

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 May 24, 2012 at 9:00 a.m.

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

9:00 A.M.

Chairman Dean Bullock called the meeting to order.

Let the record reflect a quorum of five Commissioners.

Commissioner Garner 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 Garner, the motion was voted and carried. **APPROVED**

APPROVAL OF MINUTES

May 10, 2012-Regular Session

Commissioner Garner moved to approve the minutes of May 10, 2012 regular session. Seconded by Commissioner Williams, the motion was voted and carried unanimously.

APPROVED

May 21, 2012-Special Session

The minutes for May 21, 2012 special session were not ready for review.

COMMISSIONER REPORTS

Commissioner Williams reported on the Memorial Services to be held at the Austin Cemetery. He also reported on his attendance of the Washoe Board meeting on May 15, 2012. He said the NACO Public Lands meeting was on Monday May 21, 2012 where they discussed RS2477 roads. Commissioner Williams reported on various services that may be provided to War Veterans. He also said people with disabilities will be required to have the disability symbol on their license plates not just have the card to hang in the window.

Commissioner Mason reported on a meeting he attended on May 21, 2012 to discuss the expansion of the sewer systems so Battle Mountain could grow.

STAFF REPORTS

Executive Director, Gene Etcheverry, said on June 1, 2012 Able Tapia will be coming to look at the Battle Mountain Airport. He said the project for the Battle Mountain Airport, this year, is the apron and Mr. Tapia would be able to see the failure of the water system and possibly join in a partnership in fixing it.

PAYMENT OF THE BILLS

Jane Bianchi presented the Board with bills to be ratified and the submitted expenditures.

ATS TACTICAL GEAR

Commissioner Garner moved to approve check #040551 in the amount of \$1,355.45 to ATS Tactical Gear. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously.

BUSINESS CARD

Commissioner Garner moved to approve check #040552 in the amount of \$578.58 to Business Card. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously.

APPROVED

EAGLE UNITED

Commissioner Garner moved to approve check #040555 in the amount of \$728.90 to Eagle United U.S.A., Inc. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

CARES-HANGER PROSTHETICS

Commissioner Garner moved to approve check #040556 in the amount of \$447.00 to Cares-Hanger Prosthetics. Seconded by Commissioner Stienmetz the notion was voted and carried unanimously. **APPROVED**

SUMMIT ENGINEERING CORP.

Commissioner Garner moved to approve check #040572 in the amount of \$12,822.77 to Summit Engineering Corp. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

CYNTHIA BENSON

Commissioner Garner moved to approve check #040577 in the amount of \$12.00 to Cynthia Benson. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

CFOA

Commissioner Garner moved to approve check #040578 in the amount of \$50.00 to CFOA. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

WELLS FARGO REMITTANCE

Commissioner Garner moved to approve check #040600 in the amount of \$646.90 to Wells Fargo Remittance. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

Commissioner Garner moved to approve submitted expenditures in the amount of \$137,315.14 from check #40601 thru #40703. Seconded by Commissioner Stienmetz the motion was voted and carried with Commissioner Williams abstaining from check #40702 and Commissioner Bullock abstaining from check #40614 and check #40615. **APPROVED**

PAYROLL CHANGE REQUESTS

1. Approval of Employee Change Request for employee #1127, New Hire, Maintainer II, \$14.53 per hour, effective May 21, 2012.

2. Approval of Employee Change Request for employee #0569, New Hire, Assistant Pool Manager/Battle Mountain, \$12.75 per hour, effective May 1, 2012.
3. Approval of Employee Change Request for employee #0060, New Hire, Pools Manager, \$1,111.20 bi-weekly, effective May 1, 2012.
4. Approval of Employee Change Request for employee #1352, New Hire, CAT 3, Level 1, \$18.09 per hour, effective May 14, 2012.
5. Approval of Employee #0744, New Hire, Assistant Pool Manager/Austin, \$12.75 per hour, effective May 14, 2012.
6. Approval of Employee Change Request for Employee #1113, New Hire, 4th Year Lifeguard/Austin, \$9.11 per hour, effective May 14, 2012.
7. Approval of Employee Change Request for employee #1118, New Hire, Water Safety Instructor/Battle Mountain, \$9.50 per hour, effective May 14, 2012.
8. Approval of Employee Change Request for employee #1473, New Hire, Water Safety Instructor/Battle Mountain, \$9.50 per hour, effective May 14, 2012.
9. Approval of Employee Change Request for employee #1199, New Hire, Water Safety Instructor/Battle Mountain, \$9.50 per hour, effective May 14, 2012.
10. Approval of Employee Change Request for employee #1288, New Hire, 2nd Year Lifeguard/Battle Mountain, \$8.50 per hour, effective May 14, 2012.
11. Approval of Employee Change Request for employee #1318, New Hire, 2nd Year Lifeguard/Battle Mountain, \$8.50 per hour, effective May 14, 2012.
12. Approval of Employee Change Request for employee #1434, New Hire, 2nd Year Lifeguard/Battle Mountain, \$8.50 per hour, effective May,14, 2012.

Commissioner Garner moved for the Commission to approve all the employee change requests. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously.

APPROVED

PUBLIC COMMENT

No Public comment at this time.

FINANCE

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts & Financial Updates & Other Matters Properly Relating Thereto:** Rogene Hill, Finance Director, said she finished with the final budget and on June 6, 2012 she, along with Mr. Etcheverry, will be meeting with the Auditors for audit planning. **NO ACTION – UPDATE ONLY**

- 2) **Discussion For Possible Action Regarding Write-Off Of Uncollectible Lander County Ambulance Billings & Other Matters Properly Relating Thereto:** Rogene Hill, Finance Director, said Tammy Dimitroff is asking that Ambulance Run #2011956 for \$645.00 be written off as a hardship case.

Commissioner Garner moved for the Commission to approve the write-off of the ambulance billing for Ambulance Run #2011956, due to profound hardship, in the total amount of \$645.00. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

EXECUTIVE DIRECTOR

- 3) **Discussion For Possible Action Regarding Lander County Administration Staff Succession Plan & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said in the next eighteen to thirty month there will be a turnover in three department head positions and possibly one medical staff position. He said there are risks involved, with critical position turnover, if there is not a Succession Plan in place.

Commissioner Mason said he feels they need to have someone come in and learn the job. Mr. Etcheverry said that would be an option. Commissioner Williams said they need to work out the kinks in the job descriptions then go out to hire people for these jobs. Commissioner Bullock said, his opinion is, there is no succession. If people want to learn the job while doing their other job that is fine, but they will still take applications from outside, along with those in house, and hire the most qualified. Mr. Etcheverry talked about using a Headhunter but the importance of finding someone who can do the job. Mr. Etcheverry said he can get help form POOL/PACT on creating a Succession Plan.

Commissioner Williams moved for the Commission to direct staff to continue development of Lander County Administration Staff Succession Plan to bring before the Commission for approval prior to implementation. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

- 4) **Discussion For Possible Action Regarding Lander County Courthouse/Administration Building Project Team & Appointment Of Additional Members & Other Matters**

Properly Relating Thereto: Executive Director, Gene Etcheverry, said the new Courthouse/Administration Project is getting a lot of attention. He said NRS requires the public body to appoint a panel that consists of at least three members. However, two of those members must have construction experience. Mr. Etcheverry said they needed to expand the Building Project Team to include those two with building experience.

Commissioner Garner said he had spoken with a general contractor who would be interested in joining the Building Project Team. Commissioner Stienmetz also said he has construction experience and would like to be a part of the Building Team.

Commissioner Mason moved to add Commissioner Stienmetz to the Lander County Courthouse/Administrative Building Project Team. Seconded by Commissioner Williams, the motion was voted and carried with Commissioner Stienmetz abstaining from the vote. **APPROVED**

Commissioner Stienmetz moved to add Randy Clark to the Lander County Courthouse/Administrative Building Project Team. Seconded by Commissioner Williams, the motion was voted and carried unanimously. **APPROVED**

- 5) **Discussion For Possible Action Regarding Letter Of Resignation From Dennis D. Lundberg From the Kingston Town Board & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said Mr. Lundberg has served on the Kingston Town Board for eight year.

Commissioner Williams asked the members of the Kingston Town Board that were present if they had any comment. One of the members stated she didn't understand why Mr. Lindberg brought it before the Commissioners. Commissioner Williams explained that legally the Commission would appoint members if they were not elected and therefore it was appropriate for them to accept a letter of resignation.

Commissioner Mason moved for the Commission to accept the Letter of Resignation from Dennis D. Lundberg from his position on the Kingston Town Board. Seconded by Commissioner Garner, the motion was voted and carried unanimously. **APPROVED**

COMMISSIONERS

- 6) **Discussion For Possible Action Regarding Approval Of Contract/Agreement With Young Electric Sign Company (YESCO) For The Battle Mountain Civic Center Sign & Electric Message Center Project & Sixty (60) Month Maintenance Agreement, & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said the sale agreement and the 60 month maintenance agreement with Young Electric Sign Company (YESCO) was before the Board. He said YESCO was ready to begin

manufacturing the sign as soon as 50% of the payment was received. Commissioner Bullock said they needed to either put the Chamber of Commerce on the sign as well or they need to take Convention and Tourism off. He felt it was best to take Convention and Tourism off and just put the Civic Center across the bottom of the sign.

Commissioner Garner moved for the Commission to approve the Sale Agreement from Young Electric Sign Company (YESCO) for the Battle Mountain Civic Center Sign and Electronic Message Center Project and sixty (60) month Maintenance Agreement for the sign and electronic message center, authorize the Executive Director to sign both agreements and authorize payment of the initial 50% payment (\$38,447.50) to YESCO immediately.

James Barnes, Deputy District Attorney, said there had been a few changes to the contract and explained what those changes were and that YESCO had signed the addendum.

Commissioner Garner added to approve addendum #1 to his motion as stated by the Deputy District Attorney. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

- 7) **Discussion For Possible Action Regarding Approval Of Food Service Agreement Between Lander County & Lander County School District For Provision Of School Lunches to Austin Combined Schools Under The National School Lunch Program & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this was an agreement between Lander County and the Lander County School District Board of Trustees for provision of lunches to the Austin Combined Schools under the National School Lunch Program. He said this agreement is for one (1) year starting July 1, 2012 and terminating June 30, 2012.

Commissioner Garner moved for the Commission to approve the Food Service Agreement between Lander County and the Lander County School District to provide a lunch program to the students at the Austin Combined School for the period of one (1) year, commencing July 1, 2012 and terminating June 30, 2013. Seconded by Commissioner Williams, the motion was voted and carried unanimously. **APPROVED**

- 8) **Discussion For Possible Action Regarding Governance Of The Proposed Community Recreation Center & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said the ADHOC Committee was moving ahead well.

Rusty Bahr introduced himself and gave the Board a little background about himself and his experience with Community Center projects. Mr. Bahr said he was before the Board

to discuss who would fund, own, manage and operate the Community Center. He provided them with two options, one being a Non-Profit Board managing the Center and the other being the County managing the Center. He explained how each one works and said he feels the Non-Profit Board would be the best option. He did say he was not asking for a decision today and a formal proposal would be made to the Board.

Commissioner Garner moved for Staff to work with the ADHOC Committee to come up with the a proposal. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

- 9) **Discussion For Possible Action Regarding Sage Grouse Policy Approved By The Lander County Public Land Use Advisory Planning Commission (PLUAPC) & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this is basically the proposed policies and recommendations for Sage Grouse conservation. Jerry Annis, was present to answer any questions the Board may have. Mr. Annis said they are currently re-writing the Public Land Use Policy for the Commission's approval.

Commissioner Garner moved for the Commission to uphold the recommendations of the Lander County Public Land Use Advisory Planning Commission (PLUAPC) and accept and approve the "Policies and Recommendations of the Lander County Public Land Use Advisory Planning Commission for Sage Grouse Conservation." Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

- 10) **Discussion For Possible Action Regarding Approval/Disapproval Of Addendum To Fiscal Year 2011-2012 Contract For Library Service Between The Elko County Library Board Of Trustees & Lander County, In The Amount Of \$1,251.00, & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this is an adjustment to the current Library Agreement.

Jeannette Hammons, Elko County Library District Director, and Laure Oki, Assistant Library Director addressed the Board. Ms. Hammons said they had been informed by Elko County that there were a number of employees that did not meet the minimum thirty hours a week to continue being covered by insurance. Ms. Hammons said Rosemary Fuller, Assistant Librarian in Battle Mountain, needs six additional hours to maintain her insurance and she has worked in the Library for nine and a half years but has twenty-five and a half years of experience in Library Services in Battle Mountain. She also said they have sent out a survey and most of the responses were requesting more library hours. Commissioner Williams asked where those additional six hour would be added. Ms. Hammons said they hadn't determined where those hours would be used yet.

Ms. Fuller said more people have been coming to the Library to use the internet. She said they have six computers now and they are in constant use. She also stated the internet at the Library is more secure than most people could get at home.

Rogene Hill, Finance Director, said the \$1,251.00 was just to cover the salary for the last quarter.

Commissioner Garner moved for the Commission to approve the Addendum to Fiscal Year 2011-2012 Contract for Library Services between Elko County Library Board of Trustees and Lander County in the amount of \$1,251.00, to accommodate the provision of insurance coverage for the Branch Library Assistant at the Battle Mountain Public Library through June 30, 2012. Seconded by Commissioner Bullock, the motion was voted and carried unanimously. **APPROVED**

Finance Director, Rogene Hill, stated, for the record, the \$1,251.00 would be transferred from fund 052.057.53980, Civic Center Utilities, to fund 052.062.03540, Library Contracts.

- 11) Discussion For Possible Action Regarding Approval/Disapproval Of An Agreement Between The Elko County Library Board Of Trustees & Lander County, In The Amount Of \$116,666.00, Replacing The Agreement Previously Approved By The Commission On March 8, 2012, For Library Services In Battle Mountain & Austin & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this is the amended agreement the Board discussed, and did not approve, in the special budget meeting on Monday May 21, 2012. The contract would increase from 24 to 30 hours a week in order for the Branch Library Assistant to be eligible for insurance coverage.

There was discussion on where the hours could be used.

Commissioner Williams moved for the Commission to re-affirm their position taken during the May 21, 2012 Public Hearing on the Fiscal Year 2012-2013 Tentative Budget and NOT APPROVE the agreement between the Elko County Library Board of Trustees and Lander County, in the amount of \$116,666.00, replacing the Agreement previously approved by the Commission on March 8, 2012, for library services in Battle Mountain and Austin. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **NOT APPROVED**

PLANNING COMMISSION

- 12) Discussion For Possible Action Regarding Approval/Disapproval Of A Parcel Map For Randy Clark, Section 24, T32N, R44E, Battle Mountain, APN 011-060-12, Splitting One**

(1) Parcel into Four (4) Parcels & Other Matters Properly Relating Thereto: Randy Clark presented his parcel map to the Board for approval and the Chairman's signature.

Commissioner Stienmetz moved for the Commission to uphold the recommendation of the Lander County Planning Commission and approve the zone change request for Randy Clark, Section 24, T32N, R44E, Battle Mountain, APN 011-060-12, and authorize the Chair to sign the map. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

PUBLIC WORKS

13) Discussion For Possible Action Regarding Resolution No. 2012-07, A Resolution Modifying The Fee Schedule For The Battle Mountain Water System, & Other Matters Properly Related Thereto: Tammy Dimitroff said this is part of the five year raise in rates plan. She said this first installment will take effect July 1, 2012. Commissioner Williams said he didn't understand why they were raising the rates. Commissioner Stienmetz explained this is to cover the operation costs. Jake Edgar, Public Works Foreman, said they didn't want to slam the taxpayers with a large raise in rates at one time and so they sat down with Ms. Hill to figure out the best percentage to increase rates every year.

Commissioner Garner moved for the Commission to approve the modified fee schedule and approve and adopt Resolution No. 2012-07, a Resolution modifying the fee schedule for the Battle Mountain Water System. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

COMMISSIONERS

14) Correspondence/Reports/Potential Upcoming Agenda Items:

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

1. MITSUYO MASER, NEVADA DEPARTMENT OF TAXATION, to Taxpayer, letter regarding Application Filing Number: 10-10006G; Project Name: Ormat McGinness Hills Project.
2. MATTHEW DeBURLE, P.E., NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Aaron Lewis, P.E., Ormat Nevada, Inc., letter regarding Permit to Operate Authorization for McGinness Hills Geothermal Complex.
3. W. TODD SUESSMITH, JR., NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Ms. Meg Burt, Newmont Mining Corporation, letter regarding BMRR Issuance of

Final Revised Reclamation Permit #0223 for the Phoenix Project; BLM Case Number NVN-067930.

4. SUSAN MARTINOVICH, P.E., NEVADA DEPARTMENT OF TRANSPORTATION, to Gene Etcheverry, Lander County Executive Director, letter regarding additional funding for US 50 Austin Visitor Center project.
5. JANE GRUNER, DEPUTY ADMINISTRATOR, NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH AND DEVELOPMENTAL SERVICES, to Ray Williams, Lander County Commission, letter regarding FY 2013 projected estimate for services provided to Lander County children with developmental disabilities.

Executive Director, Gene Etcheverry, said the County was being granted the additional funds for the Austin Loneliest Highway Visitor's Center, and said they can submit the 90% design.

Jake Edgar, Public Works Foreman, informed the Board that the new pump is in the water well but they are having some issues because it isn't meeting its full potential. He said the Engineer will be here on Wednesday, May 30, 2012 to take a look at it. Mr. Edgar also said there are issues on the greens at the Golf Course. He said it was recommended to him to re-sod the greens. Mr. Edgar provided the Board with a quote he received to replace the greens and recommended giving those who bought season passes their golf back next year.

Executive Director, Gene Etcheverry, discussed the failure of the water system at the Airport. There was some discussion on putting a new well in that area and the plan to fix the issue currently.

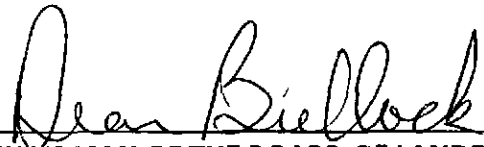
Mr. Etcheverry said in an upcoming meeting they will be certifying the Tax Rates. He said per NRS that must be done as soon as possible after June 25th. He said this meeting has been set for June 26th. The Commissioners questioned why the Tax Rates couldn't be done in the regular Commission meeting. Mr. Etcheverry said he didn't see why they couldn't make that work and he would write a letter to the Tax Commission.

PUBLIC COMMENT

No Public Comment

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Garner moved to adjourn the meeting of May 24, 2012. Seconded by Commissioner Stienmetz, the motion was voted and carried. **ADJOURNMENT**



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.