or not, they made their decision.
11 JOSEPH RAMOS: Absolutely.
12 COMMISSIONER WAITS: But -- but I still feel very
13 personally I want to honor that decision.
14 JOSEPH RAMOS: I understand --
15 COMMISSIONER WAITS: That's all.
16 JOSEPH RAMOS: -- that.
17 COMMISSIONER WAITS: Thank you.
18 COMMISSIONER CLARK: And I think --
19 CHAIRMAN MILLS: What are --
20 COMMISSIONER CLARK: -- for me, I -- I think that what
21 alarmed me is that we had a person in this town growing
22 marijuana in front of a window with a 6-foot grow light so that
23 everybody could see when they went past this house.
24 And I thought, what a perfect scenario for a major
25 catastrophe.
26 And that's what concerns me.
27 I -- I would -- if -- if -- if 50 percent of the junior high
28 kids are smoking pot, they're not buying it. They're getting it
29 from people that are growing it in this town. You know, kids
30 sneak it from their parents or -- or whatever. Because they --
31 So I -- I have a real concern about people growing it in
32 their house, the amounts that they can grow. Sixty pounds of
33 pot?
34 That's -- that's a lot of drugs.
35 JOSEPH RAMOS: Yeah. Quote, legally.
36 COMMISSIONER CLARK: And, boy, you know, --
37 COMMISSIONER WAITS: Yeah.
38 COMMISSIONER CLARK: -- oh, here, here. Give me a hundred
39 bucks. Give me a hundred bucks. Whatever. That scares me.
40 CHAIRMAN MILLS: Joe, if -- if we retain this in our

1 ordinance and we do not allow a dispensary in our community,
2 what -- what, other than money -- which I don't care -- care
3 about the money -- other than money, what are the -- what are
4 the prospects?

5 I mean, we've -- we've talked about people grow their own.
6 And there's still going to be a lot of marijuana in Lander
7 County.

8 What -- are there any other --

9 JOSEPH RAMOS: If --

10 CHAIRMAN MILLS: -- repercussions if we -- if we don't go
11 with them?

12 JOSEPH RAMOS: The -- the biggest repercussion for the
13 citizens of Lander County that I can see is that, number one,
14 you're going to -- you're going to put a real damper on being
15 able to tell. I can tell you what -- what we would do with
16 our -- with our grow if -- if -- you know, it's a special-use
17 permit, which means it can be taken away at any point.

18 And if -- and if Lander County comes out in the future and
19 says, we want to take this because we're seeing all this marijuana
20 here because we allowed these grow facilities, you know, what's
21 the obvious first argument? Well, you're allowing anybody to
22 grow. A guy down the street from our grow facility's got 12
23 plants legally.

24 Somebody else is displaying them publicly. They've got a
25 6-foot plant down there on the street. He's producing, you
26 know, 60 pounds a year legally. And -- and -- but you want to
27 pin it on us?

28 And so that -- that's -- that's a huge -- I think a huge
29 repercussion for -- for Lander County is if you want to get a -- a
30 grip on what's the impact of marijuana in your county so you can
31 get some statistics like the state has, you have to -- you have to
32 put some parameters here where you can really tell.

33 The second big thing is, is that you can't expect anything to
34 change. If you -- if you've opened up Lander County to the
35 cultivation facilities, you've really done the hardest thing first
36 because that's where you dealt with it.

37 You reviewed the public safety. That's where you dealt with
38 fire -- you know, fire risk and theft. That's where the -- that's
39 where it occurs.

40 It -- you -- you've, you know, you've dealt with odor.

1 You --

2 A storefront is a storefront. And so -- so the second
3 thing that -- that would address your question, Doug, is, is
4 that you guys have taken on the hardest thing.

5 And -- and -- and this -- this seems to be a commonsense
6 next step without much public impact except for positive things.

7 Along those positive things, availability for the local
8 citizens, teeth for the law enforcement, and the stopping of the
9 illegal sales.

10 And so if you take it out, I think that you've given --
11 you've really put some more bite to actually defending the
12 problem as opposed to adding to the problem.

13 If -- if -- if -- if you want to deem that marijuana's adding
14 to any problem.

15 Because that ship has sailed. So you might as well now
16 protect the communities by putting in this 25-mile radius.

17 Again, the state of Nevada said that pro- -- pro- -- that
18 prohibits 90 percent of all home grows. Ninety percent.

19 And the last thing is -- one last thing. And then that's
20 if -- if you want your businesses, you know, Lander County -- I
21 believe, the feeling I get from as invested as all of you guys are
22 and everybody I've talked to is -- Lander County wants its
23 businesses to be successful. It makes every effort to help them
24 be successful. I've seen that from the planning and zoning stuff
25 to the t- -- things I've sat through here.

26 You're going to make it really hard on your local
27 cultivation facilities, as will every other county who doesn't
28 allow dispensaries, to be successful as long as you're doing --
29 as long as you have any sort of ordinance in that encourages
30 homegrown, you know.

31 And -- and the safety of the home grows, there is no --
32 there's no doubt that it's -- it's by far way -- just
33 astronomically more unsafe than state-controlled marijuana
34 grows. Testing for, you know, stuff like double Eagle.
35 These -- these marijuana growers are spreading double Eagle on
36 their plants to kill the -- the bugs, which is toxic.
37 Cancerogenic. You'll -- cancer-forming chemical they're
38 spraying on there. And people are taking it and smoking it.
39 And that doesn't happen in a state-controlled environment.

40 I think if there's any level of safety that -- that you

1 guys shoot for, I would think those things would be fore- --
2 first and foremost.

3 COMMISSIONER CLARK: I -- I understand Patsy's point really
4 well. And I -- and -- and I can agree with it.

5 But the problem that happened -- and we have unintended
6 consequences, the way state rolled this out.

7 When we first started, we were under the impression from
8 the state that if we allowed grows, the 25-mile no-grow zone
9 would be there. And as we rolled it out, we've -- the -- the
10 state changed their mind on that, I guess. And now we're at a
11 point if we're going to control it, this is how we control it.
12 So --

13 JOSEPH RAMOS: Yeah, they --

14 COMMISSIONER ALLAN: Well, --

15 JOSEPH RAMOS: -- did.

16 COMMISSIONER ALLAN: -- initially I know when it was
17 brought before us, it was two -- two licenses per county for a
18 grow.

19 And -- and as things are moving along, they keep changing
20 the rules of the game.

21 You know, we're looking at four -- four licenses now.

22 And I do have a question on the revenue.

23 JOSEPH RAMOS: Yes.

24 COMMISSIONER ALLAN: Now the -- Nye County? That was
25 yearly?

26 JOSEPH RAMOS: That --

27 COMMISSIONER ALLAN: That money?

28 JOSEPH RAMOS: -- was the check they received in April.
29 That's correct.

30 COMMISSIONER ALLAN: Just for -- for -- for one month? Or
31 is that total per year?

32 COMMISSIONER BAKKER: Quarter.

33 JOSEPH RAMOS: Total for their year.

34 That was their fiscal year '17 check received in April --

35 COMMISSIONER ALLAN: Okay.

36 JOSEPH RAMOS: -- of '18. \$88,000 base pay for doing a
37 county, which every county in the state of Nevada gets.

38 And then --

39 COMMISSIONER ALLAN: Right.

40 JOSEPH RAMOS: -- their additional for having their stories

1 was another 54,000.

2 COMMISSIONER ALLAN: Okay. So it's really not a
3 substantial revenue base to the counties.

4 CHAIRMAN MILLS: So --

5 JOSEPH RAMOS: If you're Clark County where you make a
6 million something, maybe it starts --

7 COMMISSIONER ALLAN: Well --

8 JOSEPH RAMOS: -- getting more significant. I -- I agree
9 with you. I don't think out here, in Lander County -- people
10 smoke that much marijuana out here, I'll be -- I'll be
11 impressed.

12 CHAIRMAN MILLS: So one of the other question I have is
13 getting back to my first question, if we don't allow a
14 dispensary, I'm -- I'm hearing that the Indian colony would then
15 come in and build one and we'd have one anyway.

16 JOSEPH RAMOS: There's no doubt that the Indian colony is
17 in- -- is investigating placing a dispensary there because
18 they've spoken with us.

19 COMMISSIONER CLARK: And I will mention that today on
20 Facebook, the colony in Lovelock opened up a new dispensary.

21 So if we don't have one on county property, they will go on
22 colony property. And I understand that the 25-mile no-grow rule
23 does -- does not work. Is that right, --

24 CHAIRMAN MILLS: Yeah. Those --

25 COMMISSIONER CLARK: -- Counselor?

26 CHAIRMAN MILLS: -- can be another question is does --

27 DISTRICT ATTORNEY HERRERA: To answer --

28 CHAIRMAN MILLS: -- the 25-mile rule apply if the Indian
29 colony does --

30 DISTRICT ATTORNEY HERRERA: No.

31 CHAIRMAN MILLS: Okay.

32 COMMISSIONER WAITS: But even if we do a dispensary, it
33 doesn't stop the Indians from doing a dispensary too.

34 DISTRICT ATTORNEY HERRERA: It -- yeah --

35 CHAIRMAN MILLS: See? That was the other -- my next
36 question.

37 COMMISSIONER WAITS: Yeah. No, they can.

38 DISTRICT ATTORNEY HERRERA: They could if -- if the state
39 gives --

40 There is some question. Under the -- under the NRS right

1 now, it says that -- that certain sized counties only get one
2 dispensary. And Lander County seems to fall into that. Now can
3 --
4 CHAIRMAN MILLS: But does that --
5 DISTRICT ATTORNEY HERRERA: -- they --
6 CHAIRMAN MILLS: -- block --
7 DISTRICT ATTORNEY HERRERA: -- ch- --
8 CHAIRMAN MILLS: -- the Indian colony?
9 COMMISSIONER WAITS: No. It does not.
10 DISTRICT ATTORNEY HERRERA: Can they change it to two? I
11 don't know.
12 So does --
13 CHAIRMAN MILLS: But the Indian colony's their own --
14 DISTRICT ATTORNEY HERRERA: Well, that -- that's the --
15 CHAIRMAN MILLS: -- sovereign --
16 DISTRICT ATTORNEY HERRERA: -- question.
17 CHAIRMAN MILLS: -- nation.
18 DISTRICT ATTORNEY HERRERA: But it's still licensed by the
19 state.
20 COMMISSIONER CLARK: Right. You have to have a license
21 from the state. And if the state said one for Lander County,
22 this would be the one.
23 CHAIRMAN MILLS: So the Indian colony would still have to
24 follow the state rules on it?
25 DISTRICT ATTORNEY HERRERA: That's -- they have to have a
26 state license holder.
27 COMMISSIONER WAITS: Yeah. But I bet they'll get --
28 COMMISSIONER ALLAN: Well --
29 COMMISSIONER WAITS: -- it. Yeah.
30 COMMISSIONER ALLAN: But my other question --
31 CHAIRMAN MILLS: And if --
32 COMMISSIONER ALLAN: -- with that is, you know, initially
33 the -- you know, Counselor, you had me- -- mentioned it in our
34 private -- prior discussions that the Indians would not be
35 allowed because it's federal gover- -- federal land.
36 DISTRICT ATTORNEY HERRERA: No, I never said that.
37 COMMISSIONER ALLAN: Well, then --
38 DISTRICT ATTORNEY HERRERA: It was said here. But -- but I
39 --
40 COMMISSIONER ALLAN: No.

1 DISTRICT ATTORNEY HERRERA: -- disagreed.
2 COMMISSIONER ALLAN: It --
3 Well, I'm sorry. Then it was -- it was Mr. Forgeron that
4 said it.
5 But it was -- it was from the District Attorney's Office that
6 it was stated.
7 COMMISSIONER CLARK: No.
8 COMMISSIONER ALLAN: And I do --
9 DISTRICT ATTORNEY HERRERA: No.
10 COMMISSIONER ALLAN: -- have it --
11 COMMISSIONER CLARK: No.
12 COMMISSIONER ALLAN: -- written down here for the minutes.
13 If you'd like me to pull them, I will get that. I read them.
14 It specifically came from the DA's Office that it was stated
15 that --
16 Anyway, that's beside the point. My question being -- and
17 I'm not sure if you can answer this, is with that in mind --
18 and -- and, like I said, the state is basically changing the
19 rules as they go, initially saying that --
20 DISTRICT ATTORNEY HERRERA: That's true.
21 COMMISSIONER ALLAN: -- you know, they couldn't put it
22 on -- on Indian land because it's federal land.
23 With that in mind, then, the colony may be within Lander
24 County, but they're a sovereign nation. And they are separate
25 from Lander County. Is -- is that also possibly an argument
26 that -- you know what? -- that is not Lander County. Lander
27 County does not dictate to that land. You may be within the
28 boundaries of it, but you are not Lander County. Would they allow
29 a second dispensary?
30 DISTRICT ATTORNEY HERRERA: That's a good question because
31 I don't know what the state would do, particularly with the new
32 legislature, to be quite candid with you.
33 They're -- they're going to be more --
34 They're not going to be quite as conservative. And they're
35 going to be more liberal in their marijuana laws.
36 And that's what we've been talking to the -- the DAs
37 association has been talking about this, among other things.
38 And we anticipate a -- a whole --
39 (Alarm.)
40 DISTRICT ATTORNEY HERRERA: -- bunch of new laws coming

1 forth dealing with --

2
3 (Radio.)

4
5 DISTRICT ATTORNEY HERRERA: -- marijuana and -- and other
6 issues. So --

7
8 (Radio.)

9
10 DISTRICT ATTORNEY HERRERA: -- right now the statute's
11 pretty clear that Lander County gets one. But could -- it could
12 change. Yes, Commissioner.

13 COMMISSIONER ALLAN: Well, like I said, the question is,
14 is --

15 DISTRICT ATTORNEY HERRERA: The state can do --

16 COMMISSIONER ALLAN: -- the colony --

17 DISTRICT ATTORNEY HERRERA: -- what they --

18 COMMISSIONER ALLAN: -- Lander --

19 DISTRICT ATTORNEY HERRERA: -- want.

20 COMMISSIONER ALLAN: -- County?

21 COMMISSIONER WAITS: Yeah.

22 JOSEPH RAMOS: But --

23 DISTRICT ATTORNEY HERRERA: But it's still governed by a
24 state license. But --

25 COMMISSIONER ALLAN: Right.

26 DISTRICT ATTORNEY HERRERA: -- they can change it.

27 Because they're -- been changing it.

28 COMMISSIONER ALLAN: Right.

29 COMMISSIONER BAKKER: I'm --

30 CHAIRMAN MILLS: So I have a -- I --

31 JOSEPH RAMOS: I --

32 CHAIRMAN MILLS: -- have a question for Ron.

33 COMMISSIONER BAKKER: There's a resource officer out doing
34 a DUI.

35 CHAIRMAN MILLS: Do you have -- do you have a preference
36 on -- on the law enforcement side?

37 Would you like to have more teeth in law enforcement on the
38 marijuana issue? Or would you like to not have any involvement
39 in that? Or what -- what's your stance on that?

40 COMMISSIONER ALLAN: Boy, you're on the spot now.

1 CHAIRMAN MILLS: Because that's --
2 SHERIFF RON UNGER: (Indiscernible.)
3 CHAIRMAN MILLS: I mean, that's brought up as an argument
4 that if -- if we put a dispensary in, it gives you teeth to do
5 some law enforcement things.
6 COMMISSIONER ALLAN: Ron?
7 SHERIFF RON UNGER: I think what -- Ron Unger, for the
8 record -- I think what Mr. Ramos said is -- is he's got --
9 there's a lot of truth in what he's saying as far as the
10 dispensaries and stuff like that.
11 And I have also watched the Colorado numbers.
12 CHAIRMAN MILLS: Uh-huh.
13 SHERIFF RON UNGER: And I've seen what he is saying. I
14 just didn't go to the depth that -- that Joey did as far as why
15 it's happened.
16 So I understand a lot of that.
17 As far as what law enforcement's going to do? We're going
18 to do whatever they decide, whatever the law says is what we're
19 going to do.
20 If they do put a dispensary in, then, yeah, we're going to
21 have our hands full and a lot of it's going to fall on our
22 district attorney and the judges on whether we get the search
23 warrants, if we have enough information to get those, to do
24 those.
25 I mean, it's kind of a bad -- I -- I'm not giving you a real
26 good answer on that. But whatever that is decided is exactly what
27 we're going to do.
28 CHAIRMAN MILLS: I'm -- I'm asking if you have a
29 preference. Or if you --
30 SHERIFF RON UNGER: I wished it hadn't ever come in in the
31 first place. (Indiscernible.)
32 CHAIRMAN MILLS: Well, that's --
33 COMMISSIONER CLARK: Yeah.
34 SHERIFF RON UNGER: But it's --
35 COMMISSIONER CLARK: Amen.
36 SHERIFF RON UNGER: -- here. And we'll have --
37 CHAIRMAN MILLS: But as --
38 SHERIFF RON UNGER: -- to deal --
39 CHAIRMAN MILLS: But it sounds --
40 SHERIFF RON UNGER: -- with it.

1 CHAIRMAN MILLS: -- like whether -- whether Lander County
2 did anything or not, it sounds potentially we'd -- we'd have it
3 anyway.

4 SHERIFF RON UNGER: It's here.

5 CHAIRMAN MILLS: It's here. And --

6 SHERIFF RON UNGER: It's here. And it's --

7 CHAIRMAN MILLS: So what's the better -- I'm -- I'm looking
8 for a better -- what -- what's the better way to manage it,
9 control it, have some -- have some restraints on it if possible?
10 And that's -- that's the angle I'm trying to see this as.

11 I -- I don't care about the money side. I don't care about
12 all this stuff.

13 SHERIFF RON UNGER: And I understand that. But I think
14 if -- if you listened to what Mr. Ramos has said, there's some
15 -- you've got some -- you've some -- a bite in it a little bit.

16 CHAIRMAN MILLS: Okay.

17 SHERIFF RON UNGER: Maybe a little more than what you have
18 at this point in time.

19 COMMISSIONER BAKKER: I'm going to make a motion, --

20 SHERIFF RON UNGER: But whether --

21 COMMISSIONER BAKKER: -- and then you can open --

22 SHERIFF RON UNGER: -- it goes from --

23 COMMISSIONER BAKKER: -- it up.

24 SHERIFF RON UNGER: -- there, who knows?

25 COMMISSIONER ALLAN: Ron, do you -- I -- I -- you know,
26 this is hard to answer. Could you foresee requiring further
27 deputies? Additional deputies for enforcement?

28 SHERIFF RON UNGER: Very possible.

29 COMMISSIONER BAKKER: You need more deputies now, though.

30 SHERIFF RON UNGER: We need more -- we're short -- we're
31 short-staffed now. We're testing today for deputies.

32 But, you know, we don't have a big pool out there to fish
33 from, you know. So we're -- we're short on deputies right now.
34 And, yeah, if this came in to where it could be -- yes. We
35 would need to fill the slots we've got.

36 COMMISSIONER BAKKER: Okay.

37 COMMISSIONER ALLAN: So I guess, Mr. --

38 KEITH WESTENGARD: I --

39 COMMISSIONER ALLAN: -- Ramos, my question would be on
40 location-wise, do you have a location in mind?

1 JOSEPH RAMOS: Yes. We do.
2 COMMISSIONER ALLAN: And where would that be?
3 JOSEPH RAMOS: We would like to be off of one of the exits.
4 And there are a couple properties that we've talked to
5 landowners about.
6 We talked to Mr. Ramsdell about some property that he has
7 that's off of the exit, other side of the freeway, very near
8 here.
9 And we've talked to a family member of mine about some
10 property that's available over near the McDonald's area.
11 But I think somewhere centrally like that is better, again,
12 for the -- and I'm -- I'm sorry to beat the public safety issue,
13 but I wish we could be in the sheriff's parking lot.
14 And so we want to be somewhere central and not out like at
15 the far exit near the airport, for example. I think that
16 could -- that could be a big issue.
17 So, yes, we -- we have areas identified.
18 The other thing I'd like to add just one quick thing about
19 the Indian colony comment.
20 And then I'm happy to expand on those properties if you'd
21 like.
22 The -- I've actually researched the subject a little bit as
23 well. I would agree with Mr. Herrera said, we have somewhat of a
24 moving target with how the state addresses marijuana. And so what
25 may be said today doesn't apply tomorrow. It's literally been --
26 been that bad.
27 As of now with the more recent things, how the state was
28 prohibiting the Indian colonies from getting these dispensaries
29 was threatening -- threatening them with their federal funding
30 dollars. And they were cutting federal funding to Indian colonies
31 who wanted to put it in outside of state regulations.
32 What the Indian colonies have now been doing is saying, well,
33 how much do we have to work with you in order to get one here?
34 And they are finding a lot of ways to do that. As you see, I
35 think you just cited Lovelock. But if you look here in Nevada,
36 Ely Indian colony, marijuana.
37 There are several of them.
38 COMMISSIONER WAITS: Uh-huh.
39 JOSEPH RAMOS: Yerington, I believe, another one. Indian
40 colony, marijuana.

1 Marijuana is going to come to the local Indian colony
2 because the federal funding threat they've gotten around by
3 working with the state, by saying, okay, we'll use your state
4 processing system, the metric system.

5 So they're -- they're running everything through state
6 reporting. But as a sovereign nation, they're building their own
7 tax structures, their own economic benefits.

8 And so one of the things that Lander County should consider
9 strongly is if you say no to -- you know, to us today, then
10 maybe there at the Shell station, the end of the street here,
11 tomorrow.

12 COMMISSIONER CLARK: Yep.

13 COMMISSIONER BAKKER: I'm going to make a motion that the
14 Lander County Board of Commissioners modify the Lander County
15 Code 8.45.030 and 8.46.030 to allow for medical recreational
16 marijuana dispensary establishment in Lander County.

17 COMMISSIONER CLARK: Second.

18 COMMISSIONER ALLAN: So another issue that -- that was
19 discussed extensively in the past was if we did create an
20 ordinance and, you know, we could pretty much do whatever we
21 wanted, the issue was, you know, the edibles, the kids.

22 You know, are we -- are we going to bring this back for
23 discussion on what we want to say in this ordinance? I mean,
24 what we want to limit it to?

25 COMMISSIONER BAKKER: We're going to have to.

26 JOSEPH RAMOS: One comment on that, Judie --

27 CHAIRMAN MILLS: (Indiscernible.)

28 JOSEPH RAMOS: -- with all due respect.

29 COMMISSIONER ALLAN: Commissioner.

30 JOSEPH RAMOS: Commissioner. I'm sorry.

31 The labeling standards are set by the state of Nevada. The
32 packaging standards are set by the state of Nevada.

33 And a lot of the work that you're looking at maybe being
34 brought back to yourself or to the commission has been handled
35 by the state of Nevada in the packaging, processing, advertising
36 manner that may -- that may alleviate a lot of those -- those
37 issues you're con- -- you're thinking exist.

38 COMMISSIONER ALLAN: Okay. I understand, you know,
39 packaging-wise. But I know we discussed, you know, what do we
40 really want? We just want to, you know, sell a baggy? Do we

1 want to sell the gummy bears?
2 JOSEPH RAMOS: Addressed by the state of Nevada.
3 COMMISSIONER ALLAN: That is -- that's -- okay.
4 JOSEPH RAMOS: Absolutely. You can't label anything
5 that -- that is candy-like. They don't want children to confuse
6 it with candy.
7 Literal sealing of containers with plastic wrap; proper
8 safety labeling on it including dosage, strength, strain.
9 COMMISSIONER ALLAN: Okay. I understand what you're
10 saying.
11 JOSEPH RAMOS: Out the --
12 COMMISSIONER ALLAN: And -- and --
13 JOSEPH RAMOS: -- door in --
14 COMMISSIONER ALLAN: -- and that --
15 JOSEPH RAMOS: -- black bags.
16 COMMISSIONER ALLAN: -- does -- that does answer a lot of
17 it. Although, like I said, as a commission, you know, that was
18 discussed that would give us the opportunity also to set what we
19 would like to see or not see.
20 So, you know, labeling-- --
21 CHAIRMAN MILLS: And I think that --
22 COMMISSIONER ALLAN: -- -wise --
23 CHAIRMAN MILLS: -- can be --
24 COMMISSIONER WAITS: I don't think our choices is that
25 many, Judie.
26 But the main choice we have is whether we allow me-- -- a
27 dispensary for medical or medical and recreational. That's --
28 that's probably one of the biggest decisions if you're going
29 to --
30 COMMISSIONER ALLAN: And that's --
31 COMMISSIONER WAITS: -- if you're going to go; right?
32 But, I mean, everything else is pretty well decided by the
33 state.
34 COMMISSIONER ALLAN: Okay.
35 COMMISSIONER WAITS: And your motion was for both.
36 CHAIRMAN MILLS: Right.
37 So Sean made a motion. And Art seconded.
38 Let's open up for public comment.
39 KATHLEEN ANCHO: Come up here.
40 CHAIRMAN MILLS: Come on up.

1 KATHLEEN ANCHO: Kathy Ancho, for the record.
2 Then one thing, with all due respect, Mr. Ramos, is that
3 I -- well, I do not like to hear the sky is falling and who's
4 going to get it first.
5 That sickens me to go that aspect.
6 And there's not enough money in it, not that money should
7 have -- play any part with --
8 And, respectfully, I don't use marijuana. I'm not a
9 marijuana user.
10 However I've done thousands -- and if I would have known I
11 had to bring a binder with the research -- I -- you would have had
12 it and everyone would have had it because I've done it -- on the
13 uses of medical mari- -- marijuana for Parkinson's, for seizures.
14 Is it useful? Absolutely.
15 But are there downfalls to it? Yes, for children, for
16 parents, for any of us who have worked in law enforcement, who
17 have been advocates who have watched what goes on in families
18 with parents who use marijuana.
19 That the -- I'm -- I'm very nervous so excuse me and I'll
20 calm down in a second.
21 To watch what happens to children of parents who are
22 smoking and using marijuana. And then what happens to them when
23 they grow up.
24 And the worst part about it is the mental illness.
25 I've done countless hours on the mental illness and the
26 schizophrenia on children who start using marijuana at a young
27 age. And by time they hit adulthood and the mid-30s, the
28 schizophrenia that comes in because they started smoking and
29 using, ingesting marijuana as young children.
30 Can we stop it now?
31 We can try to do -- we -- the best we can with drug
32 prevention.
33 But to allow it and say, here. Here you go. And your
34 parents use it so it's okay for you to use it.
35 It's a difference between an adult person, like you using it,
36 and a seven-year using it -- year-old using it or a 12-year-old or
37 a 13-year-old. And to watch the effects later on in life and the
38 struggles, the homelessness, the things that go all along with
39 that.
40 And to rush to it and go, "We want to be first people who

1 get it because the Indian colony" is heartbreaking to me on top
2 of the fact the taxpayers said they didn't want it.

3 And that's what we should be going off of respectively.

4 And I understand we want to try to be able to control it,
5 but you're never going to be able to control it because the
6 parents who go in and buy the stuff that they're using and their
7 13-year-old sneaking the baggies.

8 So you're -- there's beast on either side. But to make --
9 the county to make money off of that is literally sickening to
10 me.

11 COMMISSIONER CLARK: Well, it's the --

12 KATHLEEN ANCHO: And --

13 COMMISSIONER CLARK: -- same -- same thing as alcohol.

14 Alcohol.

15 FRANK STEPHENS: No, it's not.

16 KATHLEEN ANCHO: No, --

17 COMMISSIONER CLARK: Alcohol --

18 KATHLEEN ANCHO: -- it's --

19 COMMISSIONER CLARK: -- alcohol ruins --

20 KATHLEEN ANCHO: And I'm not again- --

21 COMMISSIONER CLARK: -- more --

22 KATHLEEN ANCHO: I'm not for --

23 FRANK STEPHENS: Absolutely.

24 KATHLEEN ANCHO: -- alcohol either, --

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

26 KATHLEEN ANCHO: -- Art.

27 COMMISSIONER CLARK: -- ruined more --

28 FRANK STEPHENS: Can I stand --

29 COMMISSIONER CLARK: -- families --

30 KATHLEEN ANCHO: I know.

31 COMMISSIONER CLARK: -- than anything.

32 KATHLEEN ANCHO: And I respect that. And I respect that.

33 And I do. And I'm not going against that.

34 COMMISSIONER CLARK: Uh-huh.

35 KATHLEEN ANCHO: But do -- I -- I still -- the -- and

36 you've seen it as a teacher, what it does --

37 COMMISSIONER CLARK: Absolutely.

38 KATHLEEN ANCHO: -- to kids. But to be somebody who voted

39 for it, to know -- to watch that child grow up and the

40 struggles. I'm sorry. I mean, as a tax- -- we said no.

1 But I'm just throwing it out there. And I'm not passing
2 judgment on anything.

3 But just, I hate to say, here, the sky is falling. And
4 let's who gets it first and for this amount of money.

5 Because if the Indian colony gets it first, well, we -- you
6 know, should have had it. And it's not about that.

7 COMMISSIONER CLARK: It's about control.

8 KATHLEEN ANCHO: And I understand, but you're not going to
9 control it any more by -- all you're doing is legalizing it for
10 them to buy it, bring it home, and their children to use it and
11 take it from them --

12 COMMISSIONER CLARK: Well, there's --

13 KATHLEEN ANCHO: -- instead of --

14 COMMISSIONER CLARK: -- a -- there's a big control --

15 KATHLEEN ANCHO: So --

16 COMMISSIONER CLARK: -- factor here.

17 You're still working in law enforcement?

18 KATHLEEN ANCHO: No. I said from the years, Art, of being
19 an advocate. And I am still doing advocacy for lots of
20 families -- I do -- still do -- that have issues that go on,
21 trying to find --

22 COMMISSIONER CLARK: So you're working --

23 KATHLEEN ANCHO: -- resources.

24 COMMISSIONER CLARK: -- for Lander County?

25 KATHLEEN ANCHO: I ab- --

26 SHERIFF RON UNGER: She's one of our advocates. Nonpaid.

27 COMMISSIONER CLARK: You get paid?

28 KATHLEEN ANCHO: No, I'm a volunteer. I volunteer --

29 COMMISSIONER CLARK: Good.

30 KATHLEEN ANCHO: -- to do advocacy and do this as -- it's
31 still going on as a problem, absolutely. And I'm not trying to
32 do this. I'm just trying to say, put a pin in it. Do some
33 community workshops and hear what the community says since first
34 and foremost they're the ones that voted against it. And not
35 against it right now. Just stick a pin in it and go, let's see
36 really what the community wants. And if they want it, then by
37 all means. But just stick a pin in it is all I'm asking.

38 CHAIRMAN MILLS: On that -- about the --

39 COMMISSIONER ALLAN: Thank you, Kathy.

40 CHAIRMAN MILLS: -- about the voting.

1 I was one of those that voted against it also. And I lost.
2 It's legal in Nevada now. That includes Lander County. It is now
3 legal here, whether I want it or not.
4 KATHLEEN ANCHO: Respect --
5 COMMISSIONER ALLAN: But we want --
6 CHAIRMAN MILLS: But --
7 KATHLEEN ANCHO: I respect that.
8 CHAIRMAN MILLS: -- this -- this gives us opportunity to
9 put more control on it, more limits on it.
10 COMMISSIONER CLARK: Yes, it does.
11 CHAIRMAN MILLS: We're never -- it's --
12 KATHLEEN ANCHO: I understand.
13 CHAIRMAN MILLS: -- it's never going to be --
14 KATHLEEN ANCHO: I know.
15 CHAIRMAN MILLS: -- con- -- it never has been controlled.
16 But now it's free-for-all. It's open to everybody grow at their
17 house. That's now legal in Lander County.
18 COMMISSIONER CLARK: That's how the kids are getting --
19 KATHLEEN ANCHO: And I --
20 COMMISSIONER CLARK: -- pot.
21 KATHLEEN ANCHO: -- get it.
22 CHAIRMAN MILLS: This allows --
23 KATHLEEN ANCHO: And they're still going to get it --
24 CHAIRMAN MILLS: -- us to give --
25 KATHLEEN ANCHO: -- either way.
26 CHAIRMAN MILLS: -- some control --
27 KATHLEEN ANCHO: And you're right.
28 CHAIRMAN MILLS: -- on it and limit it as --
29 KATHLEEN ANCHO: Right.
30 CHAIRMAN MILLS: -- much as we can possibly can.
31 KATHLEEN ANCHO: Well, and -- and like I said, and you're
32 right. And I get that. And I respect that. And I see that po-
33 --
34 COMMISSIONER BAKKER: Uh-huh.
35 KATHLEEN ANCHO: I can see both sides of that, honestly.
36 And I respect that.
37 CHAIRMAN MILLS: And -- and --
38 KATHLEEN ANCHO: It's just that --
39 CHAIRMAN MILLS: -- we can't legislate what happens in --
40 or we -- we can't control what happens in that person's home

1 when the parent lets the kid have it.
2 We can't do anything --
3 KATHLEEN ANCHO: And I --
4 CHAIRMAN MILLS: -- about --
5 KATHLEEN ANCHO: -- and I --
6 CHAIRMAN MILLS: -- that one.
7 KATHLEEN ANCHO: But still, just to roll around in your
8 head that -- that are bigger -- it's a bigger effect than just
9 the money and saying control.
10 CHAIRMAN MILLS: And I've --
11 KATHLEEN ANCHO: And there --
12 CHAIRMAN MILLS: -- told you, --
13 KATHLEEN ANCHO: -- is a --
14 CHAIRMAN MILLS: -- I don't --
15 KATHLEEN ANCHO: -- bigger --
16 CHAIRMAN MILLS: -- care about the money.
17 COMMISSIONER CLARK: The money's not --
18 KATHLEEN ANCHO: And I know --
19 COMMISSIONER CLARK: -- the --
20 KATHLEEN ANCHO: -- you guys don't --
21 COMMISSIONER CLARK: -- issue.
22 KATHLEEN ANCHO: -- because you've all said that. You've
23 all said that.
24 But he -- he stated that, you know, in his statement about
25 the money. And it is -- and you've all stated that -- that you
26 don't care about the money. And I respect that. And I
27 appreciate that.
28 But just the -- you know, I -- I just wanted to state --
29 CHAIRMAN MILLS: If we don't --
30 KATHLEEN ANCHO: -- my opinion (indiscernible).
31 CHAIRMAN MILLS: -- if we don't do anything, every person
32 in this county can grow 60 pounds a year of marijuana.
33 KATHLEEN ANCHO: No.
34 COMMISSIONER ALLAN: Potentially.
35 KATHLEEN ANCHO: Potentially.
36 COMMISSIONER CLARK: That's three million --
37 KATHLEEN ANCHO: Potentially.
38 CHAIRMAN MILLS: They can.
39 KATHLEEN ANCHO: Well --
40 CHAIRMAN MILLS: If we don't do anything, they --

1 KATHLEEN ANCHO: No.
2 CHAIRMAN MILLS: -- can.
3 COMMISSIONER WAITS: Yeah. But what --
4 JOSEPH RAMOS: Ms. Ancho, I --
5 COMMISSIONER WAITS: -- what do --
6 CHAIRMAN MILLS: This --
7 COMMISSIONER WAITS: -- yeah.
8 CHAIRMAN MILLS: -- limits it.
9 JOSEPH RAMOS: -- I have one quick -- one quick comment to
10 that and -- and, you know, I'm way back with your family. Andy
11 and I hung out all the --
12
13 (Alarm.)
14
15 JOSEPH RAMOS: -- time in college together and stuff. I --
16 I -- you're a hundred percent right in a -- in just about
17 everything you said. And I couldn't agree with you more.
18 There's one small aspect of what you said that I think I
19 would hope you got differently from what I cited up there. And
20 that's that there's this natural assumption that -- that even I
21 have as a conservative guy who doesn't do marijuana that when
22 you put in a dispensary, use goes up. And we've already got
23 this problem. And now you've just made it regularly accessible.
24 That's specifically why I showed the Colorado statistics
25 because I showed you that Nevada doesn't have any.
26 KATHLEEN ANCHO: And -- and I respect that.
27 JOSEPH RAMOS: Right.
28 KATHLEEN ANCHO: And I respect that.
29 JOSEPH RAMOS: And those statistics show that youth usage
30 went down. That's what they showed.
31 So we can do --
32 I have the same personal assumptions that you have. That's
33 why I said I agree with you about a hundred percent of everything
34 you said.
35 But when I look at the statistics, I go, Wow. Youth usage
36 went down. Arrests went down.
37 Why?
38 And as you do the background in that -- listen, how many
39 people have you had come speak about marijuana in this community
40 to the students?

1 You haven't had it.
2 KATHLEEN ANCHO: Well, I haven't a long time. We used to
3 have it frequently. But --
4 JOSEPH RAMOS: Right.
5 KATHLEEN ANCHO: -- unfortunately that hasn't happened --
6 JOSEPH RAMOS: Do you --
7 KATHLEEN ANCHO: -- for whatever reason.
8 JOSEPH RAMOS: Do you know that we've already started talks
9 to do two public open community center events?
10 We talked to Mr. Melver. The reason I know how many
11 people, I mean, --
12 KATHLEEN ANCHO: Well --
13 JOSEPH RAMOS: -- kids he feels are using it? Is so we can
14 go speak at the high school. It's not to say, hey, use it.
15 It's legal. It's -- it's to do that education. It gets those
16 percentages that you saw, reporting to a national database, not
17 by some marijuana company, but by the state of Colorado, is to
18 get those statistics down.
19 I agree. These kids shouldn't be using them. And -- and
20 if 50 percent are using them --
21 KATHLEEN ANCHO: You know, that's sickening to me --
22 JOSEPH RAMOS: If --
23 COMMISSIONER WAITS: You know, but --
24 JOSEPH RAMOS: -- if --
25 COMMISSIONER WAITS: -- I --
26 JOSEPH RAMOS: -- if --
27 KATHLEEN ANCHO: -- to even think that, --
28 JOSEPH RAMOS: But if --
29 KATHLEEN ANCHO: -- I'm just --
30 JOSEPH RAMOS: -- but if 45 percent of the Colorado youth
31 were using it -- if 50 percent are using it and they're using it
32 sprayed with bug spray, with weed killer, different things
33 they're -- not weed killer, but the stuff to kill everything
34 that may get on it, --
35 COMMISSIONER WAITS: I understand --
36 JOSEPH RAMOS: -- my gosh.
37 COMMISSIONER WAITS: -- where Commissioner-Elect Ancho is
38 coming from, though.
39 She's saying --
40 JOSEPH RAMOS: Absolutely.

1 COMMISSIONER WAITS: -- once we pass it, it looks like we
2 approve it.
3 And it's -- it's the --
4 KATHLEEN ANCHO: That's the part that's --
5 COMMISSIONER WAITS: -- appearance of everything.
6 KATHLEEN ANCHO: -- bad. And that's, I think, the part
7 that bothers --
8 COMMISSIONER WAITS: And I think that's --
9 KATHLEEN ANCHO: -- me the most.
10 COMMISSIONER WAITS: -- where you're coming from.
11 KATHLEEN ANCHO: And that's where I think that --
12 COMMISSIONER WAITS: And I --
13 KATHLEEN ANCHO: Because I know --
14 COMMISSIONER WAITS: -- appreciate --
15 KATHLEEN ANCHO: -- you --
16 COMMISSIONER WAITS: -- that.
17 KATHLEEN ANCHO: -- guys. And I respect that. And thank
18 you for saying that. And I think that's the part that just --
19 that you personally approve it. And I know that you don't -- I
20 mean, the majority of you. I get that. And I respect that.
21 But there's still that knot in my stomach --
22 COMMISSIONER WAITS: That isn't --
23 KATHLEEN ANCHO: -- that --
24 COMMISSIONER WAITS: -- it. It's how it --
25 KATHLEEN ANCHO: And it's --
26 COMMISSIONER WAITS: -- appears.
27 KATHLEEN ANCHO: -- and it may never go away. And it's
28 from years of seeing what I've seen. And I would have to wait
29 till the statistics came out for Nevada to -- probably for that
30 knot to go away, quite -- quite honestly.
31 But I wanted to still to state my opinion because if not,
32 then I would have said I wish I would have stated my opinion,
33 you know. Good, bad, or indifferent.
34 COMMISSIONER WAITS: Thank you. It's --
35 JOSEPH RAMOS: Yeah.
36 KATHLEEN ANCHO: Good, right, --
37 JOSEPH RAMOS: Probably --
38 KATHLEEN ANCHO: -- or wrong. So -- but thank --
39 CHAIRMAN MILLS: And just --
40 KATHLEEN ANCHO: -- you for letting me.

1 CHAIRMAN MILLS: Just --
2 COMMISSIONER BAKKER: Thank you, --
3 CHAIRMAN MILLS: -- for the --
4 COMMISSIONER BAKKER: -- Kathy.
5 CHAIRMAN MILLS: -- record, I want -- I want everyone to
6 know, I don't approve of marijuana or marijuana use or -- or
7 having to go through this whole process. I don't like it one
8 bit.
9 But it's a reality we're faced with. And we either do
10 nothing -- it used to be illegal to grow marijuana. Now it's
11 legal.
12 If we do nothing, everybody gets to do it.
13 KATHLEEN ANCHO: And unfortunately --
14 CHAIRMAN MILLS: This is the only avenue we have to provide
15 any protection to the county.
16 KATHLEEN ANCHO: And it is --
17 CHAIRMAN MILLS: It is the only --
18 KATHLEEN ANCHO: -- (indiscernible).
19 CHAIRMAN MILLS: -- avenue we have.
20 COMMISSIONER CLARK: And I have said from the very
21 beginning --
22 CHAIRMAN MILLS: And that's -- that's --
23 COMMISSIONER CLARK: -- control.
24 CHAIRMAN MILLS: -- that's the concern.
25 KATHLEEN ANCHO: You're right.
26 But the -- and you're right about the big one that was
27 growing in with the purple light for everybody to see what it was
28 like, which was a statement, you know. And it's -- the -- the --
29 the whole situation's dis- -- disheartening.
30 COMMISSIONER CLARK: It's a --
31 KATHLEEN ANCHO: However, I'd like to say for medical use,
32 I -- you know, because I have done countless hours, countless
33 hours. And it has proven to help so many people.
34 But the recreation part is just sickening to me.
35 But, like I said, had I not said anything, I would have
36 still had the knot in my stomach. So --
37 CHAIRMAN MILLS: And I --
38 KATHLEEN ANCHO: -- thank you --
39 CHAIRMAN MILLS: -- I agree --
40 KATHLEEN ANCHO: -- for allowing me --

1 CHAIRMAN MILLS: -- with you --
2 KATHLEEN ANCHO: -- to speak.
3 CHAIRMAN MILLS: -- 100 percent on that.
4 COMMISSIONER CLARK: It's a --
5 CHAIRMAN MILLS: But this is --
6 KATHLEEN ANCHO: I mean, --
7 CHAIRMAN MILLS: -- this isn't --
8 KATHLEEN ANCHO: -- I know.
9 CHAIRMAN MILLS: -- this isn't -- we are already faced with
10 the legality of marijuana.
11 It is here we have it.
12 And the only thing in -- in my mind, what I am trying to do
13 here, as a county commissioner, is protect the county as much as I
14 can.
15 And I think this is the only avenue we have to provide some
16 protection.
17 Marijuana's not going away.
18 COMMISSIONER CLARK: Unfortunately.
19 CHAIRMAN MILLS: Even if we -- even if we allow a
20 dispensary and you have the 25-mile rule and it's illegal to
21 grow your own, --
22 KATHLEEN ANCHO: They're --
23 CHAIRMAN MILLS: -- people are --
24 KATHLEEN ANCHO: -- still going --
25 CHAIRMAN MILLS: -- still --
26 KATHLEEN ANCHO: -- to grow it.
27 CHAIRMAN MILLS: -- going to grow it just like they used
28 to.
29 KATHLEEN ANCHO: And -- and I know too. And I understand
30 that. I respect that.
31 CHAIRMAN MILLS: It's --
32 COMMISSIONER CLARK: And --
33 CHAIRMAN MILLS: -- the only --
34 COMMISSIONER CLARK: -- people --
35 CHAIRMAN MILLS: -- thing we can do to protect anybody in
36 the county on this.
37 KATHLEEN ANCHO: It's still -- still --
38 COMMISSIONER CLARK: And people --
39 KATHLEEN ANCHO: -- still the knot.
40 COMMISSIONER CLARK: -- will try to grow it even if we have

1 control.

2 KATHLEEN ANCHO: Oh, and I know that. But still,
3 regardless, I had to speak my --

4 COMMISSIONER BAKKER: Thank you, --

5 KATHLEEN ANCHO: -- piece --

6 COMMISSIONER BAKKER: -- Kathy.

7 KATHLEEN ANCHO: -- and --

8 Thanks.

9 COMMISSIONER BAKKER: Any other public comment?

10 FRANK STEPHENS: Yes. I have something to say.

11 Well, I appreciate the fact you're here today, you know, sir.
12 You're a very good orator. And I'm impressed by you.

13 COMMISSIONER WAITS: Got to give your name, Frank.

14 FRANK STEPHENS: I am going to give my name. I prepared a
15 remark and then I'm going to have something to add at the end.

16 It says, Hello, --

17 CHAIRMAN MILLS: We need your --

18 FRANK STEPHENS: -- everyone. My name --

19 CHAIRMAN MILLS: -- we need your name before you start off.

20 FRANK STEPHENS: My name is Frank Stephens.

21 CHAIRMAN MILLS: Thank you.

22 FRANK STEPHENS: I'm a dis- -- I'm a dispatcher at the
23 Lander County Sheriff's Office in Battle Mountain. I've been in
24 Lander County since 1995. I've raised my family here. I took
25 my kids to their first day of school here. And I watched them
26 graduate from high school here.

27 Now I'm in the process of assisting my daughter in raising
28 our granddaughter here so that she too may receive the benefits
29 from growing up in a small, prosperous community.

30 In some ways I was invited here to speak today by
31 Commissioner Patsy Waits, where after my last public address in
32 this chambers, she stated she wished that I had been present
33 while the issue of commercial marijuana cultivation sale was
34 being decided from the beginning.

35 Commis- -- Commissioner Waits seemed to say -- to say that
36 my statements during my last appearance were relevant to the
37 decisions being made in -- in this regard.

38 So I'm back here today. Thank you, Commissioner Waits. And
39 thank you all for the opportunity to speak here today and to enter
40 my statement into the record.

1 What I tried to articulate during my last conversation with
2 the -- with the commission was that what you did in essence or are
3 doing in essence is against one of the founding principles of the
4 United State of America and that is the consent of the governed.
5 You do not have the consent of the governed in relation to this
6 particular issue.

7 Whereby the commission was choosing to allow the commercial
8 cultivation of marijuana against the express consent of its own
9 governed populace.

10 Although it is true that the initiative to regulate the
11 taxpayer and tax marijuana in the state of Nevada or Question 2 on
12 the 2016 ballot passed by a 54 to 46 margin, Lander County said no
13 to the Question 2 by a far greater 31 -- or 61 to 39 percent
14 margin.

15 The issue at hand is this commission was not elected to
16 represent the state of Nevada. This commission was elected to
17 represent me and all the other 61 percent of this county that said
18 no.

19 Why?

20 Because the demographics of this community are totally
21 different than those of Las Vegas. That's why.

22 This community is filled with honorable men and women, many
23 of them miners or government employees who would lose their jobs,
24 possibly displacing their entire families and way of life, if they
25 were ever caught with this now legal substance in their system.

26 Excuse me.

27 Our children, your children, are going to have to live with
28 the decision being made here today.

29 There were many members of this community who said no to
30 marijuana in 2016 because they refused to be a bad example to
31 their children, some who would hate their children to be limited
32 or fired in the future referencing something as mundane as a drug
33 test, people who would never want to question whether their
34 children were ever involved in a drug deal gone wrong.

35 You are at the helm of this ship. And what I am talking to
36 you about right now is posterity itself. To anyone considering
37 using marijuana for recreation, I would say this: First, I would
38 try to dissuade you from using it altogether by saying there is a
39 type of silent destruction in relation to the consumption of
40 marijuana, in relation to it being unable -- being -- the user to

1 be unable to pass a drug test.

2 Excuse me.

3 The future that has you trying to -- oh -- your future will
4 have you trying to tie a condom filled with your son's or your
5 daughter's urine to your leg in order to pass a drug test, a drug
6 test meant to take away your way of life.

7 If that didn't work, I would switch over to focus in on our
8 newly found freedom.

9 Henry David said -- Thoreau said that there are a thousand
10 men hacking at the branches of evil for the one man striking the
11 root of the problem. I know that because I used to be one of
12 those men. I was a deputy sheriff here in the '90s. And I
13 arrested numerous people for marijuana and sent some to prison in
14 relation to their unwillingness to cooperate.

15 A future that takes away the victimless crime aspect of
16 marijuana is something that needs to be considered.

17 But what this drug cartel wants you to do is to put the
18 criminality back into the growing your own -- of your own
19 marijuana.

20 So I -- it's almost like I'm standing up for liberty in the
21 sense that the -- the state has -- has gov- -- has governed
22 stating that marijuana is legal. And what this body intends to do
23 is -- is -- is give a bureaucracy the power to enforce a 25-mile
24 rule that again puts laws in place that limit that use of
25 marijuana to every single member of this community.

26 So at one time we had law enforcement officers kicking in
27 doors and searching people's house based on probable cause in
28 relation to marijuana, but they can't do that anymore.

29 And what you want to do is reimplement that law. So it's
30 on-again, off-again law enforcement. And what you're doing is
31 you'll have the sheriff act- -- acting in behest of this man and
32 his -- in his dispensary because now we have a victim; right?

33 So now we're going to be kicking in your door or the other
34 person's door that had the freedom -- was given that freedom by
35 the state that you all are pretending to take away because you
36 have this need to control it.

37 Now I understand that you -- you have that desire.

38 But I want you to think about this. When you create a new
39 law -- you guys are given this immense power to create law. Every
40 time you create law, you don't create less criminals. You create

1 more criminals; right? Every single law that has ever been
2 created, including this one, the day it is passed, if you pass it,
3 you are going to create more criminals.

4 And that law enforcement officers are going to be arresting
5 those criminals for him.

6 And I don't want you to be okay with that. I want you to
7 say no to it.

8 So I'm -- I'm -- I'm down to the portion of the -- my
9 comments that relate to the Indian colony, specific because I knew
10 it was going to be a topic here today.

11 And the answer to that is if you're a consumer of marijuana,
12 it's good for you. It's good for you that the Indian colony was
13 willing to take on that immense issue with the federal government
14 because what you were told is correct. It is against the law
15 federally for them to have a marijuana cultivation center on the
16 colony.

17 There -- at the behest of the federal government -- and it's
18 already been done. The federal government has raided Indian
19 colonies. But they -- it wasn't -- it didn't receive a good air
20 to their enforcement action so they stopped doing it. That
21 doesn't mean they won't do it in the future. It's still against
22 the law.

23 And I'd like to point out that hasn't been done in Lander
24 County. We're operating on this idea that, Oh, my God. Let's --
25 I know we promised my constituents that we would not -- we would
26 not put out a -- a cul- -- a dispensary within the county of
27 Lander. But we're going to revert that real quick because all of
28 a sudden the -- the Indian colony's going to do it. That is --
29 that -- it doesn't make any sense.

30 We don't need the money. We don't -- every -- every single
31 dime that you will get in relation to the taxes received from
32 the dispensary is going to go to the state. Every single dime.
33 Millions of dollars. We're the richest county in -- in the
34 entire state. And all of that money goes -- a -- a huge portion
35 of that money goes to the state.

36 And every dime that you're going to receive on top of it,
37 that's going to go to the state as well -- as well.

38 So it's not a money issue either. I don't --

39 COMMISSIONER CLARK: That's the way it works, Frank. All
40 the tax money goes to the state and then the state decides how

1 much you get back.

2 FRANK STEPHENS: I absolutely -- I -- okay. I understand
3 that is what I'm tr- -- what I'm try- -- and so -- but the --
4 I'm -- I'm -- I'm just trying to de- -- deflate the argument
5 that we need the money for tax revenue.

6 It is not necessary whatsoever. And it would not benefit
7 this county in the slightest -- in the --

8 COMMISSIONER CLARK: It does benefit the county because we
9 have the 25-mile rule, Frank. That's control.

10 FRANK STEPHENS: Oh, right. So it's exact- -- exact -- I
11 can't believe that I'm arguing against the implementation of a
12 new law.

13 But what I'm here to tell you is that, one, the people of
14 Lander County said no. And, two, now you want to implement a
15 bureaucratic nightmare that is going to -- whether you see it or
16 not -- is going to forward large of amounts of cases to the --
17 to the -- to the sheriff in relation to going in and kicking
18 peoples' doors for a crime that was once not a crime that is now
19 again a crime.

20 It's --

21 And another thing is, you know, I -- last time I was here,
22 you guys -- I mentioned that you guys should have done a risk
23 assessment, a risk analysis in relation to all the water that
24 it's going to be use -- using. That's never been done.
25 You've -- you've never taken that step. And what we have in
26 essence is -- is a gentleman here who's very well dressed and
27 well-spoken and I -- and I don't want you to think I'm against
28 you as a person. I'm --

29 He -- much like a used car salesman, the -- the best -- the
30 best metaphor I could use.

31 I'm sorry.

32 JOSEPH RAMOS: I've been a cartel member, and --

33 FRANK STEPHENS: Wait, wait. I --

34 JOSEPH RAMOS: -- a used car --

35 FRANK STEPHENS: You're a very --

36 JOSEPH RAMOS: -- salesman.

37 FRANK STEPHENS: -- educated. I'm not --

38 JOSEPH RAMOS: I'm counting --

39 FRANK STEPHENS: I'm --

40 JOSEPH RAMOS: -- these.

1 FRANK STEPHENS: I absolutely --
2 JOSEPH RAMOS: I'm counting --
3 FRANK STEPHENS: -- don't --
4 JOSEPH RAMOS: -- these.
5 FRANK STEPHENS: I'm sorry. I absolutely know that you're
6 well educated. And I don't mean -- but the best metaphor I
7 could come up with is a used car salesman.
8 A used car salesman tells you the car is great. It runs
9 great. You're going to get great gas mileage. It's -- it's --
10 the -- you can kick the tires. Just don't look under the hood.
11 COMMISSIONER CLARK: What used car salesman is a doctor and
12 an attorney?
13 COMMISSIONER WAITS: And --
14 FRANK STEPHENS: Well, --
15 COMMISSIONER WAITS: -- an --
16 FRANK STEPHENS: -- right.
17 COMMISSIONER WAITS: -- attorney --
18 FRANK STEPHENS: Right. I'm not --
19 COMMISSIONER WAITS: -- of law. Right.
20 COMMISSIONER CLARK: Good God, Frank.
21 FRANK STEPHENS: He's very educated. I'm not trying to say
22 that. I'm just -- just the analogy is you haven't looked under
23 the hood. You haven't taken the time to table all of this, in
24 my opinion, and to look under the hood. Find --
25 COMMISSIONER CLARK: Well, --
26 FRANK STEPHENS: -- out how --
27 COMMISSIONER CLARK: -- you haven't --
28 FRANK STEPHENS: -- much water's --
29 COMMISSIONER CLARK: -- been here --
30 FRANK STEPHENS: -- going to be used, --
31 COMMISSIONER CLARK: -- for all the discussion --
32 FRANK STEPHENS: -- find out our risk --
33 COMMISSIONER CLARK: -- we've had.
34 FRANK STEPHENS: -- analysis. See, he mentions --
35 COMMISSIONER BAKKER: No.
36 FRANK STEPHENS: -- that -- he mentions that the mar- --
37 the marijuana arrests were reduced in Colorado in relation to
38 the -- the implementation of a law that says that marijuana is
39 legal.
40 Of course that's -- of course that occurred. Of course

1 there -- there was an -- a reduction in the number of arrests in
2 Colorado because the number of arrests in relation to marijuana,
3 it -- after the marijuana was legalized was reduced.

4 COMMISSIONER CLARK: Less of a burden on law enforcement.

5 FRANK STEPHENS: Right. But not --

6 Unless -- unless -- unless you implement a -- a new law that
7 makes new criminals out of all the -- all your constituents
8 that -- that now they're -- that they -- they once had this
9 newfound freedom. Now they're going to take it all away.

10 COMMISSIONER CLARK: Your argument is with the state and
11 the way they rolled the law out.

12 We've been put into a corner to do something to protect our
13 county.

14 That's what -- that's what I'm trying --

15 FRANK STEPHENS: Okay.

16 COMMISSIONER CLARK: -- to do.

17 FRANK STEPHENS: No, I'm not trying to be too heated about
18 my -- my remarks. But what -- here's what I want to you to th-
19 -- here's what I want you to say. Here's what I actually want
20 to say. If you think this is in the best interest of the county
21 because of some issue in relation -- in your heart you honestly
22 feel -- I -- I stood against -- never mind.

23 I'm not -- I don't want to digress. I'm just --

24 If you honestly feel that this is in the best interest of the
25 county, knowing that 61 percent of the people disapproved of this,
26 you can't dis- -- you can't refute the numbers; right?

27 Why don't you put it to a vote?

28 There's nothing that -- that -- that prevents you from
29 putting this on a ballot question and let -- let the -- let your
30 constituents decide.

31 Let us -- let me decide. I'll go out there right now and
32 tell every single person to vote against it.

33 COMMISSIONER CLARK: We know what your decision is, Frank.

34 FRANK STEPHENS: Absolutely. Well, you -- and you know
35 what 61 percent of the populace's decision is too.

36 That's my point.

37 COMMISSIONER CLARK: But they elected me.

38 FRANK STEPHENS: They --

39 COMMISSIONER CLARK: Two times.

40 FRANK STEPHENS: They did.

1 COMMISSIONER CLARK: Two times.
2 FRANK STEPHENS: They did. They did.
3 COMMISSIONER CLARK: So they must like something --
4 COMMISSIONER BAKKER: Okay.
5 COMMISSIONER CLARK: -- about me.
6 CHAIRMAN MILLS: So can --
7 FRANK STEPHENS: They did.
8 CHAIRMAN MILLS: -- I --
9 COMMISSIONER BAKKER: Okay.
10 CHAIRMAN MILLS: Ted, can I ask you a legal question?
11 DISTRICT ATTORNEY HERRERA: Sure.
12 CHAIRMAN MILLS: The ballot question for the state of
13 Nevada for legalization of marijuana was a statewide election,
14 wasn't it?
15 DISTRICT ATTORNEY HERRERA: Yes. It was a state --
16 CHAIRMAN MILLS: Does -- does Lander County, because we as
17 a county voted against it, then get to not have to apply or
18 follow the state law?
19 DISTRICT ATTORNEY HERRERA: No.
20 COMMISSIONER WAITS: No.
21 CHAIRMAN MILLS: So --
22 FRANK STEPHENS: I -- I understand that.
23 CHAIRMAN MILLS: -- Lander County lost.
24 I'm one of those people that lost.
25 FRANK STEPHENS: Right.
26 I mean, I am too. I lost too.
27 CHAIRMAN MILLS: I lost that --
28 FRANK STEPHENS: I --
29 CHAIRMAN MILLS: -- election.
30 FRANK STEPHENS: You voted against it; correct?
31 CHAIRMAN MILLS: I voted --
32 FRANK STEPHENS: But the --
33 CHAIRMAN MILLS: -- against it.
34 FRANK STEPHENS: -- difference -- the difference between us
35 now is that I am not for the dispensary and you seem to be.
36 And so I --
37 CHAIRMAN MILLS: I'm for --
38 FRANK STEPHENS: -- am saying, absolutely not. Don't --
39 don't put -- don't put --
40 CHAIRMAN MILLS: Right.

1 FRANK STEPHENS: -- something on these people that they
2 said -- that decided not --
3 CHAIRMAN MILLS: As I've said --
4 FRANK STEPHENS: -- to have it.
5 CHAIRMAN MILLS: -- before, I'm for trying to protect the
6 county as much as I can.
7 FRANK STEPHENS: So am I.
8 CHAIRMAN MILLS: And my preference falls to I would rather
9 have it done through a dispensary than have each individual grow
10 60 pounds -- 60 pounds of marijuana floating around the --
11 FRANK STEPHENS: That's --
12 CHAIRMAN MILLS: -- community --
13 FRANK STEPHENS: -- just --
14 CHAIRMAN MILLS: -- without any --
15 FRANK STEPHENS: -- a -- okay. That is a conflated number
16 in my opinion. And what I'm trying to -- let -- hold on. Wait.
17 And the reason -- when -- you can laugh all you want.
18 But here's the thing, the reason why I believe it's conflated
19 is because -- all right. This man is --
20 CHAIRMAN MILLS: Okay.
21 FRANK STEPHENS: -- telling you what he wants you to hear.
22 CHAIRMAN MILLS: If it's --
23 FRANK STEPHENS: Okay.
24 CHAIRMAN MILLS: -- if it's not 60 pounds, if it's only
25 30 pounds per person --
26 FRANK STEPHENS: Uh-huh.
27 COMMISSIONER CLARK: That's only 10 pounds --
28 CHAIRMAN MILLS: What --
29 COMMISSIONER CLARK: -- per --
30 CHAIRMAN MILLS: If it was --
31 COMMISSIONER CLARK: -- person.
32 CHAIRMAN MILLS: -- only 10 pounds per --
33 FRANK STEPHENS: Okay.
34 CHAIRMAN MILLS: -- person --
35 FRANK STEPHENS: Okay.
36 CHAIRMAN MILLS: -- in the county?
37 FRANK STEPHENS: That's -- I -- let's -- let's just --
38 CHAIRMAN MILLS: Which --
39 FRANK STEPHENS: -- put --
40 CHAIRMAN MILLS: -- which do I prefer?

1 FRANK STEPHENS: Okay.
2 CHAIRMAN MILLS: I prefer --
3 FRANK STEPHENS: Which do you prefer?
4 The ma- --
5 CHAIRMAN MILLS: I prefer the -- the -- the prospect for
6 control of that as much as we can in the county.
7 FRANK STEPHENS: I --
8 CHAIRMAN MILLS: -- rather than have it be free-for-all --
9 FRANK STEPHENS: I agree.
10 CHAIRMAN MILLS: -- and uncontrolled and un- --
11 FRANK STEPHENS: But --
12 CHAIRMAN MILLS: -- untested, un- -- every- -- everything.
13 COMMISSIONER WAITS: Okay. But I have a comment on that.
14 Don't forget when you pass that, that everybody in the south
15 can still grow their 60 pounds. So you've only protected Battle
16 Mountain --
17 FRANK STEPHENS: Is -- it is --
18 COMMISSIONER WAITS: -- and you haven't --
19 FRANK STEPHENS: -- not --
20 COMMISSIONER WAITS: -- protected --
21 FRANK STEPHENS: -- protected at all. It is not.
22 And in --
23 COMMISSIONER WAITS: -- the southern Lander County.
24 FRANK STEPHENS: -- in --
25 CHAIRMAN MILLS: So --
26 COMMISSIONER WAITS: So --
27 FRANK STEPHENS: -- and -- and another --
28 COMMISSIONER WAITS: -- just --
29 FRANK STEPHENS: -- issue is --
30 COMMISSIONER WAITS: You know, I mean you keep saying, I'm
31 protecting. I'm protecting. I'm going, you're not protecting
32 all of them.
33 So --
34 CHAIRMAN MILLS: Well, I --
35 COMMISSIONER WAITS: -- just think about --
36 CHAIRMAN MILLS: Okay.
37 COMMISSIONER WAITS: -- it.
38 CHAIRMAN MILLS: Right.
39 FRANK STEPHENS: The reason why you're not protecting
40 anyone is because the man who is the problem is trying to

1 convince you that the problem is the law.
2 Like the man who's coming in here that wants to sell the --
3 the -- the marijuana legally -- anyone can walk in there and
4 buy --
5 CHAIRMAN MILLS: Okay.
6 FRANK STEPHENS: -- marijuana. The -- the man who's the
7 problem --
8 CHAIRMAN MILLS: So you're --
9 FRANK STEPHENS: -- is trying to convince you --
10 CHAIRMAN MILLS: -- you're --
11 FRANK STEPHENS: -- that he's --
12 CHAIRMAN MILLS: -- claiming that --
13 FRANK STEPHENS: -- not --
14 CHAIRMAN MILLS: -- if -- if -- if we put this into place
15 and put the dispensary in, we have our 25-mile rule and the
16 people aren't allowed to grow their own marijuana.
17 FRANK STEPHENS: Uh-huh.
18 CHAIRMAN MILLS: And if somebody does it anyway, you're
19 claiming that this guy right here is the victim.
20 FRANK STEPHENS: Yes, I am --
21 CHAIRMAN MILLS: That is not --
22 FRANK STEPHENS: -- absolutely am.
23 COMMISSIONER CLARK: No, the county --
24 COMMISSIONER WAITS: Is this --
25 COMMISSIONER CLARK: -- is the victim.
26 CHAIRMAN MILLS: Legally, would you --
27 FRANK STEPHENS: But --
28 CHAIRMAN MILLS: -- count this person to be the --
29 COMMISSIONER CLARK: We --
30 CHAIRMAN MILLS: -- victim?
31 DISTRICT ATTORNEY HERRERA: Absolutely --
32 COMMISSIONER CLARK: The county --
33 DISTRICT ATTORNEY HERRERA: -- not.
34 COMMISSIONER CLARK: -- is --
35 CHAIRMAN MILLS: Who is the victim --
36 COMMISSIONER CLARK: -- the --
37 CHAIRMAN MILLS: -- in that --
38 COMMISSIONER CLARK: -- victim.
39 CHAIRMAN MILLS: -- case?
40 DISTRICT ATTORNEY HERRERA: No.

1 COMMISSIONER CLARK: It would be a crime against the
2 county, --
3 DISTRICT ATTORNEY HERRERA: Yeah.
4 COMMISSIONER CLARK: -- a crime against the --
5 FRANK STEPHENS: Within --
6 COMMISSIONER CLARK: -- state. You know that. You're law
7 enforcement.
8 FRANK STEPHENS: Okay. No, I'm prior law enforcement. I'm
9 not allowed --
10 COMMISSIONER CLARK: Oh, you don't --
11 FRANK STEPHENS: -- to discuss on that.
12 COMMISSIONER CLARK: -- know any law enforcement stuff now?
13 You forget it?
14 FRANK STEPHENS: But --
15 COMMISSIONER ALLAN: I think, Frank, one of the other
16 issues is -- I mean, I totally agree with what you have to say.
17 And -- and -- and you're right. Is you can look at it from a
18 legal perspective that Mr. Ramos would not be the victim because
19 someone broke the law. But, yes, he would be the victim because
20 he's loss of sales.
21 And the reason he is here is because, like you made the
22 analogy, is, yeah, he's a really good car salesman. He's going
23 to tell you all the great things about what these
24 dispensaries --
25 FRANK STEPHENS: Right.
26 COMMISSIONER ALLAN: -- are going to do.
27 And it's self-serving because, you know, when you're
28 looking at making, you know, a couple -- couple million dollars
29 a year and the -- and the county's going to get, you know, a
30 little portion, is we want to push this through. We want to do
31 this because, you know, if we don't do it now, the Indians are
32 going to do it. And I want to beat you to it because I want to
33 make that couple million dollars a year. And I'm going to tell
34 you the little story about --
35 FRANK STEPHENS: Right.
36 COMMISSIONER ALLAN: -- how it's going to benefit your
37 county.
38 And you're absolutely right.
39 I work for the citizens of Lander County. And they said
40 no.

1 FRANK STEPHENS: I said no. But here's another thing.
2 You're going to hear from a person who wants you to -- to
3 accept -- to accept this, the good things.

4 But what he doesn't say is the -- the number of property
5 crimes that -- that increased in Colorado in respect to the
6 legalization of the marijuana.

7 And that there's a direct correlation -- I used to say this
8 as a justification for busting every person I knew that -- with
9 drugs. I used to bust lots of people. I was -- I liked doing it.
10 Because then the reason why I liked doing it is because, in my
11 mind, drugs were connected to every other type of crime.

12 This person, you might never catch a burglar. He might --
13 he might have the best MO in the world. He's in and out of the
14 house, never catch them. But you can make him pay for every
15 single felony he's ever committed by catching him for the one
16 reason why he's doing it in the first place and that's to -- and
17 that's to buy drugs. That's to get his hands on a product.

18 And let me tell you honestly, there's this big -- another
19 conflated issue that marijuana is the same as alcohol. And my
20 answer is no. It's better. And the reason.

21 But -- but here's the argument, though. I want you to
22 consider in your mind how many alcoholics there would be, how
23 terrible alcoholism is. And then consider in your mind how far it
24 would go if there weren't self-limiting features of alcohol, like
25 cirrhosis of the liver or like being sick and not being able to
26 show up to work the next day if you got too drunk.

27 And that's what you're going to find in marijuana.

28 When it -- everyone's going to be a fucking stoner.

29 But here's the thing. And that -- wait, wait. Now -- now
30 that's -- that's really -- I'm -- that's -- I'm conflating the
31 issue myself because that's not true. People will self-limit in
32 relation to not being fired from their job.

33 Well, your -- your -- your entire populace is filled with
34 miners that if they ever get caught smoking weed, every -- pee
35 dirty. And marijuana's in your system for 30 days. If they ever
36 get caught dirt -- dirty, they're going to lose their job.

37 You're talking about destroying people's lives, uprooting
38 entire families, making them move away from serenity.

39 COMMISSIONER CLARK: It's a personal decision. That's --

40 FRANK STEPHENS: You're right.

1 COMMISSIONER CLARK: -- constitutional.
2 FRANK STEPHENS: You're absolutely right.
3 COMMISSIONER CLARK: Freedom of choice.
4 FRANK STEPHENS: It's freedom of choice. But the county --
5 COMMISSIONER CLARK: Joe?
6 FRANK STEPHENS: What I'm trying to say is you don't have
7 to be okay with it. You don't have to --
8 COMMISSIONER CLARK: Joe?
9 FRANK STEPHENS: -- say, we think it's all right.
10 JOSEPH RAMOS: I --
11 COMMISSIONER WAITS: (Indiscernible.)
12 JOSEPH RAMOS: -- I -- I -- I think -- Mr. Stevens? Is
13 that correct?
14 FRANK STEPHENS: That's correct, sir?
15 COMMISSIONER WAITS: Right?
16 COMMISSIONER BAKKER: Right.
17 JOSEPH RAMOS: In all fairness.
18 FRANK STEPHENS: Dr. Ramos. I don't want to address you
19 wrong. I'm sorry.
20 JOSEPH RAMOS: No. You can call me -- you -- you don't
21 have to call me commissioner or --
22 FRANK STEPHENS: Yeah. Sorry.
23 JOSEPH RAMOS: -- Joe. You just call me whatever.
24 You can call me --
25 COMMISSIONER BAKKER: Call him a --
26 JOSEPH RAMOS: -- a car --
27 COMMISSIONER BAKKER: -- used car salesman.
28 JOSEPH RAMOS: -- cartel --
29 FRANK STEPHENS: You seem like a --
30 JOSEPH RAMOS: -- or car salesman.
31 FRANK STEPHENS: -- good person. I didn't mean to label
32 you as a used car salesman.
33 JOSEPH RAMOS: No, no, no. And -- and -- and -- and what I
34 say to you, please don't take personally. You -- you seem like
35 a guy I'd be friends with.
36 But several things that you've said, by a response. And the
37 first thing is, is that a lot of what you've said -- you talked a
38 like a well-seasoned politician in that you talked in a circle.
39 And I want to -- I want to point a couple of those because
40 I -- I'd like to hear what you have to say about it.

1 You first said that you kicked in doors and arrested people
2 and many people that had felonies for marijuana.
3 FRANK STEPHENS: Absolutely.
4 JOSEPH RAMOS: You then went on to say that by creating
5 this, we're creating laws to make a lot more criminals.
6 FRANK STEPHENS: That's true.
7 JOSEPH RAMOS: You said that; right?
8 And at the same time then you said, 46 percent decrease in
9 arrests made perfect sense because it wasn't -- it wasn't a crime
10 anymore.
11 FRANK STEPHENS: It was decriminalized by the state.
12 JOSEPH RAMOS: Forty-six percent less arrests.
13 FRANK STEPHENS: That's true. But it's delegalized,
14 though. It's -- it's -- the state's -- it's still -- that it's
15 still -- this state has deemed it illegal -- or legal --
16 JOSEPH RAMOS: Legal.
17 FRANK STEPHENS: -- to --
18 And so the number of marijuana arrests obviously decreased.
19 JOSEPH RAMOS: Yeah. So -- so by making it legal, the
20 number of marijuana arrests -- arrests decreased.
21 FRANK STEPHENS: Absolutely.
22 JOSEPH RAMOS: That's what you just said.
23 By make- -- by -- by allowing a legal activity here, how
24 are we going to increase, then, this criminal population that
25 you -- or that you --
26 COMMISSIONER WAITS: Gentleman, could I interrupt here? I
27 think -- I don't think your discussion --
28 JOSEPH RAMOS: Oh.
29 COMMISSIONER WAITS: -- is --
30 JOSEPH RAMOS: Okay.
31 COMMISSIONER WAITS: -- going to change the mind --
32 JOSEPH RAMOS: No.
33 COMMISSIONER WAITS: -- of the commissioners.
34 But I think it's very important. And perhaps you'd like to
35 continue that after.
36 COMMISSIONER BAKKER: Excellent.
37 FRANK STEPHENS: Can I --
38 JOSEPH RAMOS: I just --
39 FRANK STEPHENS: -- say one comment?
40 JOSEPH RAMOS: -- (indiscernible) permission to -- here's

1 the one last thing.
2 It -- regarding to -- to -- to jobs. Because this is about
3 the county. And this is about -- this is about the public. It's
4 every bit about it.
5 And -- and I -- ask everybody in the room to raise their
6 hands who doesn't do marijuana and ask them how many people after
7 it's legal are going to start doing it.
8 Okay. But we're going to drive people out of jobs. There's
9 going to be positive piss tests everywhere. People are going to
10 be losing their families. It's now going to be in all these
11 homes. See, the truth is -- here's what the truth is. People who
12 do marijuana are going to use marijuana.
13 FRANK STEPHENS: That's correct.
14 JOSEPH RAMOS: And it's already there.
15 FRANK STEPHENS: They're just not going to get arrested.
16 JOSEPH RAMOS: You're not -- your kids aren't going to
17 start using it. My kids aren't going to start using it.
18 Because it ain't going to be in my house now that it's legal.
19 So -- so the argument that we've -- that we've hurt the citizens
20 of Lander County -- and I think that's where you referred to me
21 as a cartel member.
22 FRANK STEPHENS: It -- well, it's a legal -- legal --
23 JOSEPH RAMOS: You just --
24 FRANK STEPHENS: -- drug cartel member.
25 JOSEPH RAMOS: -- you just --
26 FRANK STEPHENS: He's a cartel member.
27 JOSEPH RAMOS: -- saw there's nobody --
28 COMMISSIONER WAITS: It's not --
29 JOSEPH RAMOS: -- in this --
30 COMMISSIONER BAKKER: I know.
31 JOSEPH RAMOS: -- room --
32 COMMISSIONER WAITS: -- discussion time.
33 COMMISSIONER BAKKER: Doug, --
34 JOSEPH RAMOS: -- who's going to --
35 FRANK STEPHENS: Okay.
36 JOSEPH RAMOS: -- start using.
37 COMMISSIONER BAKKER: -- get it in hand.
38 JOSEPH RAMOS: -- it. So as the commission --
39 FRANK STEPHENS: I don't need to --
40 JOSEPH RAMOS: -- considers me, --

1 CHAIRMAN MILLS: Okay.

2 JOSEPH RAMOS: -- I think that there's -- I think that the
3 circleness of the arguments, the hollowness of some of the
4 concerns needs to be taken in perspective. That's all I would
5 ask here.

6 FRANK STEPHENS: Can I say one thing before you make your
7 decision?

8 CHAIRMAN MILLS: Quickly.

9 FRANK STEPHENS: I'm disheartened by the fact that I feel
10 like your decision was made before you listened to me.

11 DISTRICT ATTORNEY HERRERA: (To Jeanne Falzone.)
12 (Indiscernible.)

13 FRANK STEPHENS: And I understand that -- where you guys
14 have a --

15 JEANNE FALZONE: (To District Attorney Herrera.)
16 (Indiscernible.)

17 FRANK STEPHENS: -- job to do. But I would wholeheartedly
18 request that you at least table this --

19 DISTRICT ATTORNEY HERRERA: (To Jeanne Falzone.)
20 (Indiscernible.)

21 FRANK STEPHENS: -- until you do a risk analysis to
22 determine -- look under the hood. There's no reason not to.

23 DISTRICT ATTORNEY HERRERA: (To Jeanne Falzone) Yeah.

24 FRANK STEPHENS: We've got no -- it's -- there's no benefit
25 to us for not looking. Is -- what's it going to -- all you're
26 going to say is that your -- your reason for proceeding so
27 quickly is because the Indian -- the Indian colony wants to do
28 it? And they haven't done it, but they may do it.

29 But even if they did, the -- is that going to prevent us
30 from then allowing our own cultivation center to go in?

31 The answer's probably no.

32 And I think you could ask the -- the dis- -- I defer to the
33 district attorney that I believe that there's no rush in this.
34 And I would request -- respectfully request that you at least
35 table this until a risk analysis is done, someone can tell what
36 is at risk for our -- for the people.

37 CHAIRMAN MILLS: Okay. Understood.

38 Do we have any other public comment? Anyone else have
39 anything they'd like to say?

40 COMMISSIONER BAKKER: Okay.

1 CHAIRMAN MILLS: Okay.
2 So, again, Sean made a motion. Art seconded.
3 All those in favor?
4 COMMISSIONER BAKKER: Aye.
5 COMMISSIONER CLARK: Aye.
6 CHAIRMAN MILLS: Aye.
7 Opposed?
8 COMMISSIONER ALLAN: Nay.
9 COMMISSIONER WAITS: Nay.
10 CHAIRMAN MILLS: Okay.
11 COMMISSIONER CLARK: Thank you, --
12 CHAIRMAN MILLS: Thank you for --
13 COMMISSIONER CLARK: -- Joe.
14 CHAIRMAN MILLS: -- the spirited --
15 COMMISSIONER CLARK: Thanks, --
16 CHAIRMAN MILLS: -- discussion.
17 COMMISSIONER CLARK: -- Frank.
18 COMMISSIONER BAKKER: Thank you, guys.
19 Are we taking a lunch or are we moving on?
20 COMMISSIONER WAITS: We o- -- we've just got a couple --
21 COMMISSIONER BAKKER: I'm --
22 COMMISSIONER WAITS: -- quick --
23 COMMISSIONER BAKKER: -- I'm --
24 COMMISSIONER WAITS: -- ones.
25 COMMISSIONER BAKKER: -- being --
26 CHAIRMAN MILLS: Well, we've only --
27 COMMISSIONER WAITS: You're being --
28 COMMISSIONER BAKKER: I'm just joking.
29 COMMISSIONER WAITS: -- funny?
30 CHAIRMAN MILLS: Yeah.
31 COMMISSIONER BAKKER: Yeah. I'm being --
32 COMMISSIONER WAITS: Yeah.
33 COMMISSIONER BAKKER: -- funny, Patsy.
34 COMMISSIONER WAITS: Please.
35 COMMISSIONER BAKKER: Let's get this --
36 CHAIRMAN MILLS: Holy cow.
37 COMMISSIONER BAKKER: -- over with.
38 COMMISSIONER ALLAN: Yeah.
39 CHAIRMAN MILLS: I didn't realize --
40 COMMISSIONER ALLAN: Can we just hurry it --

1 CHAIRMAN MILLS: -- it was that late.
2 COMMISSIONER WAITS: My humor was lost when --
3 CHAIRMAN MILLS: Okay. We're on --
4 COMMISSIONER WAITS: -- we were alive.
5 CHAIRMAN MILLS: -- Item Number 10.
6

7 **10) Discussion and possible action to cancel the special meeting**
8 **date of January 2, 2019, to select a date and time of a**
9 **special meeting, preferably on January 7, 2019, for newly**
10 **elected Lander County Commissioners to select a**
11 **chair/vice-chair for 2019, and appointment of a Lander County**
12 **commissioner(s) to various 2019 advisory boards, and to**
13 **cancel the regular commission meeting of January 10, 2019,**
14 **and all other matters properly related thereto.**
15

16 CHAIRMAN MILLS: Discussion and possible action to cancel
17 the special meeting date of January 2nd, 2019, to select a date
18 and time of special meeting, preferably on January 7th, 2019,
19 for newly elected Lander County Commissioners to select a chair
20 or vice-chair for 2019, and appointment of a Lander County
21 commissioner -- and appointment of Lander County commissioners
22 to various 2019 advisory boards, and to cancel the regular
23 commission meeting of January 10, 2019, and all other matters
24 properly related thereto.

25 KEITH WESTENGARD: So this came about -- I know we did come
26 before you a meeting or two ago to ask for the January 2nd
27 swearing in and special meeting. There was an NRS that was
28 brought forth that prohibits us from doing that.

29 We -- we -- we can't do anything until January 7th. NRS
30 states it has to be the first few -- first full judiciary week
31 of the new year on an e- -- on an odd-numbered year, which 2019
32 is.

33 So technically the new commissioners aren't even -- have --
34 have no authority until January 7th.

35 COMMISSIONER WAITS: They're sworn in but north already.
36 Okay. We've already canceled --

37 KEITH WESTENGARD: So --

38 COMMISSIONER WAITS: -- the 10th. So I'll make a motion
39 that we change our commission meeting to January 7th at 9:00
40 a.m.

1 COMMISSIONER ALLAN: Nope. Wait.
2 KEITH WESTENGARD: I needed to finish. I'm sorry. I'm
3 sorry, Commissioner Waits.
4 I talked with Judge Shirley. He will be available at 1:30
5 on that day. He's got a -- a commitment in the morning.
6 So I would request that the meeting -- the special meeting
7 be changed to January 7th at 1:30 in the chambers. Judge
8 Shirley will do the swearing in. And then the special meeting
9 will take place.
10 COMMISSIONER WAITS: Why -- why can't they continue to be
11 sworn in on the 2nd? He had it set aside.
12 COMMISSIONER ALLAN: We can't swear them in -- we can't
13 swear in till the 7th.
14 DISTRICT ATTORNEY HERRERA: No, you can swear in --
15 COMMISSIONER WAITS: Oh, I thought we --
16 DISTRICT ATTORNEY HERRERA: -- before.
17 COMMISSIONER WAITS: -- could. No. They have no authority
18 till the 7th.
19 DISTRICT ATTORNEY HERRERA: You can swear in beforehand.
20 COMMISSIONER WAITS: Yeah.
21 DISTRICT ATTORNEY HERRERA: In fact --
22 COMMISSIONER WAITS: We can --
23 COMMISSIONER ALLAN: Oh.
24 DISTRICT ATTORNEY HERRERA: -- Judge Bunch --
25 COMMISSIONER WAITS: Yeah.
26 DISTRICT ATTORNEY HERRERA: -- is having --
27 COMMISSIONER ALLAN: Okay.
28 DISTRICT ATTORNEY HERRERA: -- a swearing in ceremony.
29 COMMISSIONER WAITS: Yeah. Let them go ahead with the 2nd
30 on their swearing --
31 DISTRICT ATTORNEY HERRERA: On the --
32 COMMISSIONER WAITS: -- in.
33 DISTRICT ATTORNEY HERRERA: -- 4th. Just -- just to let
34 you know, Judge Bunch is swearing in people on the 4th.
35 COMMISSIONER CLARK: On the 4th. Didn't you get your
36 notice?
37 COMMISSIONER WAITS: No.
38 COMMISSIONER CLARK: Email.
39 COMMISSIONER BAKKER: Oh. Okay.
40 COMMISSIONER WAITS: It wasn't there last -- yesterday

1 afternoon.

2 COMMISSIONER BAKKER: So does --

3 COMMISSIONER CLARK: Oh, it --

4 COMMISSIONER ALLAN: -- the 4th --

5 COMMISSIONER CLARK: -- was sent --

6 COMMISSIONER BAKKER: -- work for you --

7 COMMISSIONER CLARK: -- a week ago.

8 COMMISSIONER BAKKER: -- guys?

9 COMMISSIONER WAITS: Okay. So we have to move it to the

10 2nd at 1:30 in the afternoon?

11 KEITH WESTENGARD: Seventh.

12 COMMISSIONER BAKKER: The seventh.

13 COMMISSIONER WAITS: I mean the 7th --

14 COMMISSIONER CLARK: The 7th.

15 COMMISSIONER WAITS: -- at 1:30 in the afternoon?

16 KEITH WESTENGARD: That -- that's when Judge Shirley will

17 be here to do the swearing in.

18 And then actually j- -- the 7th --

19 COMMISSIONER BAKKER: Well, if everyone gets sworn in on

20 the 2nd or 4th, they can do the regular meeting at 9:00 on the

21 7th.

22 COMMISSIONER WAITS: Yeah.

23 COMMISSIONER CLARK: I won't -- I won't --

24 COMMISSIONER WAITS: That's what I'm saying. Go --

25 CHAIRMAN MILLS: If you miss --

26 COMMISSIONER WAITS: -- ahead --

27 CHAIRMAN MILLS: -- anyone --

28 COMMISSIONER WAITS: -- with the swearing in.

29 COMMISSIONER BAKKER: Yeah.

30 COMMISSIONER WAITS: Because nobody's coming from -- from

31 the southern end. You're all local; right?

32 KEITH WESTENGARD: How -- however the commission --

33 CHAIRMAN MILLS: So --

34 KEITH WESTENGARD: -- would like to do it.

35 COMMISSIONER WAITS: Yeah.

36 COMMISSIONER BAKKER: All the --

37 COMMISSIONER WAITS: Okay.

38 COMMISSIONER BAKKER: -- electeds --

39 KEITH WESTENGARD: I'm just saying --

40 COMMISSIONER BAKKER: -- are sworn in --

1 KEITH WESTENGARD: -- when Judge Shirley's --
2 COMMISSIONER WAITS: Okay.
3 COMMISSIONER BAKKER: -- before the --
4 COMMISSIONER WAITS: Okay.
5 COMMISSIONER BAKKER: -- 7th.
6 KEITH WESTENGARD: -- available.
7 COMMISSIONER WAITS: So -- so my motion --
8 COMMISSIONER BAKKER: Kathy --
9 COMMISSIONER WAITS: -- my motion is -- okay. We change
10 the meeting date that we had on the 2nd to the 7th at 9:00 a.m.
11 for a regular commission meeting.
12 COMMISSIONER BAKKER: Second.
13 There we go.
14 And Kathy gets sworn in before the 7th.
15 DISTRICT ATTORNEY HERRERA: The 4th --
16 CHAIRMAN MILLS: Were you saying the --
17 DISTRICT ATTORNEY HERRERA: -- with --
18 CHAIRMAN MILLS: -- 2nd --
19 DISTRICT ATTORNEY HERRERA: -- Judge Bunch.
20 CHAIRMAN MILLS: -- the date or --
21 COMMISSIONER ALLAN: No.
22 CHAIRMAN MILLS: -- or second the motion.
23 COMMISSIONER BAKKER: Seconding the motion.
24 CHAIRMAN MILLS: Okay.
25 COMMISSIONER BAKKER: I will second Patsy's motion.
26 CHAIRMAN MILLS: Okay. Patsy made a motion. Sean
27 seconded.
28 Do we have any public comment?
29 (No comment.)
30 CHAIRMAN MILLS: All in favor?
31 COMMISSIONER BAKKER: Aye.
32 COMMISSIONER CLARK: Aye.
33 COMMISSIONER WAITS: Aye.
34 COMMISSIONER ALLAN: Aye.
35 KEITH WESTENGARD: And cancel the 10th; right?
36 COMMISSIONER WAITS: Right.
37 COMMISSIONER ALLAN: Well, that's --
38 COMMISSIONER WAITS: But we've already --
39 COMMISSIONER ALLAN: -- already been --
40 COMMISSIONER WAITS: -- canceled the --

1 COMMISSIONER ALLAN: -- canceled.
2 COMMISSIONER WAITS: -- 10th.
3 COMMISSIONER BAKKER: Ron is -- you've got --
4 CHAIRMAN MILLS: I --
5 COMMISSIONER BAKKER: -- a conflict?
6 SHERIFF RON UNGER: No. I have no conflict. I just -- I'm
7 just waiting to see.
8 Right now you have -- you've got a county commission
9 meeting set up for the 2nd. So you're going to -- you're going
10 to --
11 CHAIRMAN MILLS: That's canceled.
12 SHERIFF RON UNGER: -- revert after the --
13 COMMISSIONER BAKKER: That's canceled.
14 SHERIFF RON UNGER: -- 2nd.
15 COMMISSIONER BAKKER: Yep.
16 COMMISSIONER WAITS: No commission meeting on the 2nd.
17 COMMISSIONER BAKKER: Right.
18 COMMISSIONER ALLAN: Commission --
19 SHERIFF RON UNGER: You had it --
20 COMMISSIONER ALLAN: -- meeting on the --
21 SHERIFF RON UNGER: -- set up --
22 COMMISSIONER ALLAN: -- 7th.
23 SHERIFF RON UNGER: -- for a commission meeting. You're
24 going to change --
25 KEITH WESTENGARD: Yes.
26 SHERIFF RON UNGER: -- that to the 7th?
27 COMMISSIONER BAKKER: Yes.
28 SHERIFF RON UNGER: That's what I needed.
29 KEITH WESTENGARD: Yep.
30 COMMISSIONER WAITS: And that was okayed with the Clerk's
31 Office before; right?
32 Okay. I'm -- since you had it on the agenda, I assumed it
33 was. Okay. Thank you.
34 COMMISSIONER BAKKER: Okay.
35 COMMISSIONER ALLAN: Did we vote all in favor?
36 COMMISSIONER BAKKER: Aye.
37 CHAIRMAN MILLS: Yes.
38 COMMISSIONER WAITS: Yeah.
39 COMMISSIONER ALLAN: Aye.
40 COMMISSIONER WAITS: We did aye.

1 COMMISSIONER BAKKER: Oh.
2 COMMISSIONER WAITS: Yeah.
3 COMMISSIONER BAKKER: Okay.
4 COMMISSIONER ALLAN: Oh, okay.

5
6
7 **FINANCE**

8
9 **11) Discussion and possible action to approve/disapprove**
10 **Resolution 2018-15 establishing a petty cash account for the**
11 **Lander County Health Nurse in an amount not to exceed \$100,**
12 **and all other matters properly related thereto.**

13
14 CHAIRMAN MILLS: Item 11. Discussion, possible to
15 approve/disapprove Resolution 2018-15 establishing a petty cash
16 account for the Lander County health nurse, --

17 COMMISSIONER WAITS: Go for it, Sean.

18 CHAIRMAN MILLS: -- in an amount not --

19 COMMISSIONER BAKKER: Okay.

20 CHAIRMAN MILLS: -- to exceed \$100, and all other matters
21 properly related thereto.

22 COMMISSIONER ALLAN: I'll make a motion that we --

23 COMMISSIONER BAKKER: Didn't have to.

24 COMMISSIONER ALLAN: -- approve a Resolution 2018-15
25 establishing a petty cash account for the Lander County health
26 nurse in an amount not to exceed a hundred dollars.

27 COMMISSIONER BAKKER: Second.

28 CHAIRMAN MILLS: Judie made a motion. Sean seconded.
29 Do we have any public comment?

30 COMMISSIONER ALLAN: Do I have to read the resolution?

31 COMMISSIONER WAITS: He's going to make you read --

32 CHAIRMAN MILLS: Oh, do we --

33 COMMISSIONER BAKKER: -- it in.

34 CHAIRMAN MILLS: Oh. Do we --

35 DISTRICT ATTORNEY HERRERA: Typically --

36 CHAIRMAN MILLS: -- have --

37 DISTRICT ATTORNEY HERRERA: -- yes.

38 COMMISSIONER ALLAN: All --

39 CHAIRMAN MILLS: All --

40 COMMISSIONER ALLAN: -- right.

1 CHAIRMAN MILLS: -- right. We'll have to read it.
2 COMMISSIONER ALLAN: Resolution Number 2018-15 of the Board
3 of Lander County Commissioners, a res- -- a resolution to
4 establish a revolving petty cash fund for the Lander County
5 health nurse within the fiscal year 2018-2019 budget in the
6 amount of a hundred dollars.
7 Whereas Nevada Revised Statute 354.609 requires that
8 establishing a petty cash account has to be approved by the
9 Lander County Board of Commissioners, whereas the need for a
10 petty cash fund to facilitate daily operations of the Lander
11 County health nurse -- nurse has been established, whereas the
12 source of funds has been identified as a service and supplies
13 line item within the health nurse -- nurse activity of the
14 Indigent Fund 003 in the fiscal year 2018-19 Lander County
15 budget.
16 Now therefore be it resolved that the Lander County Board
17 of Commissioners hereby approves the amount of a hundred dollars
18 designated for use as a revolving petty cash account for the
19 Lander County health nurse be created and accounted in a
20 separate line item entitled "Health Nurse Petty Cash" within the
21 Indigent Fund 003 Health Nurse Activity 040, passed and adopted
22 this 29th day of November, 2018.
23 CHAIRMAN MILLS: Okay. So motion's been made and seconded
24 and has been read into the record.
25 All in favor?
26 COMMISSIONER CLARK: Aye.
27 COMMISSIONER BAKKER: Aye.
28 COMMISSIONER ALLAN: Aye.
29 COMMISSIONER WAITS: Aye.
30 CHAIRMAN MILLS: Aye.
31 COMMISSIONER BAKKER: Too bad all the decisions couldn't be
32 made that easy.
33 CHAIRMAN MILLS: I know.
34
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1 **CORRESPONDENCE**

2
3 **12) Correspondence, reports, potential upcoming agenda items.**

4
5 CHAIRMAN MILLS: Item 12. Correspondence, reports,
6 potential upcoming agenda items.

7
8 (The following correspondence was received:

9 1. Monthly reports to the Lander County Commissioners,
10 October 2018.

11 2. United States Department of the Interior, Bureau of
12 Land Management, Mount Lewis Field Office, letter dated October
13 23, 2018, regarding Draft Environmental Impact Statement for a
14 proposal by Barrick Cortez, Inc., to expand the Cortez Hills
15 Project.

16 3. United States Department of the Interior, Bureau of
17 Land Management, Mount Lewis Field Office, letter dated November
18 16, 2018, to Interested Public, regarding the 2018 Crum Fire
19 Wildfire Management and Livestock Closure Decision.

20 4. United States Department of the Interior, Bureau of
21 Land Management, Mount Lewis Field Office, letter dated November
22 16, 2018, to Interested Public, regarding the 2018 Power Fire
23 Wildfire Management and Livestock Closure Decisions.)

24
25 COMMISSIONER BAKKER: Parking lot.

26 KEITH WESTENGARD: Got it.

27 COMMISSIONER BAKKER: Okay.

28 COMMISSIONER CLARK: We got all that stuff.

29 COMMISSIONER BAKKER: Anyone else?

30 KEITH WESTENGARD: (To Jeanne Falzone.) Yeah.

31 CHAIRMAN MILLS: Nope?
32
33

34 **PUBLIC COMMENT**

35
36 CHAIRMAN MILLS: Okay. We'll go to public comment. Public
37 comment for nonagendized items only.

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

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

6 Do we have any public comment?
7 (No comment.)

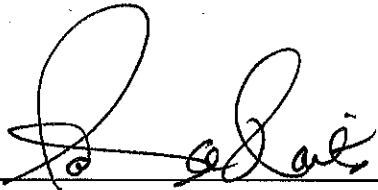
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9

10 **ADJOURNMENT**

11
12 COMMISSIONER CLARK: Make a motion to adjourn.
13 COMMISSIONER BAKKER: Second.
14 COMMISSIONER ALLAN: Second.
15 COMMISSIONER CLARK: Aye.
16 COMMISSIONER WAITS: Aye.

17
18 (Meeting adjourned at 12:42 p.m.)
19

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CHAIRMAN OR VICE CHAIRMAN OF THE
BOARD OF LANDER COUNTY
COMMISSIONERS AND THE LANDER
COUNTY LIQUOR BOARD

32
33 ATTEST: Sadie Sullivan
34 LANDER COUNTY CLERK
35

36
37
38
39
40

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

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

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"
10
11 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE
12
13 THE 29TH DAY OF NOVEMBER, 2018, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO/VIDEO RECORDING ALLOWED.
20

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

25
26 _____
27 TIFFANY ELKINGTON, CCR #930
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<p>ANNA PENOLA: [58] 47/28 69/8 69/10 69/20 69/36 69/38 69/40 70/2 70/26 70/30 70/32 70/35 70/37 70/39 71/1 71/9 71/11 71/14 71/16 71/18 71/24 71/26 71/28 71/30 71/32 72/13 72/15 72/17 72/19 72/22 72/24 72/30 72/34 72/37 73/1 73/3 73/5 73/11 73/13 73/15 73/17 73/19 73/23 73/27 73/31 73/33 73/35 73/39 74/3 74/7 74/9 74/18 74/20 74/22 74/29 74/40 75/2 75/4</p> <p>BART NEGRO: [25] 95/35 95/37 95/39 96/1 96/38 97/1 97/7 97/17 97/19 97/22 97/24 97/27 97/29 97/32 99/35 99/37 101/18 101/20 102/21 102/23 102/26 102/28 102/30 102/32 103/1</p> <p>BERT RAMOS: [1] 56/19</p> <p>CHAIRMAN MILLS: [397]</p> <p>COMMISSIONER ALLAN: [282]</p> <p>COMMISSIONER BAKKER: [434]</p> <p>COMMISSIONER CLARK: [370]</p> <p>COMMISSIONER WAITS: [403]</p> <p>COUNTY CLERK SULLIVAN: [20] 22/22 22/24 30/33 30/35 30/37 30/39 31/7 31/15 31/18 31/21 31/23 31/25 31/34 31/38 31/40 101/1 101/3 103/26 103/32 103/34</p> <p>DEPUTY DISTRICT ATTORNEY FORGERON: [8] 14/30 15/34 16/2 16/22 17/9 17/25 17/27 17/30</p> <p>DISTRICT ATTORNEY 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84/36 85/4 85/7 85/12 85/16 85/18 85/21 86/7 86/9 86/11 86/21 86/40 87/3 87/6 87/9 87/11 87/28 87/30 87/32 87/34</p> <p>JEANNE FALZONE: [6] 13/40 14/17 82/28 82/35 83/3 156/14</p> <p>JODI MOORE: [4] 9/10 43/17 43/25 43/28</p> <p>JOSEPH RAMOS: [140] 49/23 49/26 49/28 52/27 52/34 52/36 53/6 53/9 53/12 53/15 53/22 53/24 53/29 53/31 54/2 54/34 55/2 55/29 57/5 57/16 57/18 57/21 59/15 60/15 60/18 60/34 63/20 63/23 63/27 63/29 63/31 63/33 63/35 63/37 63/39 64/2 64/20 64/23 64/25 103/16 103/21 103/24 104/14 106/13 107/17 107/19 107/22 107/25 116/15 116/22 116/28 116/37 117/2 117/10 117/13 117/15 117/34 118/8 118/11 120/12 120/14 120/22 120/25 120/27 120/32 120/35 120/39 121/4 121/7 121/15 124/21 124/30 126/40 127/2 127/38 128/25 128/27 128/29 129/1 129/3 129/10 129/12 129/14 135/3 135/8 135/13 135/26 135/28 136/3 136/5 136/7 136/12 136/21 136/23 136/25 136/27 136/29 136/35 136/39 137/34 137/36 144/31 144/33 144/35 144/37 144/39 145/1 145/3 153/9 153/11 153/16 153/19 153/22 153/25 153/27 153/29 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