

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on March 22, 2012 at 9:00 a.m.

PRESENT: **DEAN BULLOCK, COMMISSIONER**
 STEVEN STIENMETZ, COMMISSIONER
 DAVID MASON, COMMISSIONER
 RAY H. WILLIAMS, JR., COMMISSIONER
 SADIE SULLIVAN, COUNTY CLERK
 JAMES BARNES, DEPUTY DISTRICT ATTORNEY
 GENE P. ETCHEVERRY, EXECUTIVE DIRECTOR
 ROGENE HILL, FINANCE DIRECTOR
 SOVIEDA ROBINSON, HUMAN RESOURCES
 CATHY MYERS, DEPUTY CLERK

ABSENT: **BRIAN GARNER, COMMISSIONER**

9:00 A.M.

Chairman Dean Bullock called the meeting to order.

Let the record reflect a quorum of five Commissioners.

Commissioner Stienmetz led the Pledge of Allegiance.

Let the record reflect the presence of Austin via telephone conference.

APPROVAL OF AGENDA NOTICE

The Notice of Posting was reviewed and found to be in order. Commissioner Stienmetz moved to approve the Notice of Posting. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

APPROVAL & ACCEPTANCE OF MINUTES

February 23, 2012-Regular Session
March 5, 2012-Special Session

March 8, 2012-Regular Session
March 14 & 15, 2012-Budget Workshop

The minutes for March 14 & 15, 2012 Budget Workshop were not ready for review.

Commissioner Stienmetz moved to approve the minutes of February 23, 2012 regular session, the March 5, 2012 special session and the March 8, 2012 regular session with the correction of the time from 9:00 p.m. to 9:00 a.m. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COMMISSIONER REPORTS

Commissioner Williams reported on his attendance of the Central Nevada Rural Water Authority meeting that was held in Eureka on March 16, 2012. He also reported on the NACO Public Lands meeting. Commissioner Williams said the need for an ambulance in Austin is becoming more critical and stated there have been some traumatic incidents recently.

Commissioner Mason reported on that he attended the Central Nevada Rural Water Authority meeting. He also reported on the Planning Commission meeting he attended on March 8, 2012.

Commissioner Bullock reported on his attendance of the LEDA Open House.

STAFF REPORTS

Executive Director, Gene Etcheverry, reported several conference call meetings he was on with the Ferman Group, Summit Engineering and the Army Corps of Engineers. He said sage grouse comments are due by Friday, March 30, 2012. Mr. Etcheverry also reported that on Wednesday, March 28, 2012 at 4:30 p.m. is the Maverik Grand Opening. He said he attended the Nevada Tax Commission meeting in Carson City on March 9, 2012 and Lander County was granted the SCCRT waiver. Mr. Etcheverry said on March 29, 2012 the Attorney General's Open Meeting Law Task Force will have their meeting, and he said they will be discussing amending the open meeting law to include uploading agendas, minutes and supporting materials. He also said the Governor's Office on Economic Development Regionalization Strategies Session in Elko, Nevada on March 29th and 30th, 2012 and March 27th - 29th, 2012 is the CDBG Advisory Committee. He said on March 20, 2012 the Safety Committee met however, there was no quorum and the meeting had to be adjourned.

PAYMENT OF THE BILLS

Jane Bianchi presented the Board with bills to be ratified.

BUSINESS CARD

Commissioner Stienmetz moved to ratify check #039897 in the amount of \$5,218.47 to Business card. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

CHASE CARD SERVICES

Commissioner Stienmetz moved to ratify check #039919 in the amount of \$198.00 to Chase Card Services. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

STATE OF NEVADA

Commissioner Stienmetz moved to ratify check #039912 in the amount of \$5,915.58 to the State of Nevada. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

WELLS FARGO REMITTANCE

Commissioner Stienmetz moved to ratify check #039929 in the amount of \$2,192.74 to Wells Fargo Remittance. Seconded by Commissioner Williams, the motion was voted and carried with Commissioner Bullock abstaining from the vote. **APPROVED**

JULIE TREVIZO

Commissioner Stienmetz moved to ratify check #039954 in the amount of \$408.66 to Julie Trevizo. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

Commissioner Stienmetz moved to approve submitted expenditures in the amount of \$244,715.85 from check #39956 thru #40060. Seconded by Commissioner Mason the motion was voted and carried with Commissioner Bullock abstaining from the vote on check #39968, Commissioner Mason abstaining from the vote on check #40004 and Commissioner Williams abstaining from the vote on check #40057. **APPROVED**

PAYROLL CHANGE REQUESTS

1. Employee Change Request for employee number 1476, Promotion, Mechanic III, \$16.98 per hour, effective March 19, 2012.

Commissioner Stienmetz moved to approve the payroll change request. Seconded by Commissioner Williams, the motion was voted and carried unanimously. **APPROVED**

PUBLIC COMMENT

There was no public comment.

FINANCE

- 1) Discussion For Possible Action Regarding Budget Review, Contracts & Financial Update & Other Matters Properly Relating Thereto: Finance Director, Rogene Hill, updated the Board on how much money had been spent on the Austin fuel system. She said the accumulated cost from December 2010 through March 2012 was \$45,850.00. She said she missed a carry-over for the Sheriff's Department on the Dispatch Console Replacement for \$23,000.00. **UPDATE ONLY**

9:30 A.M.

PUBLIC HEARING

- 2) Discussion For Possible Action Regarding Ordinance No. LC 2012-01, An Ordinance Amending Section 15.24.030(D) Of The Lander County Code To Allow A Mobile Home Or Manufactured Home To Be Permanently Installed In Lander County If It Has been Constructed Or Manufactured Not More Than Fifteen (15) Years Prior To The Date Of Application For A Building Or Moving Permit; & Other Related Matters: Executive Director, Gene Etcheverry, said this was the date and time noticed to conduct a public hearing to accept public testimony and input on Ordinance No. LC 2012-01.

Commissioner Stienmetz moved, considering the public comments and testimony, to uphold the January 11, 2012 recommendation of the Lander County Planning Commission in approving and adopting of Ordinance No. 2012-01, an ordinance amending Section 15.24.030(D) of the Lander County Code to allow a mobile home or manufactured home to be permanently installed in Lander County if it has been constructed or manufactured not more than fifteen (15) years prior to the date of application for a building or moving permit. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

9:35 A.M.

- 3) Discussion For Possible Action Regarding Ordinance No. LC 2012-02, An Ordinance Amending Section 17.08.100(A)(1) Of The Lander County Code To Change The Requirement For Relinquishing Two (2) Acre Feet Of Water Rights For Each Additional Parcel That Is Less Than Five (5) Acres In Designated Groundwater Basins; & Other Related Matters: Executive Director, Gene Etcheverry, said this was the date and time noticed to conduct a public hearing to accept public testimony and input on Ordinance No. 2012-02.

Commissioner Stienmetz moved, considering public comment and testimony, to uphold the December 14, 2011 recommendation of the Lander County Planning Commission in approving and adopting of Ordinance No. LC 2012-02, an ordinance amending Section 17.08.100(A)(1) of the Lander County Code to change the requirement for relinquishing two (2) acre feet of water rights for each additional parcel that is less than five (5) acres in designated groundwater basins. Seconded by Commissioner Mason, the motion was voted and carried. APPROVED

COMMISSIONERS

- 4) Discussion For Possible Action Regarding Update/Presentation By Bennie Hodges, District Manager, Pershing County Water Conservation District, & Frank Dimick, Consultant, Pershing County Water Conservation District, On The Status Of The Title Transfer Of Land Between The Pershing County Water Conservation District & Lander County & Other Matters Properly Relating Thereto: Bennie Hodges, Manager of the Pershing County Water Conservation District in Lovelock and Frank Dimick provided an update to the Board on 1100 acres of Federal Land that will transferred to Lander County. Mr. Dimick explained the locations of the parcels that would be transferred. Mr. Dimick informed the Board on the responsibilities of the County in regards to the transferring of this land, and stated he hoped to have the transfer of the land to the County done by spring 2013. UPDATE-NO ACTION
- 5) Discussion For Possible Action Regarding Agreement Between Lander County & Scott D. Bullock, dba Bullock Management Services, For Management Of The Mountain View Golf Course & Other Matters Properly Relating Thereto: Executive Director, Gene Etcheverry, said during the January 12, 2012 Commission meeting, the Board accepted the proposal of Scott D. Bullock for management of the Mountain View Golf Course. He said the agreement was before the Board for acceptance.

Deputy District Attorney, James Barnes, said that Mr. Bullock had two changes to the contract. One was to change the term to end on March 2014 making it a two year contract and for the utilities to be paid by Lander County. Commissioner Stienmetz said that was what the original proposal was. Mr. Barnes said yes, and that was a mistake on the District Attorney's Office.

Scott Bullock addressed the Board and updated on how things are going at the Golf Course. He said there were some maintenance issues that are being worked on. Mr. Bullock also informed the Board that the carpet in the women's bathroom and the back office needs to be replaced because it smells of cat urine. He explained it has been cleaned but the smell is still there. Mr. Scott Bullock shared his concerns on the change

in terms from receiving the \$10,000.00 start up every year to only once. Commissioner Bullock said it is \$10,000.00 to collect the fees. Mr. Scott Bullock said he feels he should get the \$10,000.00 every year like everyone else in the past, and that it isn't so much as a startup cost as it is paying him to collect the fees for the County. The Board discussed the changes to be made to the agreement.

Commissioner Stienmetz moved to approve the agreement between Lander County and Scott D. Bullock, dba Bullock Management Services, for the management of the Mountain View Golf Course with changes to item 4F instead of Bullock shall pay utilities to run the Clubhouse to the County shall pay utilities to run the Clubhouse, and in item 4 it won't state "startup costs" it will be a \$10,000.00 payment for the collection of fees at the Golf Course per year, in item 5 it will change to a two year agreement between both parties to the first day of March 2014 and authorize himself to sign. Seconded by Commissioner Mason.

Mr. Etcheverry asked about the automatic renewal after one year or if that should be taken out to make it just a two year contract. The Board said decided to make it for a two year.

The motion was voted and carried with Commissioner Bullock abstaining from the vote.

APPROVED

6) Discussion For Possible Action Regarding Update & Status Report On The Lander County Yucca Mountain Oversight Program's Review & Evaluation Of The County's Emergency Response Capabilities & Other Matters Properly Relating Thereto:

Executive Director, Gene Etcheverry, said Mr. Westengard is conducting the evaluation of Lander County's emergency response capabilities. He said at the end of Mr. Westengard's contract he will come forward with a report of his findings to the County.

Keith Westengard provided a presentation to the Board. He said things are still moving forward with Yucca Mountain at the present time. He talked about the proposed, secured, transport route and the project for the route. He complemented the County on the good equipment they did have for emergency response, and let them know that there were areas they were lacking. He said there are grant available and training available to prepare for radioactive emergency responses. **NO ACTION – UPDATE ONLY**

7) Discussion For Possible Action Regarding The Lease, Rental Or County Use Of The Battle Mountain Water & Sewer Yard Located At 145 West Third Street & Matters Related Thereto:

Executive Director, Gene Etcheverry, said there has been some interest in renting the old Battle Mountain Water and Sewer yard. He said it had been previously rented to Roy Campbell for Campbell Service and Repair at a rate of \$200.00

a month. Mr. Etcheverry asked the board what they wanted to do with it. If they wanted to try renting it again or if there was a use for it to the County. Commissioner Mason said they should rent it. Commissioner Bullock said that if someone wants to rent it they should also do business for the County.

Commissioner Mason said he would make a motion to rent it for \$250.00 a month. He was informed a motion was not needed until they created an agreement. **DISCUSSION ONLY**

EXECUTIVE DIRECTOR

- 8) **Discussion For Possible Action Regarding An Environmental Evaluation For The Proposed Improvements At The Austin Airport & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said the 2012 Airport Capital Improvement Plan was approved on January 26, 2012. He said it was approved by Abel Tapia during the January 6, 2012 meeting in San Francisco. Mr. Etcheverry said contained within an agreement is an agreement for professional services, J-U-B Project #83-12-012, to cover the Austin Airport Improvements Environmental Evaluation.

Lew Lott, J-U-B Engineering, said there needs to be an environmental evaluation done to move forward with any improvements on the Austin Airport. He said this is for the Apron and a future building to get the pilot out of the weather. Mr. Lott said if the Apron and the Building are being worked on they would not need to do a new environmental evaluation for three years. He said the total cost is estimated to be about \$43,900.00.

Commissioner Williams moved for the Commission to accept the Project Scope of Work and Estimated Costs for the environmental evaluation for the Austin Airport as contained within the 2012 Airport Capital Improvement Plan. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 9) **Discussion For Possible Action Regarding Possible Water & Sewer Connection Fee Increase & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said the proposal to increase the water and sewer connection fees.

Tammy Dimitroff said she has done more research on the cost to the County to put in new water meters and she has reevaluated the connection fees. She said they are not going to raise the sewer connection fees. She reviewed the impact fees, the cost of supplies and the increase in cost to the County. Ms. Dimitroff discussed the new, proposed, increased rates for connection fees.

Jake Edgar discussed the cost in boxes for the meters and the option of building their own boxes for some meters.

There was discussion of visiting this issue every year and the possible increase in construction cost. There was also discussion on the difference between proposal #1 in rate change and proposal #2 and what the rates should be set at.

Commissioner Bullock said he was for the rates in proposal #1 but said to change the $\frac{3}{4}$ inch to \$2500.00.

Commissioner Stienmetz moved to accept the proposal of the original water connection fees with the exception fees of the $\frac{3}{4}$ inch being changed to \$2500.00. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

PLANNING COMMISSION

10) Discussion For Possible Action Regarding A Parcel Map For Jay Wintle, Sec. 30, T32N, R45E, Battle Mountain, APN 011-140-01, Splitting One (1) Parcel Into Four (4) Parcels & Other Matters Properly Relating Thereto: Executive Director, Gene Etcheverry, said the Planning Commission met in regular session on March 14, 2012 and recommended approval by the Commission of this parcel map submitted by Mr. Wintle splitting one parcel into four.

Corey Rice, Chilton Engineering, represented Mr. Wintle on this project. He explained that Mr. Wintle wanted to split three smaller parcels off the existing parcel where his home is. He also said there is an existing forty foot easement along the westerly boundary of the main parcel that will be accessing all the parcels along Sheep Creek Road.

Commissioner Mason moved for the Commission to uphold the recommendation of the Planning Commission and approve the parcel map for Jay Wintle, Sec 30, T32N, R45E, Battle Mountain, APN 011-140-01, splitting one (1) parcel into four (4) parcels. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

11) Discussion For Possible Action Regarding A Parcel Map For Jay Wintle, Sec. 25 T32N, R44E, Battle Mountain, APN 011-110-08, Splitting One (1) Parcel Into Four (4) Parcels & Other Matters Properly Relating Thereto: Executive Director, Gene Etcheverry, said the Planning Commission met in regular session on March 14, 2012 and considered this parcel map presented by Mr. Wintle. He said this also splits one parcel into four and they recommended approval by the Commission for this parcel split.

Corey Rice, Chilton Engineering, represented Mr. Wintle. He said they are offering, for dedication, a thirty foot portion along the westerly side of Sheep Creek road as well as a sixty foot road for dedication, shown on the map as Northern Lights Road.

Commissioner Mason moved for the Commission to uphold the recommendation of the Planning Commission and approve the parcel map for Jay Wintle, Sec. 25, T32N. R44E, Battle Mountain, APN 011-110-08, splitting one (1) parcel into four (4) parcels, and authorize the Chairman to sign. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

- 12) Discussion For Possible Action Regarding A Parcel map For Adrian Guizar-Mendoza, 1900 2300 East, Battle Mountain, APN 011-420-12, Splitting One (1) Parcel Into Four (4) Parcels & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said the Lander County Planning commission met in regular session on March 14, 2012 and they recommended approval by the Commission of the parcel map presented by Mr. Mendoza. Mr. Etcheverry said this is to also split one parcel into four parcels at 1900 2300 East, Battle Mountain, APN 011-420-12.

Adrian Guizar-Mendoza said he is before the Board for approval of splitting his parcel into four.

Commissioner Mason moved for the Commission to uphold the recommendation of the Planning Commission and approve the parcel map of Adrian Guizar-Mendoza, 1900 2300 East, Battle Mountain, APN 011-420-12, splitting one (1) parcel into four (4), and authorize the chair to sign. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

ASSESSOR

- 13) Discussion For Possible Action Regarding Approval Of The Lander County Assessor's Office Job Description For Appraiser Tech & Appraiser Trainee & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said these are the job descriptions for the Appraiser Tech and Appraiser Trainee for the Assessor's Office. He said there are a few small changes, such as the Assessor's Office no longer collects personal property tax or other fees and it changes the word arithmetic to mathematics. Mr. Etcheverry said the job descriptions have been placed before Local 3, General Employee's Bargaining Unit, and they have no problem with it.

Commissioner Williams moved to approve the Lander County Assessor's Office job descriptions for the positions of "Appraiser Tech" and "Appraiser Trainee." Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

SENIOR CENTER

- 14) **Discussion For Possible Action Regarding Ratification & Acceptance Of Grant Award No. 09-000-57-NX-12, Nevada Aging & Disability Service Division, For Nutrition Services Incentive Program In The Amount Of \$3,089.00 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this is a new block of money awarded for use under the Nutrition Services Incentive Program. He said there is no required local match and he signed as accepted in order to meet the acceptance deadline.

Commissioner Stienmetz moved for the Commission to ratify the acceptance of Grant Award No., 09-000-57-NX-12, Nevada Aging and Disability Services Division, for the Lander County Senior Center Nutrition Services Incentive Program in the amount of \$3,089.00, with no required local match. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

BOARD APPOINTMENTS

- 15) **Discussion For Possible Action Regarding Appointments To The 2012-2013 Advisory Boards, Categories 1,2,3 & 4 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said they had received two letters of intent. One was from Paula Tomera dated March 15, 2012, asking to be appointed to LEDA. The second letter was from Louis Lani on February 1, 2012, requesting reappointment to his seat on the Lander County Planning Commission, Lander County Debt Management Commission, Humboldt River Basin Water Authority and as an alternate voting member of the Wildlife Board. Mr. Lani also submitted a March 1, 2012 letter that requested appointment or consideration to a Lander County Seat on the Central Nevada Regional Water Authority. Mr. Etcheverry said the two seat there are already occupied although he is welcome to attend.

Commissioner Williams moved for the Commission to appoint Ms. Paula Tomera to the Lander Country Economic Development Authority (LEDA), and re-appoint Mr. Louis A. Lani to his current seat on the Lander County Planning Commission, Lander County Debt Management Commission, Humboldt River Basin Water Authority and as an alternate voting member of the Wildlife Board. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

COMMISSIONERS

16) Correspondences/Reports/Potential Upcoming Agenda Items:

The Board reviewed the following correspondences that are retained in the Clerk's Office:

1. TERESA J. KNUTSON, BUREAU OF LAND MANAGEMENT, to Interested Party, letter regarding preliminary Environmental Assessment (EA) for the Desatoya Mountains Resiliency, Health, and Restoration Project.
2. KEVIN E. SULLIVAN, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Brian Musser, Barrick Cortez Inc., letter regarding 4th Quarter 2011 Groundwater Level Monitoring & LNAPL Recovery Report, Barrick Cortez Inc. Mill #1 Facility, Crescent Valley, NV, NDEP Facility ID #5-000020, Petroleum Fund #93-126.
3. MICHAEL J. HERDER, DISTRICT MANAGER, BUREAU OF LAND MANAGEMENT, to Grazing Permittee, letter regarding potential drought conditions during the 2012 grazing season.
4. PAULA TOMERA, EXECUTIVE DIRECTOR, BATTLE MOUNTAIN CHAMBER OF COMMERCE, to Lander County Commissioners, e-mail regarding Maverik grand opening schedule for Wednesday, March 28, 2012.
5. ANDY HAFEN, MAYOR, CITY OF HENDERSON, to Dean Bullock, Chair, Lander County Board of Commissioners, letter requesting participation in a tax structure discussion scheduled for April 26, 2012 at 11:30 a.m. at the Reno City Hall.
6. TRACY LARKIN-THOMASWON, P.E., NEVADA DEPARTMENT OF TRANSPORTATION, to Ray Williams, Lander County Commissioner, follow-up letter addressing issues discussed at the June 9, 2011 Lander County commission meeting.

Commissioner Bullock commented on correspondence #5 he did receive an invitation to participation in a tax structure meeting. He said he is planning to attend that meeting in April.

Commissioner Mason said he would like to be on the agenda for the solar project.

Executive Director, Gene Etcheverry said there will be an agenda item on April 12, 2012 to present the request for qualifications to go out for a CMAR project for the building of the Lander County Courthouse and Administration Building.

Commissioner Williams asked for the Austin fuel system to be put on the agenda.

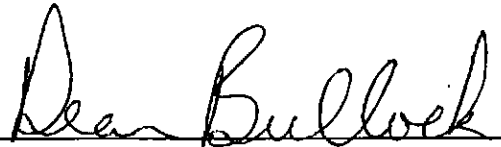
Jake Edgar said there may be a change order on Elquist Park because the standards for fill have been changed from four inches to six inches.

PUBLIC COMMENT

There was no public comment

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Stienmetz moved to adjourn the meeting of March 22, 2012. Seconded by Commissioner Williams the motion was voted and carried unanimously. **ADJOURNED**



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.