

1 The Honorable Board of Lander County Commissioners met in
2 special session in the Commission Chambers of the Lander County
3 Courthouse and Administration Building in Battle Mountain,
4 Nevada, 50 State Route 305, on December 31, 2018, at 9:59 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 (VIA**
15 **TELEPHONE)**
16
17

18 (Let the record reflect the presence of a quorum of five
19 commissioners. Let the record reflect the presence of Austin
20 and District Attorney Ted Herrera via teleconference.)
21

22
23 CHAIRMAN MILLS: So I call to order this special agenda,
24 Lander County Commission meeting, Town Board of Battle Mountain
25 and Austin, Board of County Highway Commissioners, December
26 31st, 2018.

27 Please join us for the Pledge of Allegiance.

28 Sean, will you lead us?

29 COMMISSIONER BAKKER: Yep.
30

31 (Pledge of Allegiance)
32

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

36 (Moment of silence)
37

38 CHAIRMAN MILLS: Okay. Thank you.

39 Lander County Commissioners may break for lunch from 12:00
40 p.m. to 1:15 p.m. Any agenda item may be taken out of order,

1 may be combined for consideration by the public body, and items
2 may be pulled or removed from the agenda at any time.

3 Keith, this is a special meeting. We can skip the
4 commissioner reports and staff reports?

5 KEITH WESTENGARD: If you'd like, yeah. There's -- I've
6 got a few little things, but I can save it.

7 CHAIRMAN MILLS: Do any of you guys have anything?

8 COMMISSIONER WAITS: Oh, sure.

9 CHAIRMAN MILLS: All right. We'll --

10 COMMISSIONER WAITS: But --

11 CHAIRMAN MILLS: -- do --

12 COMMISSIONER WAITS: -- but you could skip it if you want
13 to. I mean, that's --

14 COMMISSIONER BAKKER: Yeah.

15 COMMISSIONER WAITS: -- fine if --

16 CHAIRMAN MILLS: All right. Let's --

17 COMMISSIONER WAITS: It's up to you --

18 CHAIRMAN MILLS: -- let's just do --

19 COMMISSIONER WAITS: -- guys.

20 CHAIRMAN MILLS: -- a staff report.

21
22
23 **STAFF REPORTS**

24
25 KEITH WESTENGARD: Mine's real quick. It has to do with
26 Ken Brown.

27 CHAIRMAN MILLS: Oh, yeah.

28 KEITH WESTENGARD: Did you guys each get copies of this
29 from Ken?

30 It says his update on the sage grouse. And then there's
31 also another update here that has to do with exporting of fresh
32 and frozen and cooked beef.

33 But the sage grouse is actually important to us. If you
34 guys would like, I'll give you copies.

35 That's all. Thank you.

36 CHAIRMAN MILLS: Thanks.

1 **PUBLIC COMMENT**

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

5 Persons are invited to submit comment in writing and/or
6 attend and make comment on any nonagenda item at the board
7 meeting, if any, --

8
9 (Child talking.)

10
11 CHAIRMAN MILLS: -- and discussion of those comments at the
12 discretion of the board. All public comment may be limited to
13 three minutes per person, again at the discretion of the board.
14 Reasonable restrictions may be placed on public comment based
15 upon time, place, and manner, but public comment based upon
16 viewpoint may not be restricted.

17 Do we have any public comment?

18 (No comment.)

19
20 (Child talking.)

21
22
23 **CONSENT AGENDA**

24
25 CHAIRMAN MILLS: Okay. We'll move to the consent agenda.
26 All matters listed under the consent agenda are considered
27 routine and may be acted upon by the Board of County
28 Commissioners with one action, without extensive discussion.
29 Any member of the board or any citizen may request an item be
30 taken from the consent agenda, discussed, and acted upon
31 separately during the meeting.

32
33 (Child talking.)

34
35 CHAIRMAN MILLS: Consent agenda materials are available at
36 the Lander County Clerk's Office for viewing, and copies are
37 available for a nominal charge.

38 One, approval of December 31, 2018, agenda notice; two,
39 approval of D- -- November 8, 2018, meeting minutes; three,
40 approval Novem- -- November 29, 2018, meeting minutes; four,

1 approval of December 13, 2018, meeting minutes; approval of the
2 payment of bills; and approval of payroll change requests.

3 COMMISSIONER WAITS: We need to pull the agenda notice and
4 all the meeting minutes.

5 COMMISSIONER BAKKER: Okay.

6 So let's pull the -- what'd you -- what's wrong with the
7 agenda notice?

8 COMMISSIONER WAITS: We have to pull it to talk about it.

9 COMMISSIONER BAKKER: Okay.

10 I'll make a motion to -- well, we can't approve the rest
11 until we pull the agenda notice and talk about it.

12

13 (Child talking.)

14

15 CHAIRMAN MILLS: Yeah. Let's do that first.

16 COMMISSIONER BAKKER: Yeah. That's what I mean.

17 COMMISSIONER WAITS: Okay.

18 CHAIRMAN MILLS: No point in moving on with the agenda if
19 we don't approve it.

20 COMMISSIONER WAITS: That's fine. You can approve it with
21 the others.

22 Yeah. Actually, the time frame that it was sent out was
23 earlier. And it was posted earlier than the date that was so
24 noticed on the 26th of December.

25

26 (Child talking.)

27

28 COMMISSIONER WAITS: And that wasn't quite right. It was
29 done on an earlier date. And that should have been changed to,
30 I believe, the 19th. So we need to change the notice date of
31 the 19th of December on that -- of being posted.

32 COMMISSIONER BAKKER: Okay.

33 So I'll make a motion to approve the agenda notice with the
34 amended 19th December date for the posting and approve the
35 payment of the bills and the payroll change requests.

36 COMMISSIONER WAITS: Second.

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

39 Do we have any public comment?

40 (No comment.)

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

8
9

10 **COMMISSIONERS**

11

12 1) **Discussion and possible action with regard to the**
13 **modification of Lander County Code 9.28, County Fire**
14 **Department; to update the ordinance to include the whole**
15 **county and direction from the county commissioners as to what**
16 **other matters, if any, should be included in the ordinance;**
17 **and all other matters properly related thereto.**

18

19 CHAIRMAN MILLS: Okay. Item Number 1.

20 Discussion and possible action with regard to the
21 modification of Lander County Code 9.28, Lander County Fire
22 Department; to update the ordinance to include the whole county
23 and direction from the county commissioners as to what other
24 matters, if any, should be included in the ordinance; and all
25 other matters properly related thereto.

26 So as I understand it, our ordinance only covers -- only
27 allows the fire department to work in Hill Top.

28 KEITH WESTENGARD: That's correct.

29 So at -- at some previous meetings it's been discussed that
30 the commission would give -- would ask the DA to update the
31 ordinance to include the whole county.

32 COMMISSIONER BAKKER: For all three fire departments,
33 though.

34 KEITH WESTENGARD: Right. Right.

35 COMMISSIONER BAKKER: And --

36 KEITH WESTENGARD: Yeah.

37 COMMISSIONER BAKKER: -- Austin, Kingston, and Battle
38 Mountain, to cover the whole county.

39 KEITH WESTENGARD: Yeah.

40 So however you would like to approach this. And I -- Ted's

1 on the phone, I believe. Ted?
2 DISTRICT ATTORNEY HERRERA: Yes. Yes.
3 KEITH WESTENGARD: Yeah. So the direction that you would
4 like to ask the DA to go with fixing the ordinance is what this
5 one's about.
6 COMMISSIONER BAKKER: Okay.
7 Any other suggestions?
8 CHAIRMAN MILLS: No. We just --
9 COMMISSIONER ALLAN: I think it's pretty clear.
10 CHAIRMAN MILLS: -- need to cover the county.
11 COMMISSIONER ALLAN: Yeah.
12 COMMISSIONER BAKKER: So, Theodore, do you need a motion or
13 a direction?
14 DISTRICT ATTORNEY HERRERA: Well, just direction.
15 I -- I -- I've been handed down a copy of the ordinance to
16 everybody I could find and said, give me some suggestions on
17 what you'd want.
18 I -- I gave Bart, Ron --
19 But nobody gets back to me.
20 So I -- I just need some direction from the county
21 commissioners to what you w- -- I'll -- I'll do a proposed
22 authority -- ordinance up. You need to tell me what you want in
23 it.
24 COMMISSIONER BAKKER: Well, Ron's here too. So --
25 DISTRICT ATTORNEY HERRERA: Any suggestions would be great.
26 SHERIFF RON UNGER: Ron Unger, for the record, assistant
27 fire chief.
28 And the district attorney is correct. He did give myself,
29 Bart, and several other people a copy of the old ordinance.
30 But it was our understanding -- and I've confirmed this
31 with Bart -- that it -- Ted was going to try to get ahold of us
32 and we were going to sit down and go over it as a group.
33 So I would suggest if you want to continue that, we would
34 still like to do that.
35 COMMISSIONER BAKKER: Theodore, you got that?
36 DISTRICT ATTORNEY HERRERA: I got it. All you have to do
37 is give me direction. And I'll try to get with both of them,
38 you know. That -- I -- I thought they were just going to write
39 something down for me. So it was a misunderstanding. But I'll
40 certainly get with Ron and Bart.

1 But -- but I would appreciate it if you guys give me
2 direction to go ahead and do it.

3 COMMISSIONER BAKKER: Okay. Well, with --

4 CHAIRMAN MILLS: Okay.

5 COMMISSIONER BAKKER: -- that, --

6 DISTRICT ATTORNEY HERRERA: And by motion would be
7 preferable.

8 COMMISSIONER BAKKER: I got you.

9 CHAIRMAN MILLS: All right.

10 COMMISSIONER BAKKER: So I'll make a motion to respectfully
11 request the district attorney write up our fire ordinance for
12 Lander County including all three fire departments to cover the
13 whole county and authority to --

14
15 (Child talking.)

16
17 COMMISSIONER BAKKER: -- do so.

18 COMMISSIONER WAITS: I'll second the motion.

19 CHAIRMAN MILLS: Okay. Sean made a motion. Patsy
20 seconded.

21 Do we have any public comment?

22 (No comment.)

23 CHAIRMAN MILLS: All in favor?

24 COMMISSIONER BAKKER: Aye.

25 CHAIRMAN MILLS: Aye.

26 COMMISSIONER ALLAN: Aye.

27 COMMISSIONER WAITS: Aye.

28 COMMISSIONER CLARK: Aye.

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1 2) Discussion and possible action to thank the Honorable Justice
2 of the Peace Max W. Bunch for his service to Lander County
3 both judicially and in his role as point person in the
4 construction of the Lander County Courthouse Administration
5 Building and to establish a process for him to turn over the
6 building access programming equipment and all other equipment
7 and/or duties pertaining to the courthouse and administration
8 building to the county manager upon his retirement from
9 office, and all other matters properly related thereto.
10

11 CHAIRMAN MILLS: Okay. Item 2.

12 Discussion and possible action to thank the Honorable
13 Justice of the Peace Max W. Bunch for his service to Lander
14 County both judicially and in his role as point person for the
15 construction of the Lander County Courthouse Administration
16 Building and to establish a process for him to turn over the
17 building access programming equipment and all other equipment
18 and/or duties pertaining to the courthouse and administration
19 building to the county manager upon his retirement from office,
20 and all other matters properly related thereto.

21 COMMISSIONER BAKKER: Hey, Bert, can you go get Max?

22 BERT RAMOS: Sure.

23 UNIDENTIFIED PARTICIPANT: I think he's in court.

24 SHERIFF RON UNGER: He may be in --

25 UNIDENTIFIED PARTICIPANT: He's missing --

26 SHERIFF RON UNGER: -- court.

27 COMMISSIONER BAKKER: He's -- yeah, but he said go grab him
28 or something. So --

29 BERT RAMOS: Yeah. Like half these people, we can put my
30 items up.

31 COMMISSIONER WAITS: So --

32 COMMISSIONER CLARK: You don't have any warrants, do you?

33 CHAIRMAN MILLS: Yeah. You might not get out.

34 COMMISSIONER WAITS: So, Keith, have -- have you talked to
35 Max about turning in? Because we've asked for these keys for
36 the last couple years, --

37 CHAIRMAN MILLS: Yeah.

38 COMMISSIONER WAITS: -- and we still don't have them.

39 So have you spoken with him about today is his last day,
40 that he's turning them over with you or made -- nothing?

1 KEITH WESTENGARD: No, I have not. There's been some very
2 brief discussions on things that are supposed to be happening.
3 But no.
4 So I -- I don't know what -- where we're at, what we're
5 doing. There's supposed to be somebody that's coming in in the
6 next couple weeks to upgrade some things.
7 I -- I -- I don't have a solid answer because I don't know.
8 COMMISSIONER BAKKER: Well, on a different note, Kathy, I'm
9 going to be turning my keys in to Keith today. So you can pick
10 them up from him, for the building and your office.
11 KATHLEEN ANCHO: Oh. I'll take care of that on Wednesday.
12 COMMISSIONER BAKKER: Okay.
13 COMMISSIONER WAITS: So you want to move down to Number 4?
14 COMMISSIONER BAKKER: Yeah. He just left too.
15 COMMISSIONER ALLAN: Well, why don't we go to 5? Oh, no.
16 We --
17 KEITH WESTENGARD: Maybe 5.
18 COMMISSIONER ALLAN: -- can't.
19 KEITH WESTENGARD: Yeah.
20 COMMISSIONER ALLAN: Four? Yeah, let's --
21 COMMISSIONER CLARK: Bert's not --
22 COMMISSIONER ALLAN: -- go to --
23 COMMISSIONER CLARK: -- here --
24 COMMISSIONER ALLAN: -- 5.
25 COMMISSIONER CLARK: -- for 4.
26 COMMISSIONER WAITS: Five?
27 COMMISSIONER CLARK: Yeah. Five.
28 COMMISSIONER BAKKER: Yeah.
29 COMMISSIONER ALLAN: Yeah.
30 COMMISSIONER BAKKER: That's easy.
31 COMMISSIONER ALLAN: Because Bert's gone. And --
32 CHAIRMAN MILLS: All right.
33 So we'll table Item Number 3. No. What item are we on?
34 KEITH WESTENGARD: Two.
35 CHAIRMAN MILLS: Two.
36 COMMISSIONER BAKKER: Let's just skip to 5, though, real
37 quick.
38 COMMISSIONER WAITS: Yeah. We're just going --
39 COMMISSIONER ALLAN: Yeah. We'll do 5 --
40 COMMISSIONER WAITS: -- out of order.

1 COMMISSIONER ALLAN: -- real quick.
2 CHAIRMAN MILLS: What's that?
3 COMMISSIONER BAKKER: It should --
4 BERT RAMOS: He's on his way.
5 COMMISSIONER BAKKER: Just do --
6 CHAIRMAN MILLS: He's --
7 COMMISSIONER BAKKER: -- 5, then.
8 CHAIRMAN MILLS: All right.
9 We're going to table Number 2 for a minute and move on to
10 Number 5.

11
12 5) Discussion and possible action to approve/disapprove alcohol
13 at the Battle Mountain firehall on December 24, 2018, through
14 January 1, 2019, for the Battle Mountain Volunteer Fire
15 Department annual fundraising event, and all other matters
16 properly related thereto.
17

18 CHAIRMAN MILLS: Discussion, possible action to
19 approve/disapprove alcohol at the Battle Mountain firehall on
20 December 24th, 2018, through January 1, 2019, for the Battle
21 Mountain Volunteer Fire Department annual fundraising event, and
22 all other matters properly related thereto.

23 COMMISSIONER BAKKER: Well, that date's --

24 CHAIRMAN MILLS: So --

25 SHERIFF RON UNGER: They need --

26 CHAIRMAN MILLS: -- we were -- we were discussing this. We
27 thought we'd had, in a previous approval of this, done a
28 perpetual one that took care of that for --

29 COMMISSIONER BAKKER: Yeah. In perpetuity. So it just --

30 CHAIRMAN MILLS: -- ever.

31 COMMISSIONER BAKKER: -- kept -- we didn't have to keep
32 approving it.

33 CHAIRMAN MILLS: But aren't -- we also understand that we
34 tried to look that up and couldn't find it on the record.

35 So I kind of recommend that we just go ahead and do that
36 and get it done.

37 Is that -- anyone object to that?

38 COMMISSIONER ALLAN: No. I -- I'll make a motion that we
39 approve alcohol at the Battle Mountain firehall on December 24th
40 through January 1st, 2019, for the Battle Mountain Volunteer

1 Fire Department annual fundraising event.
2 CHAIRMAN MILLS: Can we do it --
3 COMMISSIONER BAKKER: It's the 31st, but --
4 COMMISSIONER ALLAN: Well, no, because we'll have --
5 CHAIRMAN MILLS: Well, --
6 COMMISSIONER ALLAN: -- tomorrow.
7 CHAIRMAN MILLS: -- if they're going to do that day too.
8 But can we -- can we do the motion to go --
9 COMMISSIONER BAKKER: In perpetuity.
10 COMMISSIONER WAITS: Retroactive?
11 CHAIRMAN MILLS: Or in perpetuity, --
12 COMMISSIONER ALLAN: I think --
13 COMMISSIONER CLARK: Yeah.
14 CHAIRMAN MILLS: -- forever.
15 COMMISSIONER ALLAN: -- it --
16 COMMISSIONER BAKKER: Ted?
17 COMMISSIONER ALLAN: -- needs --
18 CHAIRMAN MILLS: So we don't --
19 COMMISSIONER ALLAN: -- to be on the --
20 CHAIRMAN MILLS: -- have to keep doing --
21 COMMISSIONER ALLAN: -- agenda --
22 CHAIRMAN MILLS: -- this.
23 COMMISSIONER ALLAN: -- for in perpetuity.
24 DISTRICT ATTORNEY HERRERA: Yeah. I -- I think you can
25 make a policy decision. And -- and as it's agendized you can do
26 that if you wish.
27 COMMISSIONER ALLAN: Well, we can just go for future?
28 DISTRICT ATTORNEY HERRERA: Five years is what you probably
29 should -- you probably shouldn't go anything over five years, to
30 be honest.
31 COMMISSIONER ALLAN: Okay.
32 CHAIRMAN MILLS: Want to do --
33 COMMISSIONER ALLAN: So --
34 CHAIRMAN MILLS: -- it five --
35 COMMISSIONER ALLAN: -- I'll --
36 CHAIRMAN MILLS: -- years, --
37 COMMISSIONER ALLAN: -- make a motion, --
38 CHAIRMAN MILLS: -- then.
39 COMMISSIONER ALLAN: -- then, that we approve alcohol at
40 the Battle Mountain firehall from December 24th through January

1 1st beginning 2018 and continuing on until two --
2
3 (Music playing.)
4
5 COMMISSIONER BAKKER: Twenty --
6 COMMISSIONER ALLAN: -- thousand -- 2014. Or 2024.
7 COMMISSIONER BAKKER: Second.
8 CHAIRMAN MILLS: Okay. Judie made a motion. Sean
9 seconded.
10
11 (Music stopped.)
12
13 CHAIRMAN MILLS: There we go.
14 Judie made a --
15 COMMISSIONER WAITS: If --
16 CHAIRMAN MILLS: -- (indiscernible) motion. Sean seconded.
17 COMMISSIONER WAITS: Two thousand --
18 CHAIRMAN MILLS: Do we have any --
19 COMMISSIONER WAITS: 2024?
20 SHERIFF RON UNGER: Five years.
21 CHAIRMAN MILLS: It'd be five years.
22 COMMISSIONER ALLAN: Five years.
23 SHERIFF RON UNGER: That's what Ted recommended.
24 COMMISSIONER WAITS: '18, '19, '20, '21, '22.
25 SHERIFF RON UNGER: '19. '20. Well, I see --
26 COMMISSIONER WAITS: No, it's the --
27 COMMISSIONER ALLAN: Twenty --
28 SHERIFF RON UNGER: -- where --
29 COMMISSIONER WAITS: -- 31st.
30 SHERIFF RON UNGER: -- you're going. I apologize.
31 CHAIRMAN MILLS: That'd be --
32 COMMISSIONER WAITS: It's -- it's to the --
33 CHAIRMAN MILLS: -- that'd be --
34 COMMISSIONER ALLAN: Well, --
35 COMMISSIONER WAITS: It's --
36 CHAIRMAN MILLS: -- '23.
37 COMMISSIONER WAITS: -- the '18.
38 COMMISSIONER ALLAN: -- but it goes -- but, I mean, we're
39 going to go through the -- through the 1st of the year. So I'm
40 -- I'm counting from --

1 COMMISSIONER WAITS: Just say five years.
2 COMMISSIONER ALLAN: Five years.
3 COMMISSIONER BAKKER: Second.
4 CHAIRMAN MILLS: Okay. Judie amended her motion. Sean
5 seconded.
6 Do we have any public comment?
7 COMMISSIONER BAKKER: Anyone opposed to having alcohol at
8 the firehall?
9 UNIDENTIFIED PARTICIPANT: Nope.
10 COMMISSIONER BAKKER: Good deal.
11 CHAIRMAN MILLS: All in favor?
12 COMMISSIONER BAKKER: Aye.
13 COMMISSIONER ALLAN: Aye.
14 CHAIRMAN MILLS: Aye.
15 COMMISSIONER WAITS: Aye.
16 COMMISSIONER ALLAN: BYOB.
17 COMMISSIONER CLARK: Aye.
18 COMMISSIONER BAKKER: Okay.
19 CHAIRMAN MILLS: Okay.
20 SHERIFF RON UNGER: Thank you very much, --
21 CHAIRMAN MILLS: Thanks.
22 SHERIFF RON UNGER: -- Commissioners.
23 COMMISSIONER CLARK: You're welcome, Ron.
24 CHAIRMAN MILLS: Back to --
25 COMMISSIONER BAKKER: Two.
26 CHAIRMAN MILLS: -- Number 2.
27

28 2) Discussion and possible action to thank the Honorable Justice
29 of the Peace Max W. Bunch for his service to Lander County
30 both judicially and in his role as point person in the
31 construction of the Lander County Courthouse Administration
32 Building and to establish a process for him to turn over the
33 building access programming equipment and all other equipment
34 and/or duties pertaining to the courthouse and administration
35 building to the county manager upon his retirement from
36 office, and all other matters properly related thereto.
37

38 CHAIRMAN MILLS: It's already been read into the record.
39 So we're dealing with tr- -- Max, we're dealing with
40 transferring the building access programming equipment and all

1 the equipment pertaining to the courthouse over to the county
2 manager. Do you have anything to help us out with that?

3 JUDGE MAX BUNCH: I -- I -- I have an update. We had
4 Tri-Signal was -- was supposed to have this project that you
5 guys had requested a long time ago that you directed me to do,
6 which is to allow each individual elected official to be able to
7 control their own doors.

8 I have numerous emails and texts to the president of the
9 company. And -- and he said that they were having a hard time
10 getting the equipment. We offered. They said the equipment was
11 in Reno. We offered, myself and Anna, to go there, pick up the
12 equipment, drive it to Battle Mountain so they could come and
13 install it. The only -- they won't reply to that information.

14 We signed or we gave approval back in July -- I believe
15 June or July -- to Tri-Signal to move forward with this program
16 so they could have it and that the training and everything would
17 be done.

18 I've -- there was one incident that I believe I made Keith
19 aware of in reference to the gentleman that was coming out to do
20 the work, his wife ended up in the hospital having surgery with
21 tumors.

22 So I'm not sure what's happened from that point. That was
23 about -- maybe mid-November of this year.

24 So that's still in the process. I don't have any problems
25 with -- with doing it. But you need to know that I don't -- I
26 didn't get any training either. I can make a card. That's
27 about it. I can be more than helpful to -- to do a card to
28 allow whomever.

29 COMMISSIONER ALLAN: Well, I think the issue is now is we
30 need to have -- have all of that information relayed to Keith.
31 And Keith can -- can carry on with the communication with
32 Tri-Signal and the coordinating and anything that needs to be
33 done, you know, as far as Keith making cards. Basically the
34 whole process is --

35 JUDGE MAX BUNCH: I can show him how to make a card.

36 COMMISSIONER ALLAN: Well, --

37 JUDGE MAX BUNCH: That's --

38 COMMISSIONER ALLAN: -- that's --

39 JUDGE MAX BUNCH: -- that's all I know.

40 COMMISSIONER ALLAN: And -- and -- and further, that, like

1 I said, any communi- -- any further communication with
2 Tri-Signal or anything to do with the security or surveillance,
3 then, Keith can handle that.
4 That there can be some emails sent out to Tri-Signal that
5 he's going to be the point person now.
6 And --
7 COMMISSIONER WAITS: So all -- all the keys and everything
8 else anyway that you have is turned in today when you leave;
9 right?
10 JUDGE MAX BUNCH: Turned in today when I leave?
11 COMMISSIONER BAKKER: The 7th.
12 COMMISSIONER WAITS: The 7th. I --
13 JUDGE MAX BUNCH: I -- I --
14 COMMISSIONER WAITS: Yeah.
15 JUDGE MAX BUNCH: I mean.
16 COMMISSIONER WAITS: It is all the 7th; isn't it? Yeah.
17 JUDGE MAX BUNCH: Leave -- we're talking about cards?
18 COMMISSIONER WAITS: Right. But we're talking about
19 everything.
20 JUDGE MAX BUNCH: Yeah. I -- I have -- I have a packet for
21 Anna, which are for the maintenance, the maintenance keys to --
22 to get into the mechanical and janitorial closets.
23 COMMISSIONER WAITS: Well, everything, all the keys. I
24 mean --
25 JUDGE MAX BUNCH: Yes.
26 COMMISSIONER WAITS: Yeah. So -- but -- but you're making
27 arrangements of -- of doing it. And that's -- that's what's on
28 here of everything, not just the programming and everything
29 you've been handling before. Because you'll pass on what you
30 know, what you do know, and that's all we can do.
31 And then -- then it's our headache again.
32 JUDGE MAX BUNCH: Sure.
33 COMMISSIONER WAITS: Thank you, Max.
34 COMMISSIONER BAKKER: What's the time frame for Tri-Signal
35 to be up?
36 JUDGE MAX BUNCH: I -- I wish I could answer that. I've --
37 I've asked them in my last email on Friday and a text on
38 Saturday for them to have a letter to me this morning.
39 And I checked this morning before I went to court.
40 I just took a break from court. We've been going at it for

1 over an hour in there.

2 And I have not had a reply when I checked my email about
3 five minutes to 9:00 before I went into court. So -- and I
4 didn't get a chance to check it coming from court to here.

5 So -- but if I do have something, I'm happy to pass that
6 along and pass along the emails to Keith so that he can be in
7 contact with them and put them on the -- put them on the next
8 thread that I send out that gives you email, CC with them.

9 COMMISSIONER BAKKER: Okay.

10 JUDGE MAX BUNCH: So they were supposed to have it done
11 before the end of the year. And here we are, the end of the
12 year.

13 COMMISSIONER WAITS: Well, the agenda says that we -- we
14 still thank you. So we most certainly do. We know it's been a
15 headache for you and a headache for all of us. But we a- --
16 appreciate your -- your --

17 JUDGE MAX BUNCH: And so that -- that's the program that's
18 supposed to be coming in where each elected official, which you
19 gave direction a long time ago. And that -- that is the
20 direction and the program that is supposed to be coming in.

21 COMMISSIONER WAITS: Okay.

22 COMMISSIONER ALLAN: Well, I think the direction also was
23 to, you know, to turn the information over to -- to Keith to
24 handle that.

25 But it's either here nor there. We'll get that rectified
26 now.

27 JUDGE MAX BUNCH: Okay.

28 CHAIRMAN MILLS: Okay.

29 COMMISSIONER BAKKER: Okay.

30 JUDGE MAX BUNCH: All right.

31 COMMISSIONER BAKKER: Any public comment?

32 CHAIRMAN MILLS: Yeah. Do we have public comment on that
33 one?

34 I don't think we need a motion or anything on that. So --

35 COMMISSIONER CLARK: Happy New Year, Max.

36 And thank you.

37 CHAIRMAN MILLS: Yeah.

38 JUDGE MAX BUNCH: You bet.

39 COMMISSIONER BAKKER: Okay.

40

1 **3) Discussion and possible action to approve/disapprove**
2 **insurance for retired elected officials, one (1) year of paid**
3 **insurance for every two (2) years of elected office, or what**
4 **the commission feels is fair, and all other matters properly**
5 **related thereto.**
6

7 CHAIRMAN MILLS: Okay. We'll move on to Item Number 3.
8 Discussion and possible action to approve/disapprove
9 insurance for retired elected officials, one year of paid
10 insurance for every two years of elected office, or what the
11 commission feels is fair, and all other matters properly related
12 thereto.

13 So, Max, I think this one's one that you brought to the --
14 JUDGE MAX BUNCH: I did. I -- I -- I've approached the
15 commission. I asked for this. It's a benefit to elected
16 officials, for those who come and serve, and (indiscernible).

17 As most elected officials are, we don't get very many
18 attaboys. And it -- it -- it's done in Douglas County.

19 And so I just thought it would be something that the
20 commission could think of here. So I did bring it forward for
21 that. So --

22 COMMISSIONER WAITS: There's -- there's a lot of concerns I
23 have with it when -- when I took a look.

24 And -- and for your situation, of course, it -- it's kind
25 of neat. We all have COBRA, naturally. And that's very
26 expensive. But at least you can be covered as a dependent under
27 an elected official. And that's kind of cool for you,
28 especially since we pay most of the dependent coverage.

29 So for you going out, it's not too bad.

30 But when I see health insurance per se, number one, to
31 start a precedent like that and -- and the cost to the county is
32 -- is really quite prohibitive, I believe.

33 And then I worry about the ones that have been here for 30
34 years that are saying, we didn't get that when we were here.

35 And I'm going, the other question of retired is what could
36 be retired? When you term out, you don't necessarily think of a
37 retirement or if you lose -- decide not to run any further, that
38 could be considered a retirement. If you're old enough to
39 retire and collect PERS. So if that's considered retirement,
40 then I could be very possible to -- to take retirement and

1 commissioners when we leave.

2 So there's several things.

3 Number one, I don't know how I could vote on something like that
4 as a benefit. And commissioners usually don't take benefits
5 over and above what the employees get. And employees don't get
6 that. So how can we just say all elected officials are going to
7 get that? So that's -- that's something that I don't even think
8 how we could even vote on such a thing.

9 And the other thing is, is when you say health insurance,
10 I'm going, what is health insurance? Is it just the -- the
11 group health? No. Health insurance is long-term care. It's
12 cancer insurance. It's disability insurance. It's -- I mean,
13 it can go on and on and on. So we're opening up a -- a whole
14 session here that -- that we couldn't even begin to control.

15 So if we did do something like that, I have way too many
16 concerns of, number one, whether we could even vote on it, and,
17 number two, what we're opening up to be cost prohibitive for the
18 county. So I can't see personally how we could ever do such a
19 thing.

20 CHAIRMAN MILLS: Anyone willing to make a motion on this
21 one?

22 COMMISSIONER ALLAN: I'll make a motion that we do not
23 approve insurance for retired elected officials.

24 COMMISSIONER CLARK: What was the motion, again?

25 COMMISSIONER ALLAN: That we don't offer insurance to
26 retired elected officials.

27 CHAIRMAN MILLS: But we can accomplish that by not making a
28 motion and all let it die.

29 COMMISSIONER ALLAN: Exactly.

30 COMMISSIONER WAITS: I'll second. I'll second the motion.

31 COMMISSIONER ALLAN: And that's kind of what I was thinking
32 is, you know, we can let the whole thing die because I -- I -- I
33 agree wholeheartedly with what Patsy has to say. And, you know,
34 I would be more concerned with the employees of Lander County
35 than the elected officials.

36 You know, that's -- that's a choice that the elected
37 officials make to run for office.

38 And I would much rather see a benefit to -- to our
39 employees. And to single out an elected official, it -- it's
40 not right.

1 And it's either all --
2 JUDGE MAX BUNCH: I don't think it's --
3 COMMISSIONER ALLAN: -- or nothing.
4 JUDGE MAX BUNCH: -- I don't think it's a singled out, one
5 elected official. It's for everyone, Commissioner.
6 COMMISSIONER ALLAN: I'm all-inclusive in elected
7 officials, Max. But when I --
8 JUDGE MAX BUNCH: When you said --
9 COMMISSIONER ALLAN: -- say --
10 JUDGE MAX BUNCH: -- singled out, I would like --
11 COMMISSIONER ALLAN: I'm a --
12 JUDGE MAX BUNCH: -- an (indiscernible).
13 COMMISSIONER ALLAN: -- single out elected officials. Is
14 even -- even if it were offered to the employees of Lander
15 County, it is cost-prohibitive because there's so many variables
16 to be considered. And I would much rather, you know, like I
17 said, approve this for employees before I would even consider
18 appro- -- approving it for an elected official because that is
19 -- I mean, granted, a job is a choice. Your employees having a
20 choice on whether or not they want to work for the county. But
21 for them to be putting in the years, I would have to believe
22 that -- that that is an option, that is a -- a benefit to them
23 to stay.
24 Whereas an elected official you have other choices, to run
25 or not run. And so it -- it's -- it's not -- it's not feasible.
26 And -- and I don't think to -- to try and initiate a policy
27 specifically for an elected official is not just.
28 CHAIRMAN MILLS: Okay. So Judie made a motion to not
29 approve. I did hear Patsy second. Is that --
30 COMMISSIONER WAITS: Yes, I did.
31 CHAIRMAN MILLS: So -- okay.
32 DISTRICT ATTORNEY HERRERA: Yeah. Commissioners?
33 CHAIRMAN MILLS: Yeah.
34 DISTRICT ATTORNEY HERRERA: Right now the policy of the
35 county is to opt out of that program. So if you could amend
36 that motion to -- to continue the opting out, I think that would
37 be more efficient.
38 COMMISSIONER ALLAN: Then I will amend the motion to opt
39 out of --
40 CHAIRMAN MILLS: Is that this NRS 287.023?

1 DISTRICT ATTORNEY HERRERA: Yes, sir.
2 CHAIRMAN MILLS: Okay.
3 COMMISSIONER ALLAN: Opt out of --
4 COMMISSIONER CLARK: Three.
5 COMMISSIONER ALLAN: -- the NRS option of retired officer
6 employee insurance per NRS 287.0 -- or .023.
7 CHAIRMAN MILLS: Okay.
8 DISTRICT ATTORNEY HERRERA: That'll work.
9 CHAIRMAN MILLS: So Judie amended a motion. Patsy, do you
10 want to second her amended motion?
11 COMMISSIONER WAITS: Yeah. I'll go ahead and second that.
12 But I'm still confused, Ted, because I don't see that it
13 points out to elected officials. I see it points out to --
14 COMMISSIONER CLARK: Employees.
15 COMMISSIONER WAITS: -- employees and retired officers.
16 DISTRICT ATTORNEY HERRERA: It -- it -- it pertains --
17 COMMISSIONER CLARK: Will employees.
18 DISTRICT ATTORNEY HERRERA: -- to everybody that works for
19 Lander County, both elected officials and not elected officials.
20 Our -- our policy -- and I say "our," Lander County's,
21 we've opted out of the program for years.
22 So -- so Judge Bunch apparently brought this and just took
23 a piece of it out of there, Commissioner.
24 COMMISSIONER WAITS: Okay. So -- so our amendment to opt
25 out is what -- is just to --
26 DISTRICT ATTORNEY HERRERA: Definitely -- it will satisfy
27 it. Yes.
28 COMMISSIONER WAITS: -- to -- okay.
29 DISTRICT ATTORNEY HERRERA: We will continue --
30 COMMISSIONER WAITS: -- to affirm --
31 DISTRICT ATTORNEY HERRERA: -- to opt out --
32 COMMISSIONER WAITS: -- that -- that we are --
33 DISTRICT ATTORNEY HERRERA: -- of that provision.
34 COMMISSIONER WAITS: -- still opting out. Okay. Got it.
35 Thank you.
36 And I did second the --
37 CHAIRMAN MILLS: So you don't want to --
38 COMMISSIONER WAITS: -- amendment.
39 CHAIRMAN MILLS: -- continue your second? Okay.
40 Judie made a motion. Patsy seconded.

1 Do we have any public comment?
2 UNIDENTIFIED PARTICIPANT: What is --
3 LEWIS FULLER: Wait. Did you --
4 UNIDENTIFIED PARTICIPANT: -- (indiscernible) --
5 LEWIS FULLER: -- just decide it?
6 UNIDENTIFIED PARTICIPANT: -- (indiscernible). Yeah.
7 CHAIRMAN MILLS: All right.
8 COMMISSIONER ALLAN: You have to --
9 COMMISSIONER BAKKER: Oh.
10 COMMISSIONER ALLAN: -- come forward, please. State your
11 name.
12 CHAIRMAN MILLS: One at a time. And come forward so the
13 microphone can pick up your voice.
14 DISTRICT ATTORNEY HERRERA: How are you feeling?
15 UNIDENTIFIED PARTICIPANT: Fine. (Indiscernible.)
16 COMMISSIONER BAKKER: Hey, Ted, you're not on mute, just so
17 you know.
18 LEWIS FULLER: What was that you decided? And you heard
19 about? Or --
20 CHAIRMAN MILLS: Okay. First --
21 LEWIS FULLER: -- talked about?
22 CHAIRMAN MILLS: -- we need -- we need your name for the
23 record, please.
24 LEWIS FULLER: Yes. Lewis A. Fuller.
25 CHAIRMAN MILLS: Thank you.
26 LEWIS FULLER: Lew Fuller.
27 CHAIRMAN MILLS: Okay. So what we're doing is in NRS
28 287.023, the state has allowed an option for continuing health
29 care after retirement. And the Lander County does not
30 participate in that amendment.
31 LEWIS FULLER: That's right.
32 CHAIRMAN MILLS: We've opted out of it. So our motion is
33 to continue to opt out of that program.
34 LEWIS FULLER: I agree with that.
35 CHAIRMAN MILLS: Okay. That's what we're doing.
36 LEWIS FULLER: Okay.
37 COMMISSIONER ALLAN: Yeah. For --
38 COMMISSIONER CLARK: Thank you, Lew.
39 COMMISSIONER ALLAN: -- clarification's sake, we -- we
40 don't --

1 COMMISSIONER BAKKER: We have to --
2 COMMISSIONER ALLAN: -- want to --
3 COMMISSIONER BAKKER: -- abstain.
4 COMMISSIONER ALLAN: -- be involved in that option --
5 LEWIS FULLER: Absolutely.
6 COMMISSIONER ALLAN: -- of offering that.
7 LEWIS FULLER: Right. I understand. Good.
8 CHAIRMAN MILLS: Should --
9 LEWIS FULLER: My bad.
10 COMMISSIONER BAKKER: I know.
11 CHAIRMAN MILLS: No. So --
12 LEWIS FULLER: We're agreeable then; right?
13 COMMISSIONER ALLAN: Yes.
14 CHAIRMAN MILLS: Okay.
15 COMMISSIONER ALLAN: Well --
16 LEWIS FULLER: I hope you are.
17 COMMISSIONER ALLAN: If -- if -- if -- yeah.
18 CHAIRMAN MILLS: We'll find out in a second.
19 LEWIS FULLER: Okay. Good. Thanks.
20 CHAIRMAN MILLS: Other public comment?
21 (No comment.)
22
23 (Child talking.)
24
25 CHAIRMAN MILLS: That's it?
26 Okay. All in favor?
27 COMMISSIONER ALLAN: Aye.
28 CHAIRMAN MILLS: Aye.
29 COMMISSIONER BAKKER: Aye.
30 COMMISSIONER WAITS: Aye.
31 COMMISSIONER CLARK: Aye.
32 CHAIRMAN MILLS: Okay. Thank you very much.
33 COMMISSIONER BAKKER: Opposed?
34 CHAIRMAN MILLS: We all --
35 COMMISSIONER ALLAN: Just --
36 CHAIRMAN MILLS: -- voted --
37 COMMISSIONER BAKKER: -- playing. I'm joking.
38 CHAIRMAN MILLS: All right.
39
40

1 PUBLIC WORKS

2
3 4) Discussion and possible action to award the Austin State
4 Routes 212, 214 and 215 road rehab 2018 project and to
5 consider each of the following: a) A & K Construction;
6 \$3,840,340 with an alternate bid of \$346,660 totaling
7 \$4,187,000; b) H.E. Hunewill Construction Co., Inc.:
8 \$3,750,760 with an alternate bid of \$338,700 totaling
9 \$4,089,460 recommended by Public Works director; c) Q & D
10 Construction: \$4,180,091 with an alternate bid of \$387,800
11 totaling \$4,567,891; and all other matters properly related
12 thereto.

13
14 CHAIRMAN MILLS: We're on Item Number 4.

15 Discussion and possible action --

16 COMMISSIONER CLARK: School board (indiscernible).

17 CHAIRMAN MILLS: -- to award the Austin State Routes 212,
18 214 and 215 road rehab 2018 project and to consider each of the
19 following: a) A & K Construction: 3 million 8 hundred twenty --
20 840,340 dollars with an alternate bid of \$346,660 totaling
21 \$4,187,000.

22 COMMISSIONER BAKKER: The man we're here for today.

23 CHAIRMAN MILLS: I'm not done with the motion -- or the --

24 COMMISSIONER ALLAN: Yeah.

25 CHAIRMAN MILLS: Hold on a --

26 COMMISSIONER BAKKER: Okay.

27 CHAIRMAN MILLS: -- second.

28 COMMISSIONER ALLAN: Hang on.

29 CHAIRMAN MILLS: B) H.E. Hunewill Construction Company,
30 Inc.: \$3,750,760 with an alternate bid of \$338,700 totaling
31 \$4,089,460 recommended by the Public Works director; c) Q & D
32 Construction: 4 million 180,000 dollars -- 180,091 dollars with
33 an alternate bid of \$387,800 with a total \$4,567,891; and all
34 other matters properly related thereto.

35 COMMISSIONER BAKKER: Okay. The man we're here for today.

36 BERT RAMOS: Okay. Well, Bert Ramos, for the record.

37
38 (Child talking.)

39
40 BERT RAMOS: Thank you, guys, for showing up here today. I

1 --

2 CHAIRMAN MILLS: Can --

3 BERT RAMOS: -- I was actually the one --

4 CHAIRMAN MILLS: -- can you hold on just a moment, Bert.

5 BERT RAMOS: No sweat.

6 CHAIRMAN MILLS: We're getting a lot of background noise.

7 And that -- that gets picked up by the microphones.

8

9 (Cell phone ringing.)

10

11 CHAIRMAN MILLS: And it makes it really hard for the
12 transcriptionist to transcribe the recordings with all that
13 background noise. So if we can hold it down, please. Thank
14 you.

15 Bert?

16 BERT RAMOS: So, anyway, I -- I was absent at -- at the
17 last meeting. I was in a training. So I couldn't make it and
18 get this on the agenda to get it awarded. And I asked if we
19 could get it on.

20 I didn't realize it would become such an agenda with so
21 much on it. So --

22 COMMISSIONER ALLAN: Bert, I'm sorry --

23 BERT RAMOS: Yeah.

24 COMMISSIONER ALLAN: -- to stop you for just a second.

25 Just --

26

27 (Child talking.)

28

29 COMMISSIONER ALLAN: -- just for curiosity's sake, --

30

31 (Child talking.)

32

33 COMMISSIONER ALLAN: -- why did this need to be done before
34 the end of the year? Is there a reason?

35 BERT RAMOS: No. No reason in particular.

36 COMMISSIONER ALLAN: Oh, okay. So we could actually have
37 waited on this agenda item.

38 BERT RAMOS: Yes. Definitely. I -- and -- and so the
39 reason that I asked for it to be on or to have a special if we
40 could -- I wasn't sure -- I'd heard rumor that there was going

1 to be a special anyway. And so I asked if there was to be one
2 that this could be on it as well.

3 I wanted to say thank you to Doug and Sean for their
4 service. Worked for them for four years. And, you know, I want
5 -- want you guys to know that I sincerely appreciate you guys
6 and everything you guys have done.

7 I know a lot goes on with the county that the public
8 doesn't get to see. And -- and so they don't have a full
9 understanding of -- of why some of the decisions are made that
10 are made.

11 And -- and I appreciate you guys for -- for your years. So
12 --

13 CHAIRMAN MILLS: Thank you.

14 BERT RAMOS: -- if -- if nothing else, that's more what I
15 wanted to do than this.

16 So if you guys choose to move this on, that's no problem
17 with me.

18 But I would -- I would like to see it awarded so we can --
19 so we can move forward and go from there.

20 COMMISSIONER BAKKER: Thank you, Bert.

21 BERT RAMOS: The reason that I -- the reason that I have
22 Hunewill here obviously is they're -- they're apparent low
23 bidder. And they've done great work with us in the past.

24 It's a couple million dollars under what we budgeted and a
25 million dollars under what our engineer's estimate was. We
26 didn't expect these numbers to come in near as low, especially
27 being way out in Austin.

28 And that's why there was an alternate in there is because
29 we thought if the numbers were a little bit high, we would --
30 just wouldn't do the additional road to make sure that we had
31 the money in the budget to proceed with the -- with the job. So
32 --

33 COMMISSIONER BAKKER: Now is this the road out to the power
34 plant? Or --

35 BERT RAMOS: No. No, no. That, we have not -- we are not
36 touching that road. There's no -- and --

37 COMMISSIONER BAKKER: Okay.

38 BERT RAMOS: -- and on a side note, we did get a \$70,000
39 check -- 68,000, I believe. I don't know exact number. I think
40 Cindy would know.

1 CINDY BENSON: 68,000 and something.
2 BERT RAMOS: 68,000 and some change from Ormat for some of
3 the road maintenance. Because we extended culverts, widened the
4 road, moved some things.
5 So we billed them for it and they -- and they --
6 COMMISSIONER WAITS: Okay.
7 BERT RAMOS: -- paid that. So --
8 COMMISSIONER BAKKER: Good deal.
9 BERT RAMOS: -- we got something out of them. But it's not
10 a paved road.
11 COMMISSIONER ALLAN: So I'll make the motion that we
12 approve contract to H.E. Hunewill Construction in the amount of
13 \$3,750,760 with an alternate bid of \$338,700 totaling 4 million,
14 89 dollars, 460 dollars --
15 COMMISSIONER BAKKER: 89,000.
16 COMMISSIONER ALLAN: Four -- yeah. Four -- I knew that
17 sounded funny. \$4,089,460 for the Austin State Routes 212, 214,
18 and 215 road rehab 2018 projects.
19 COMMISSIONER BAKKER: Second.
20 CHAIRMAN MILLS: So just for clarification, you are
21 approving the bid with the alternate?
22 COMMISSIONER ALLAN: Yes.
23 CHAIRMAN MILLS: Okay. Judie made a motion. Sean
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 WAITS: Aye.
32 COMMISSIONER CLARK: Aye.
33 BERT RAMOS: Once again, thank you, guys, very much. And
34 --
35 CHAIRMAN MILLS: Okay.
36 COMMISSIONER BAKKER: Thank you, Bert.
37 CHAIRMAN MILLS: Thank you, Bert.
38 BERT RAMOS: -- I appreciate it.
39 COMMISSIONER CLARK: Keep up the --
40 COMMISSIONER WAITS: Thank you, --

1 COMMISSIONER CLARK: -- good work, --
2 COMMISSIONER WAITS: -- Bert.
3 COMMISSIONER CLARK: -- Bert. Happy New Year.
4 BERT RAMOS: Yeah. (Indiscernible.)
5
6

7 **CORRESPONDENCE**

8
9 **6) Correspondence, reports, potential upcoming agenda items.**

10
11 CHAIRMAN MILLS: Going to Item Number 6.
12 Correspondence, reports, potential upcoming agenda items.

13
14 (The following correspondence was received:

- 15 1. Monthly reports to the Lander County Commissioners.
16 November 2018.
17 2. Argenta Justice Court, Minimum Accounting Standards
18 External Audit by Independent Accountants for the Year Ended
19 June 30, 2018, from HintonBurdick.
20 3. State of Nevada, Department of Conservation & Natural
21 Resources, Nevada Division of Environmental Protection,
22 regarding Notice of Proposed Action by the State of Nevada, for
23 a new discharge permit, NEV2018110, for the Toiyabe Exploration
24 Project II for Barrick Gold Exploration, Inc.
25 4. State of Nevada, Department of Conservation and
26 Natural Resources, Division of Water Resources, Notice of
27 Workshops dated December 12, 2018.)
28

29 COMMISSIONER BAKKER: Nope.

30 COMMISSIONER ALLAN: So I do -- I --

31
32 (Child talking.)
33

34 COMMISSIONER BAKKER: Oh.

35 COMMISSIONER ALLAN: I don't have any correspondence or
36 anything like that.

37 But I do want to thank everyone who's showed up today for
38 the special meeting. And it's -- it's really refreshing to see
39 the public come because they have concerns over an agenda item.

40 And it would be nice to see all your faces all the time.

1 But it is -- I want to thank everybody for showing up
2 because it does show that you do read the agendas and you do
3 have concerns. And we like to see that because we want to hear
4 what you have to say.

5 COMMISSIONER WAITS: And then we get a chance personally to
6 thank you all for a wonderful year and supporting the county as
7 you do and wish you a happy new year.

8 COMMISSIONER BAKKER: Happy New Year.

9 COMMISSIONER ALLAN: And Happy New Year.

10 COMMISSIONER BAKKER: Okay.

11
12
13 **PUBLIC COMMENT**

14
15 CHAIRMAN MILLS: Okay. We'll move to public comment for
16 nonagendized items only.

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

25 Do we have any public comment?

26 FRANK WHITMAN: Austin here.

27 COMMISSIONER BAKKER: Frank?

28 CHAIRMAN MILLS: Go ahead, Frank.

29 FRANK WHITMAN: Frank --

30 COMMISSIONER ALLAN: Frank.

31 FRANK WHITMAN: -- Whitman, for the record.

32 Just wanted to wish everybody a Happy New Year. That's it.
33 Thank you.

34 COMMISSIONER BAKKER: Thanks, Frank.

35 CHAIRMAN MILLS: Thanks, Frank.

36 COMMISSIONER ALLAN: Thank you. Happy --

37 COMMISSIONER WAITS: You too.

38 COMMISSIONER ALLAN: -- New Year, Frank.

39 COMMISSIONER CLARK: See you on the 7th, Frank.

40 COMMISSIONER WAITS: I did want to -- to pass on to

1 everybody. I'm sure most of you have heard it. But that we
2 actually do have a new state director for the BLM. We've been
3 working on --

4 CHAIRMAN MILLS: Oh.

5 COMMISSIONER WAITS: -- our interim for some time. And
6 it's Jon Raby. And he will be starting after the first of the
7 year. So --

8 COMMISSIONER CLARK: Well, that's good --

9 COMMISSIONER WAITS: -- it's --

10 COMMISSIONER CLARK: -- news.

11 COMMISSIONER WAITS: -- a plus for all of us. And I wanted
12 to at least share that.

13 COMMISSIONER BAKKER: Okay.

14 CHAIRMAN MILLS: Okay.

15 COMMISSIONER BAKKER: Thank you.

16 CHAIRMAN MILLS: Anyone else?

17 KEITH WESTENGARD: Mr. --

18 COMMISSIONER ALLAN: Motion --

19 KEITH WESTENGARD: -- Chairman?

20 COMMISSIONER ALLAN: -- to adjourn?

21 KEITH WESTENGARD: I just -- I wanted to clear up when --
22 when Bert said there was rumor of a special meeting, the intent
23 of the special meeting had to do with our airport water line
24 lawsuit or potential lawsuit.

25

26 (Child talking.)

27

28 COMMISSIONER BAKKER: The Krissinger [phonetic] lawsuit?

29

30 (Child talking.)

31

32 KEITH WESTENGARD: That's correct. And we got that all
33 straightened out.

34

35 (Child talking.)

36

37 KEITH WESTENGARD: But things had come out in that time, so
38 we went ahead and kept it. There -- the intent was one item and
39 it had to do with the -- with that lawsuit that we got
40 straightened out. So --

1 CHAIRMAN MILLS: Okay. Thanks for that --
2 COMMISSIONER BAKKER: Thank you.
3 CHAIRMAN MILLS: -- clarification.
4 So I just have one thing and that is thank you all for
5 allowing me the opportunity to be commissioner the last four
6 years.
7 It's been a very educational process. Learned a ton of
8 stuff. Thanks for the opportunity.
9 COMMISSIONER BAKKER: Thank you.
10 CHAIRMAN MILLS: It's been very interesting.
11 COMMISSIONER BAKKER: I'll make a --
12 CHAIRMAN MILLS: Okay.
13 COMMISSIONER BAKKER: -- motion to adjourn.
14 SHERIFF RON UNGER: I've got one question.
15 CHAIRMAN MILLS: Oh.
16 COMMISSIONER BAKKER: Oh.
17 SHERIFF RON UNGER: (Indiscernible.)
18 Ron Unger, for the record.
19 And I received a -- it's called a Lander County job
20 description for training officer and assistant safety manager.
21 Is that going out or is this -- we're still open up for the
22 county for discussion?
23 COMMISSIONER ALLAN: It's -- it was -- the motion was to
24 approve it with additional changes, which were made. So --
25 SHERIFF RON UNGER: So is this -- is this --
26 COMMISSIONER ALLAN: That is final.
27 SHERIFF RON UNGER: -- cut and dried? Or is this still up?
28 COMMISSIONER ALLAN: It -- it's final.
29 SHERIFF RON UNGER: Then we have some issues.
30 Just so you know.
31 COMMISSIONER WAITS: Well, let's put it on the next agenda.
32 SHERIFF RON UNGER: Please do.
33 COMMISSIONER BAKKER: Okay.
34 CHAIRMAN MILLS: Okay.
35 KEITH WESTENGARD: Well, if you'll submit an agenda
36 request, we'll certainly discuss it.
37 SHERIFF RON UNGER: You need me to do that?
38 KEITH WESTENGARD: Yes.
39 SHERIFF RON UNGER: I will do that.
40 KEITH WESTENGARD: And we'll discuss it.

1 SHERIFF RON UNGER: Okay. Thank you.
2 COMMISSIONER BAKKER: Okay.
3 CHAIRMAN MILLS: Okay. So --
4 COMMISSIONER WAITS: I'll -- I'll second the motion.
5 COMMISSIONER BAKKER: It's -- okay.
6 CHAIRMAN MILLS: I thought I heard --
7 COMMISSIONER BAKKER: I made a motion to adjourn.
8 CHAIRMAN MILLS: I -- yeah. I thought I heard a second.
9 COMMISSIONER BAKKER: Patsy.
10 COMMISSIONER WAITS: No. We waited for Ron.
11 CHAIRMAN MILLS: Okay.
12 COMMISSIONER BAKKER: Okay.
13
14

15 **ADJOURNMENT**

16
17 CHAIRMAN MILLS: So a po- -- motion to adjourn has been
18 made and seconded.
19 All in favor?
20 COMMISSIONER BAKKER: Aye.
21 CHAIRMAN MILLS: Aye.
22 COMMISSIONER WAITS: Aye.
23 COMMISSIONER ALLAN: Aye.
24 COMMISSIONER CLARK: Aye.
25 Happy New Year, everyone.
26 CHAIRMAN MILLS: Thank you.
27 COMMISSIONER BAKKER: Thank you, Austin, Ted.
28 MITESHELL LANHAM: Bye.
29 COMMISSIONER BAKKER: Bye.
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31 (Meeting adjourned at 10:35 a.m.)
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**CHAIRMAN OR VICE CHAIRMAN OF THE
BOARD OF LANDER COUNTY
COMMISSIONERS AND THE LANDER
COUNTY LIQUOR BOARD**

ATTEST: _____
LANDER COUNTY CLERK

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

1 STATE OF UTAH)
2) ss.
3 COUNTY OF DAVIS)
4
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 31ST DAY OF DECEMBER, 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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BERT RAMOS: [21] 8/21 8/28 10/3 23/35 23/38 24/2 24/4 24/15 24/22 24/34 24/37 25/13 25/20 25/34 25/37 26/1 26/6 26/8 26/32 26/37 27/3 CHAIRMAN MILLS: [140] CINDY BENSON: [1] 25/40 COMMISSIONER ALLAN: [88] COMMISSIONER BAKKER: [94] COMMISSIONER CLARK: [26] 5/5 7/27 8/31 9/20 9/22 9/24 9/26 11/12 13/16 13/22 16/34 18/23 20/3 20/13 20/16 21/37 22/30 23/15 26/31 26/38 26/40 27/2 28/38 29/7 29/9 31/23 COMMISSIONER WAITS: [70] DISTRICT ATTORNEY HERRERA: [18] 6/1 6/13 6/24 6/35 7/5 11/23 11/27 19/31 19/33 19/40 20/7 20/15 20/17 20/25 20/28 20/30 20/32 21/13 FRANK WHITMAN: [3] 28/25 28/28 28/30 JUDGE MAX BUNCH: [23] 14/2 14/34 14/36 14/38 15/9 15/12 15/14 15/16 15/19 15/24 15/31 15/35 16/9 16/16 16/26 16/29 16/37 17/13 19/1 19/3 19/7 19/9 19/11 KATHLEEN ANCHO: [1] 9/10 KEITH WESTENGARD: [20] 2/4 2/23 2/27 5/27 5/33 5/35 5/38 6/2 8/40 9/16 9/18 9/33 29/16 29/18 29/20 29/30 29/35 30/34 30/37 30/39 LEWIS FULLER: [15] 21/2 21/4 21/17 21/20 21/23 21/25 21/30 21/33 21/35 22/4 22/6 22/8 22/11 22/15 22/18 MITESHELL LANHAM: [1] 31/27 SHERIFF RON UNGER: [20] 6/25 8/23 8/25 10/24 12/19 12/22 12/24 12/27 12/29 13/19 13/21 30/13 30/16 30/24 30/26 30/28 30/31 30/36 30/38 30/40 UNIDENTIFIED PARTICIPANT: [7] 8/22 8/24 13/8 21/1 21/3 21/5 21/14	1:15 [1] 1/40 1st [3] 10/40 12/1 12/39
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	2014 [1] 12/6 2018 [16] 1/4 1/26 3/38 3/39 3/40 4/1 10/13 10/20 12/1 23/4 23/18 26/18 27/16 27/19 27/27 33/13 2019 [3] 10/14 10/20 10/40 2024 [2] 12/6 12/19 212 [3] 23/4 23/17 26/17 214 [3] 23/4 23/18 26/17 215 [3] 23/4 23/18 26/18 24 [1] 10/13 24th [3] 10/20 10/39 11/40 26th [1] 4/24 287.0 [1] 20/6 287.023 [2] 19/40 21/28 29 [1] 3/40
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	30 [2] 17/33 27/19 305 [1] 1/4 31 [2] 1/4 3/38 31st [4] 1/26 11/3 12/29 33/13
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	460 [1] 26/14
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	50 [1] 1/4
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	68,000 [3] 25/39 26/1 26/2
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	7th [4] 15/11 15/12 15/16 28/39
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	840,340 [1] 23/20 89 [1] 26/14 89,000 [1] 26/15
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	9.28 [2] 5/13 5/21 930 [2] 1/5 33/27 9:00 [1] 16/3 9:59 [1] 1/4
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	above [1] 18/5 absent [1] 24/16 abstain [1] 22/3 access [4] 8/6 8/17 13/33 13/40 accomplish [1] 18/27 Accountants [1] 27/18 Accounting [1] 27/17 acted [2] 3/27 3/30 action [13] 3/28 5/12 5/20 8/1 8/12 10/12 10/18 13/28 17/1 17/8 23/3 23/15 27/22 additional [2] 25/30 30/24 adjourn [4] 29/20 30/13 31/7 31/17 adjourned [1] 31/31 administration [7] 1/3 8/4 8/7 8/15 8/18 13/31 13/34 affirm [1] 20/30 agenda [24] 1/23 1/40 2/2 3/23 3/25 3/26 3/30 3/35 3/38 4/3 4/7 4/11 4/18 4/33 11/21 16/13 24/18 24/20 24/37 27/9 27/12 27/39 30/31 30/35
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\$387,800 [2] 23/10 23/33	
\$4,089,460 [3] 23/9 23/31 26/17	
\$4,180,091 [1] 23/10	
\$4,187,000 [2] 23/7 23/21	
\$4,567,891 [2] 23/11 23/33	
\$70,000 [1] 25/38	
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12:00 [1] 1/39	
13 [1] 4/1	
180,000 [1] 23/32	
180,091 [1] 23/32	
19th [3] 4/30 4/31 4/34	

<p>A</p> <p>agendas [1] 28/2 agendized [1] 11/25 ago [2] 14/5 16/19 agree [2] 18/33 21/34 agreeable [1] 22/12 airport [1] 29/23 alcohol [5] 10/12 10/19 10/39 11/39 13/7 all-inclusive [1] 19/6 ALLAN [1] 1/11 Allegiance [2] 1/27 1/31 allow [2] 14/6 14/28 allowed [2] 21/28 33/19 allowing [1] 30/5 allows [1] 5/27 along [2] 16/6 16/6 alternate [9] 23/6 23/8 23/10 23/20 23/30 23/33 25/28 26/13 26/21 amend [2] 19/35 19/38 amended [4] 4/34 13/4 20/9 20/10 amendment [3] 20/24 20/38 21/30 amount [1] 26/12 and/or [5] 3/5 8/7 8/18 13/34 28/17 Anna [2] 14/11 15/21 annual [3] 10/15 10/21 11/1 answer [2] 9/7 15/36 apologize [1] 12/30 apparent [1] 25/22 appreciate [5] 7/1 16/16 25/5 25/11 26/38 appro [1] 19/18 approach [1] 5/40 approached [1] 17/14 approval [8] 3/38 3/39 3/40 4/1 4/1 4/2 10/27 14/14 approve [16] 4/10 4/19 4/20 4/33 4/34 10/12 10/19 10/39 11/39 17/1 17/8 18/23 19/17 19/29 26/12 30/24 approve/disapprove [4] 10/12 10/19 17/1 17/8 approving [3] 10/32 19/18 26/21 aren't [1] 10/33 Argenta [1] 27/17 arrangements [1] 15/27 ART [1] 1/9 assistant [2] 6/26 30/20 attaboys [1] 17/18 attend [2] 3/6 28/18 attorney [4] 1/14 1/20 6/28 7/11 AUDIO [2] 33/11 33/19 AUDIO/VIDEO [2] 33/11 33/19 Audit [1] 27/18 Austin [10] 1/19 1/25 5/37 23/3 23/17 25/27 26/17 28/26 31/27 32/40 authority [2] 6/22 7/13 available [2] 3/35 3/37 award [2] 23/3 23/17 awarded [2] 24/18 25/18 aware [1] 14/19 Aye [30] 5/2 5/3 5/4 5/5 5/6 7/24 7/25 7/26 7/27 7/28 13/12 13/13 13/14 13/15 13/17 22/27 22/28 22/29 22/30 22/31 26/28 26/29 26/30 26/31 26/32 31/20 31/21 31/22 31/23 31/24</p>	<p>Battle [12] 1/3 1/24 5/37 10/13 10/14 10/19 10/20 10/39 10/40 11/40 14/12 32/40 beef [1] 2/32 begin [1] 18/14 beginning [1] 12/1 believe [7] 4/30 6/1 14/14 14/18 17/32 19/21 25/39 benefit [4] 17/15 18/4 18/38 19/22 benefits [1] 18/4 Bert [11] 8/21 23/36 24/4 24/15 24/22 25/20 26/36 26/37 27/2 27/3 29/22 Bert's [2] 9/21 9/31 bet [1] 16/38 bid [8] 23/6 23/8 23/10 23/20 23/30 23/33 26/13 26/21 bidder [1] 25/23 billed [1] 26/5 bills [2] 4/2 4/35 bit [1] 25/29 BLM [1] 29/2 board [16] 1/1 1/24 1/25 3/6 3/12 3/13 3/27 3/29 23/16 28/19 28/20 28/22 32/21 32/23 32/39 32/39 body [1] 2/1 break [2] 1/39 15/40 brief [1] 9/2 bring [1] 17/20 brought [2] 17/13 20/22 Brown [1] 2/26 budget [1] 25/31 budgeted [1] 25/24 building [12] 1/3 8/5 8/6 8/8 8/16 8/17 8/19 9/10 13/32 13/33 13/35 13/40 Bunch [4] 8/2 8/13 13/29 20/22 BYOB [1] 13/16</p>
<p>B</p> <p>background [2] 24/6 24/13 bad [2] 17/29 22/9 BAKKER [1] 1/8 Barrick [1] 27/24 Bart [4] 6/18 6/29 6/31 6/40</p>	<p>C</p> <p>C.C.R [1] 1/5 call [1] 1/23 called [1] 30/19 cancer [1] 18/12 card [3] 14/26 14/27 14/35 cards [2] 14/33 15/17 care [4] 9/11 10/28 18/11 21/29 carry [1] 14/31 CC [1] 16/8 CCR [1] 33/27 Cell [1] 24/9 certainly [3] 6/40 16/14 30/36 CERTIFIED [1] 33/7 CERTIFY [1] 33/9 Chairman [3] 29/19 32/20 32/20 Chambers [1] 1/2 chance [2] 16/4 28/5 change [4] 4/2 4/30 4/35 26/2 changed [1] 4/29 changes [1] 30/24 charge [1] 3/37 check [2] 16/4 25/39 checked [2] 15/39 16/2 chief [1] 6/27 Child [14] 3/9 3/20 3/33 4/13 4/26 7/15 22/23 23/38 24/27 24/31 27/32 29/26 29/30 29/35 choice [3] 18/36 19/19 19/20 choices [1] 19/24 choose [1] 25/16 Cindy [1] 25/40 citizen [1] 3/29 clarification [2] 26/20 30/3</p>

<p>C</p> <p>clarification's [1] 21/39 CLARK [1] 1/9 clear [2] 6/9 29/21 CLERK [3] 1/13 32/27 33/17 Clerk's [1] 3/36 closets [1] 15/22 Co [1] 23/7 COBRA [1] 17/25 Code [2] 5/13 5/21 collect [1] 17/39 combined [1] 2/1 comment [29] 3/1 3/3 3/5 3/6 3/12 3/14 3/15 3/17 3/18 4/39 4/40 7/21 7/22 13/6 16/31 16/32 21/1 22/20 22/21 26/25 26/26 28/13 28/15 28/17 28/18 28/20 28/23 28/23 28/25 comments [2] 3/11 28/20 commission [7] 1/2 1/24 5/30 17/4 17/11 17/15 17/20 commissioner [9] 1/7 1/8 1/9 1/10 1/11 2/4 19/5 20/23 30/5 commissioners [16] 1/1 1/19 1/25 1/39 3/28 5/10 5/15 5/23 6/21 13/22 18/1 18/4 19/32 27/15 32/22 32/39 communi [1] 15/1 communication [2] 14/31 15/1 company [2] 14/9 23/29 concerned [1] 18/34 concerns [4] 17/22 18/16 27/39 28/3 confirmed [1] 6/30 confused [1] 20/12 consent [5] 3/23 3/25 3/26 3/30 3/35 Conservation [2] 27/20 27/25 consider [3] 19/17 23/5 23/18 consideration [1] 2/1 considered [4] 3/26 17/38 17/39 19/16 construction [10] 8/4 8/15 13/31 23/5 23/7 23/10 23/19 23/29 23/32 26/12 contact [1] 16/7 continue [5] 6/33 19/36 20/29 20/39 21/33 continuing [2] 12/1 21/28 contract [1] 26/12 control [2] 14/7 18/14 cooked [1] 2/32 cool [1] 17/27 coordinating [1] 14/32 copies [3] 2/28 2/34 3/36 copy [2] 6/15 6/29 correct [4] 5/28 6/28 29/32 33/17 correspondence [5] 27/7 27/9 27/12 27/14 27/35 cost [3] 17/31 18/17 19/15 cost-prohibitive [1] 19/15 couldn't [3] 10/34 18/14 24/17 counting [1] 12/40 county [52] County's [1] 20/20 couple [3] 8/36 9/6 25/24 course [1] 17/24 court [8] 8/23 8/26 15/39 15/40 16/3 16/4 27/17 33/7 courthouse [8] 1/3 8/4 8/7 8/15 8/18 13/31 13/34 14/1 cover [3] 5/38 6/10 7/12 coverage [1] 17/28 covered [1] 17/26 covers [1] 5/26 culverts [1] 26/3 curiosity's [1] 24/29 cut [1] 30/27</p>	<p>date [4] 4/23 4/29 4/30 4/34 date's [1] 10/23 dated [2] 27/27 33/22 DAVIS [1] 33/3 deal [2] 13/10 26/8 dealing [2] 13/39 13/39 December [13] 1/4 1/25 3/38 4/1 4/24 4/31 4/34 10/13 10/20 10/39 11/40 27/27 33/13 decide [2] 17/37 21/5 decided [1] 21/18 decision [1] 11/25 decisions [1] 25/9 Definitely [2] 20/26 24/38 department [8] 5/14 5/22 5/27 10/15 10/21 11/1 27/20 27/25 departments [2] 5/32 7/12 dependent [2] 17/26 17/28 description [1] 30/20 die [2] 18/28 18/32 different [1] 9/8 DIGITAL [1] 33/11 directed [1] 14/5 direction [11] 5/15 5/23 6/3 6/13 6/14 6/20 6/37 7/2 16/19 16/20 16/22 director [4] 1/12 23/9 23/31 29/2 disability [1] 18/12 disapprove [4] 10/12 10/19 17/1 17/8 discharge [1] 27/23 discretion [4] 3/12 3/13 28/20 28/21 discuss [2] 30/36 30/40 discussed [2] 3/30 5/29 discussing [1] 10/26 discussion [15] 3/11 3/28 5/12 5/20 8/1 8/12 10/12 10/18 13/28 17/1 17/8 23/3 23/15 28/19 30/22 discussions [1] 9/2 district [4] 1/14 1/20 6/28 7/11 Division [2] 27/21 27/26 dollars [7] 23/20 23/32 23/32 25/24 25/25 26/14 26/14 doors [1] 14/7 DOUG [2] 1/10 25/3 Douglas [1] 17/18 dried [1] 30/27 drive [1] 14/12 during [1] 3/31 duties [3] 8/7 8/18 13/34</p>
<p>D</p> <p>DA [2] 5/30 6/4</p>	<p>E</p> <p>each [5] 2/28 14/6 16/18 23/5 23/18 earlier [3] 4/23 4/23 4/29 easy [1] 9/30 educational [1] 30/7 efficient [1] 19/37 either [3] 14/26 16/25 19/1 elected [24] 14/6 16/18 17/2 17/3 17/9 17/10 17/15 17/17 17/27 18/6 18/23 18/26 18/35 18/36 18/39 19/5 19/6 19/13 19/18 19/24 19/27 20/13 20/19 20/19 Elkington [3] 1/5 33/7 33/27 email [3] 15/37 16/2 16/8 emails [3] 14/8 15/4 16/6 employee [1] 20/6 employees [10] 18/5 18/5 18/34 18/39 19/14 19/17 19/19 20/14 20/15 20/17 end [3] 16/11 16/11 24/34 ended [2] 14/20 27/18 engineer's [1] 25/25 enough [1] 17/38 Environmental [1] 27/21</p>

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