

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 June 14, 2012 at 9:00 a.m.

**PRESENT:** DEAN BULLOCK, COMMISSIONER  
STEVEN STIENMETZ, 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

**ABSENT:** BRIAN GARNER, COMMISSIONER

**9:00 A.M.**

Chairman Dean Bullock called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Cathy Myers, Deputy Clerk, 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 OF MINUTES**

**May 21, 2012-Special Session**

Commissioner Stienmetz moved to approve the minutes of May 21, 2012 Special Session. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

## May 24, 2012-Regular Session

Commissioner Stienmetz moved to approve the minutes of May 24, 2012 Regular Session. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

### COMMISSIONER REPORTS

Commissioner Williams reported on a lunch he attended with Commissioner Mason, Jeremy Lutz and a representative from Rod Davis' Office, where they discussed the cooperation of the sage grouse plan. He said he attended the Public Lands Advisory Board Meeting on June 4, 2012. Commissioner Williams also reported he attended the Central Nevada Rural Water Association Meeting, with Gene Etcheverry, on June 8, 2012 in Ely. He said they discussed the importance of filing water rights. He also commented on the upcoming Gridley Days, starting June 15, 2012 and the Father's Day trap shoot in Kingston.

Commissioner Mason reported on his attendance of the Planning Commission Meeting on June 13, 2012. He talked about Mr. Jay Wintle's zone change and the opportunity to dedicate a new road off of Allen road. He also said he suggested the Planning Commission increase their number of meetings.

Commissioner Stienmetz reported on Congressman Mark Amodei coming out to Dyno Noble and speaking with him.

Commissioner Bullock reported on his attendance of the LEDA Board Meeting on June 6, 2012 where they discussed moving forward on the FIND Projects. He said he also attended two meetings on the Rec Center Project and it is moving forward. He said they found the Legal Counsel for that and are looking for seed money then they will move into the plans. Commissioner Bullock said he attended Nevada Works on June 8, 2012. He said the Governor is looking to combine Nevada Works into sector counsels, but for now business is as usual until Nevada Works is notified.

Commissioner Williams said he attended a meeting with members of the Hospital where concerns on the Austin Ambulance were expressed. He also said the Newmont 2<sup>nd</sup> Quarter Breakfast would be held at the Owl Club on June 19, 2012 at 7:30 am.

### STAFF REPORTS

Executive Director, Gene Etcheverry, reported on the Central Nevada Regional Water Authority on June 8, 2012. He also talked about water rights in Lander County. He also reported on a meeting with the Austin Loneliest Highway Visitor Center project team. He said they have the 90% submittal but they don't have the construction manual submitted. He said on August 13,

2012 there will be a pre-bid conference in Austin for Construction Firms that would want to bid that project. Mr. Etcheverry said he has also had several meeting with prospective bidders on the CMAR Project, and there other Companies that will be coming in. He said the Army Corps of Engineers were to be in Battle Mountain on June 14, 2012, to visit the site for the Levee Project. He said he had dinner with Congressman Mark Amodei on June 12, 2012 and they discussed the issues with the Army Corps of Engineers.

#### **PAYMENT OF THE BILLS**

Jane Bianchi presented the Board with bills to be ratified.

#### **ERIN MCMURTREY**

Commissioner Stienmetz moved to ratify check #040765 in the amount of \$1,437.50 to Erin McMurtrey. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

#### **BANK CARD SERVICES**

Commissioner Stienmetz moved to ratify check #040751 in the amount of \$4,386.71 to Bank Card Services. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

#### **SIERRA NEROSURGERY GROUP**

Commissioner Stienmetz moved to ratify check #040772 in the amount of \$20,027.00 to Sierra Neurosurgery. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

#### **BATTLE MOUNTAIN POSTMASTER**

Commissioner Stienmetz moved to ratify check #010750 in the amount of \$110.00 to the Battle Mountain Post Master. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

#### **NV ENEGRY**

Commissioner Stienmetz moved to ratify check #040715 in the amount of \$6,000.00 to NV Energy. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

#### **LOCKIE & MACFARLAN, INC**

Commissioner Stienmetz moved to ratify check #040714 in the amount of \$2,190.00 to Lockie & MacFarlan Inc. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

Commissioner Stienmetz moved to approve submitted expenditures in the amount of \$473,630.09 from check #340777 thru #40920. Seconded by Commissioner Williams, the motion was voted and carried with Commissioner Mason abstain from the vote on check #40847 and Commissioner Bullock abstaining from the vote on check #40800. **APPROVED**

### **PAYROLL CHANGE REQUESTS**

1. Approval of Employee Change Request for employee number 1207, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective May 30, 2012.
2. Approval of Employee Change request for employee number 1500, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective June 4, 2012.
3. Approval of Employee Change Request for employee number 1356, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective June 4, 2012.
4. Approval of Employee Change Request for employee number 1236, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
5. Approval of Employee Change Request for employee number 1247, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
6. Approval of Employee Change Request for Employee number 1421, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
7. Approval of Employee Change Request for employee number 1339, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
8. Approval of Employee Change Request for Employee number 1393, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
9. Approval of Employee Change Request for employee number 1255, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
10. Approval of Employee Change Request for Employee number 1379, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
11. Approval of Employee Change Request for employee number 1371, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.

12. Approval of Employee Change Request for employee number 1435, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
13. Approval of Employee Change Request for employee number 1310, New Hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
14. Approval of Employee Change Request for employee number 1281, New hire, 1<sup>st</sup> Year Lifeguard/Battle Mountain, \$8.25 per hour, effective May 28, 2012.
15. Approval of Employee Change Request for employee number 1474, New Hire, 1<sup>st</sup> Year Lifeguard/Austin, \$8.25 per hour, effective May 28, 2012.
16. Approval of Employee Change Request for employee number 1163, New Hire, 1<sup>st</sup> Year Lifeguard/Austin, \$8.25 per hour, effective May 28, 2012.
17. Approval of Employee Change Request for employee number 1530, New Hire, 1<sup>st</sup> Year Lifeguard/Austin, \$8.25 per hour, effective May 28, 2012.
18. Approval of Employee Change Request for employee number 1508, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective June 11, 2012.

Commissioner Stienmetz moved to approve employee change requests as stated. Seconded by Commissioner Mason, the motion was voted and carried with Commissioner Williams abstaining from the vote on employee #1403. **APPROVED**

#### **PUBLIC COMMENT**

No public comment at this time.

#### **FINANCE**

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts & Financial Update & Other Matters Properly Relating Thereto:** Finance Director, Rogene Hill, updated the Board that nine accounts totaling \$4,680.00 had been sent to collections. She said a check in the amount of \$150.29 was received from the collection agency on old written off accounts. Ms. Hill said the year to date collection fees are \$720.31. Commissioner Bullock asked what the collection agency costs the County. Ms. Hill said they take a percentage of what they collect.

She said accounts receivable for the Month of May are as follows:

WATER: \$12,281.00  
SEWER: \$14,394.00  
WATER & SEWER MISC.: \$25.00  
LANDFILL: \$13,556.00  
AMBULANCE: \$41,667.00  
ACCOUNTS AT COLLECTIONS: \$21,706.00  
**TOTAL: \$103,629.00**

Ms. Hill said, on June 6, 2012, she and Mr. Etcheverry met with the Auditors for their planning meeting. She said the Auditors have started their audit prep work. She said she will be attending the CFOA Conference June 19 thru the 22, 2012, and the Finance Department will also be starting their prep work on the audit.

Ms. Hill reviewed the contracts that are coming up for renewal. There was discussion on the most current Bank of America contract that had not been signed or returned by Bank of America. Other contracts coming up for renewal are Battle Mountain Raceway, AT&T Emergency, Elko Library, Battle Mountain General Hospital for the Clinic rental, Muller Land and Cattle Water Rights, Washoe County Sheriff for the Forensic, the Pre School, New Frontier Treatment Center and Valley TV.

#### **COMMISSIONERS**

- 2) **Discussion For Possible Action Regarding Acceptance/Non-Acceptance Of Renewal Proposal From Nevada Public Agency Pool (POOL/PACT) & Approval For Payment From FY 2012-2013 Funds & Other Matters Properly Relating Thereto:** Ann Wiswell, Nevada Public Agency Insurance Pool, addressed the Board to present the renewal proposal for Nevada Public Agency Insurance Pool prepared by Susie Davis of Hanica Insurance Agency. There was discussion on who needed a yearly physical and if the Volunteer Fire Department needed them as well as the Sheriff's Department.

Commissioner Stienmetz moved for the Commission to accept the renewal proposal from Nevada Public Agency Insurance Pool (POOL/PACT) for the Lander County All-Risk and General Liability Insurance for the 2012-2013 Fiscal Year and approve payment of the premiums using Fiscal Year 2012-2013 budgeted funds. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

- 3) **Discussion For Possible Action Regarding Approval/Disapproval Of Employer Contract For Health Services Between Lander County & Nevada Health Centers, Inc. & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said Nevada Health Centers, Inc. operates the Austin Clinic. He said through this agreement they

could get physicals, immunizations, testing performed for Road and Bridge and other County Employees in Austin. He said it also gives a preferred rate in the contract.

Commissioner Williams moved for the Commission to approve the Employee contract between Lander County and Nevada Health Centers, Inc. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

**4) Discussion For Possible Action Regarding Approval/Disapproval Of The Agreement Between Lander County & The Austin Roping Club For Lease Of The Austin Rodeo Grounds Located On Highway 50 In Austin & Other Matters Properly Relating Thereto:**

Executive Director, Gene Etcheverry, said the contract for lease of the Austin Rodeo Grounds by the Austin Roping Club was before the Board for consideration. He said the District Attorney's office has worked with members of the Roping Club to get a new agreement in place. Through Nevada Revised Statutes (NRS) 244.2835, the County can lease property to a non-profit organization, through a contract.

Commissioner Stienmetz moved for the Commission to approve the Austin Roping Club Lease Agreement between Lander County and the Austin Roping Club for lease of the Austin Rodeo Grounds located on Highway 50 in Austin. Seconded by Commissioner Mason.

Ruben Gallegos said he is ready to sign a contract and the County has every right to dictate what the contract should be. He said he will present the contract to the Roping Club members at their next meeting on July 2, 2012.

Michael Marking shared his concerns about the contract between Lander County and the Roping Club not giving back to the County. He feels the Roping Club should provide activities and classes and give back to the County and the community.

The motion was voted and carried. **APPROVED**

**5) Discussion For Possible Action Regarding Approval/Disapproval Of The Agreement Between Lander County & New Frontier Treatment Center For Lease Of The Building Located At 145 West Third Street In Battle Mountain & Other Matters Properly Related Thereto:**

Executive Director, Gene Etcheverry, said the New Frontier Treatment Center is a non-profit organization. He said the term of the agreement is from date of approval until July 15, 2013 with automatic renewal each year for a one year period. He said New Frontier provides services through the Lander County Drug Court Program.

Commissioner Stienmetz moved for the Commission to approve the New Frontier Treatment Center Lease Agreement between Lander County and New Frontier

Treatment Center for Lease of the building located at 145 West Third Street in Battle Mountain and authorize the Chair to sign. Seconded by Commissioner Williams, the motion was voted and carried. APPROVED

- 6) **Discussion For Possible Action Regarding Approval/Disapproval Of The Agreement Between Lander County & The Battle Mountain Stock Car Racing Association For Lease Of The Stock Car Racing Facility Located At The Battle Mountain Airport & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this is also a non-profit organization. He said this contract also allows limited use of the water from the Airport well. He said the term of this contract is from approval to June 14, 2013 with automatic renewal each year for a one year period.

Commissioner Stienmetz moved for the Commission to approve the Racetrack Lease Agreement between Lander County and the Battle Mountain Stock Car Association for lease of the stock car racing facility, located at Battle Mountain Airport and authorize the Chair to sign. Seconded by Commissioner Williams, the motion was voted and carried. APPROVED

#### **ASSESSOR**

- 7) **Discussion For Possible Action Regarding Approval Of The Lander County Assessor's Office Job Description For A Full-Time Appraiser Tech & Part-Time Deputy Assessor Position & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said there are two more job descriptions from the Assessor's Office. He said a job description was put Before the Board earlier this year, but it was for the Part-Time Appraiser Tech position. Commissioner Mason said he spoke with Lura and there where only a few words changed in the job description.

Commissioner Mason moved for the Commission to approve the job descriptions for the full-time Appraiser Tech and part-time Deputy Assessor positions in the Lander County Assessor's Office. Seconded by Commissioner Williams, the motion was voted and carried. APPROVED

#### **TREASURER**

- 8) **Discussion For Possible Action Regarding Proposed Acquisition Of Land Located At 385 S. Mountain Street, Battle Mountain, APN #002-220-05, & Other Matters Properly Related Thereto:** Grace Powrie, Treasurer, addressed the Board on the reason she would like to acquire the property. She provided the Board with photos of the property. She said she would like to put a building there for the Parks Department. Ms. Powrie also said there is a singlewide trailer that has been deemed uninhabitable and the



current owner has posted a sign that the trailer has black mold. She would like the County to own the frontage of the Cemetery as well as the back. There was some discussion on how to acquire this property. Ms. Powrie said the current owner has not been approached yet on acquiring the property, but they are current on their taxes. She also said a letter has been sent to the current owner notifying them they need to clean up the property within 30 days.

Bill Schaeffer said he thinks the Commission should first try voluntary acquisition and if that doesn't work explore other options.

Ms. Powrie said it would be easier to have this as part of the cemetery frontage and make it look nice. She also said if there was ever a desire to expand the cemetery they would be able to. There was discussion on the various access points to the cemetery.

Commissioner Mason moved for the Commission to direct staff to look into the acquisition of this property at 385 S. Mountain Street, Battle Mountain, APN #002-220-05, for the purpose of County purchase. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

- 9) **Discussion For Possible Action Regarding The Possibility Of Hiring Part-Time, Temporary Summer Help For Maintenance Work At The Battle Mountain Cemetery & Other Matters Properly Related Thereto:** Grace Powrie, Treasurer, said the white headstones, that are made of wood are starting to decay and fall over. She said it has been about ten years since they have been replaced. Ms. Powrie said she had made a lot of phone calls and has found the money to buy the wood to replace them. She said Joe Lindsey has the Conservation Crew in his budget and they would be coming for a week to work on those markers. Ms. Powrie said she didn't feel she needed to hire anyone at this time and this was more of an update. There was discussion on making the markers something more permanent and not out of wood that requires being replaced every ten years or so. Ms. Powrie said the cemetery is sinking, but she would look into something more permanent in the future. She also said these graves only have numbers and no names. She said the list with the names was destroyed in the flood in 1963. **NO ACTION-UPDATE ONLY**

#### **LANDER ECONOMIC DEVELOPMENT AUTHORITY**

- 10) **Discussion For Possible Action Regarding The State Regional Economic Development Plan & The Formulation Of A Regional Development Authority (RDA) & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said Economic Development has changed. He said we are headed towards Regionalization and implementation of the Governor's Plan for Economic Development.

Don Vetter, Vetter PR, Inc., said the State is rushing them through this. He said they are trying to find a process for Lander County to become Regional on Lander County's terms and not the States terms. Mr. Vetter said they the information is coming pretty fast and they are trying to bring it before the Board as it comes.

Jon Sherve, LEDA Chairman, said the reorganization is through Assembly Bill 449 that was passed about a year ago. He said this forces the County's Economic Development Authorities, from each County, to partner with neighboring Counties to become Regional Economic Development Authorities. Mr. Sherve said for this fiscal year we are considered a Regional Economic Development Authority, still Lander County specific, but within six months to a year we should understand where we are going to go with Regionalization with other Counties.

Don Vetter said the Governor's Office of Economic Development said you have to be Regional or join with another County or they will withhold the Grant money. He said there was an RFP received in April and they were given 30 days to finish it. Mr. Vetter said they have applied for \$65,000.00 to implement the FIND Project. He said they have agreed, as long as we are pursuing Regionalization, to \$40,000.00. He said there are two logical options. One is to seek partnership with Elko County's Economic Diversification Authority, which is being renamed the Northeastern Nevada Regional Development Authority, or to partner up with Eureka and White Pine as the Central Eastern Nevada Regional Development Authority. Mr. Vetter said at the last LEDA meeting they said they wanted to join in a partnership, but they don't want Lander County to lose their individual identity. He gave some regional issues where other Counties could work together. There was discussion on the housing issues and how to change that.

Jim Garza, Director of White Pine County Community and Economic Development Office, said being a Regional Economic Development Authority allows the Rural Counties to tap in to some great opportunities like the CALES Fund. This fund is to help bring in new industries into our market. He said you could apply for fifty to one hundred and fifty thousand dollars to close a deal if a manufacture wants to come into market but there is some hold up. Mr. Garza said there are some benefits to Regionalization and he feels it will improve the overall economy in Nevada. He said White Pine and Eureka are discussing an alliance because they have a lot of things in common. Mr. Garza said he thinks Lander County would fit well with White Pine and Eureka because we have a lot in common with them as well. He requested, on behalf of the White Pine County Commission, for Lander County to give them the opportunity to share their vision and see if it matches up with Lander County's.

Pam Borda, said their Economic Development Authority was already considered a Regional Developmental Authority because they are developed by Interlocal Agreement that exists because if multiple governments. She said they didn't need to extend to other Counties, but they have to Lander, Eureka and White Pine. She said someone has to be in charge and that cannot be done by memorandum of understanding. Ms. Borda said she would like to talk with LEDA and see if joining them was a good option for Lander County. She said the Central group has formed and includes Fallon, Mineral and Pershing, with Fallon taking the responsibility. Humboldt County has not done anything yet. She is making a proposal for Elko, Lander, White Pine, Eureka and possibly Humboldt.

Commissioner Bullock said we have a LEDA Board and he has total confidence in them to decide where to join. He said he did ask why you couldn't join city principalities with counties, but they couldn't give him an answer.

Commissioner Williams moved that the Commission commit to joining a regional development organization by not name a specific organization with which to partner, and allow LEDA to make that decision and come back to the Commission with a recommendation. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

- 11) **Discussion For Possible Action Regarding The Lander Economic Development Authority's (LEDA's) 2012 Economic Diversification, Community Business Enhancement & Marketing Plan & Other Matters Properly Relating Thereto:** George Fennemore, LEDA Board Member, discussed the FIND Project that was started in 2005. He said the plan is to promote existing businesses and recruit new businesses, and they are ready to launch these plans. Mr. Fennemore also said an Aquatic Center would be a great asset. He said they would like to retain a business relocation specialist to help them on a professional basis to make contact with potential businesses. He said they have secured funding from the BLM along with the LEDA Funding and donations from Newmont, Barrack, and Gold Corp. Mr. Fennemore said they have enough funding to get them through these activities and they plan to do most of this work through the end of 2012 and into early 2013. He said they are looking for comments and any feedback that the Commission may have on this marketing plan. He said they would like the commission's blessing to go out and advertise and solicit proposals from a business relocation specialist to approach people and ask for quotes to provide those services.

Commissioner Williams shared his concerns about Austin not being included as much as Battle Mountain in the LEDA Plan.

Commissioner Stienmetz moved for the Commission to approve the Lander Economic Development Authority 2012 Economic Diversification, Community Business Enhancement and Marketing Plan, as adopted by LEDA during the regular meeting of the board, held Wednesday June 6, 2012. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

#### **EXECUTIVE DIRECTOR**

**12) Discussion For Possible Action Regarding Letter Of Support & Advocacy Of The Implementation Plan Of High Sierra Airlines (HSA) & Its Proposal & Solicitation For The Small Community Air Service Development Program (SCASDP) & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said the plan for High Sierra Airlines is to provide a rural airline for the state of Nevada to service un-served and underserved communities and capitalize on the assets. He said High Sierra Airlines put together their business plan to not only operate just a viable rural airline, but to become a transportation operative for rural Nevada communities. Mr. Etcheverry said they are asking for Commission and Economic Development Authorities support for their application to the Small Community Air Service Development Program (SCASDP) to USDOT to provide a grant. He said Jon Sherve has signed the LEDA letter and one was prepared for the Chairman of the Commission to sign. This could be a combination of services like passenger and freight service, but they will do a survey to see what the need is.

Commissioner Williams moved for the Commission to accept and approve the letter of support and advocacy of the implementation plan of High Sierra Airlines (HAS) and its proposal and solicitation for the Small Community Air Service Development Program (SCASDP) and authorize the Chairman to sign the letter. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

**13) Discussion For Possible Action Regarding Update By Lew Lott, J-U-B Engineers, Inc., On The Battle Mountain Airport Layout Plan (ALP) & Other Matters Properly Relating Thereto:** Lewis Lott, J-U-B Engineers, Inc., said Able Tapia visited the Airport and Mr. Tapia would like to move the crosswind runway reconstruction in front of finishing the rest of the apron because of its condition. He said Mr. Tapia would also need to justify putting back the same 100 foot width on the crosswind runway. Mr. Lott said Mr. Tapia is aware the current Airport Master Plan was done in December 2000. He said Mr. Tapia suggested the County put together a new airport layout plan, which are the drawings, and to look at an aviation forecast. Mr. Lott said Mr. Tapia said he may still be able to fund that. Mr. Lott asked if the Commissioners would like for him to put in a Federal Application to move forward in securing Federal money to prepare an airport layout

plan. Mr. Lott said this would cost \$100,000.00 and Lander County's share would about \$15,000.00.

Commissioner Stienmetz moved for the Commission to approve J-U-B Engineering to proceed with preparing an application to the FFA for funds to update the Airport Layout Plan for Battle Mountain Airport and develop a scope of work and fee. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

- 14) Discussion For Possible Action Regarding Update & Request For Direction By Lew Lott, J-U-B Engineers, Inc., On The Current Austin Airport Fuel System Project & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said the environmental work that was done on this project will expire this Federal Fiscal Year. He said the bids that came in for this project were significantly higher than the engineers estimated. Mr. Etcheverry also said if it is the decision to grow the Austin Airport, fuel is an essential requirement.

Lewis Lott, J-U-B Engineering, said two bids were received in 2011. The fuel system in the containment of the trucks bringing in the fuel as well as the aircraft taking on the fuel are almost two separate issues. The fuel system was within the budget. The State Fire Marshall and the State of Nevada has required containment on the delivery truck and that was not in the bid. It was being changed as the bids were being opened. He gave suggestions on the ways to provide the containment. Mr. Lott said they tried to get the FFA to pay for that and they will not, so this project would be on the County.

Commissioner Williams moved for the Commission to authorize Lew Lott to pursue and get the options on the bladder type containment and contact the Fire Marshall to see if that type would be approved. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 15) Discussion For Possible Action Regarding Update By Lew Lott, J-U-B Engineers, Inc., On the Current Battle Mountain Airport Project & Other Matters Properly Related Thereto:** Lewis Lott, J-U-B Engineers, said they will be paving the test section on June 15, 2012 with two days the following week for full production and painting. He said they will be coming back to do overhead lighting and the project should be done within two weeks. He said he believes the project is still on budget. **UPDATE ONLY**

#### **YUCCA MOUNTAIN REPOSITORY PROGRAM**

- 16) Discussion For Possible Action Regarding Update & Progress Report On The Yucca Mountain Program & Other Matters Properly Related Thereto:** Rex Massey, Yucca Mountain Oversight Program Consultant, provided the Board with a Project Update. He

said they are waiting for a decision from the US Court of appeals to determine whether it is legal or illegal to withdraw the license application. He said it is due out sometime this summer. Mr. Massey said this will determine the direction of the project as well as the Election. He said the Emergency Response Capabilities Review that Keith Westingard is doing, is being sponsored by the County's Yucca Mountain Project. He said there is information out there that will help update their cases and some of the cases that are pending before the licensing board. He said they just completed a community survey with the Battle Mountain and Austin High Schools participating in it and they pay the High Schools to conduct the survey for them. The results were provided and Mr. Massey said 56.3% of Lander County is in support of the Repository Program. Mr. Massey said almost 76% of Lander County was in support of continuing the licensing review. He said the annual baseline report will be completed soon and they are in the process of outlining and preparing the Lessons Learned Project. He reviewed other projects they monitor. Mr. Massey said the US House of Representatives provided \$45,000,000.00, this year, for Yucca Mountain activities with significant support from both parties. **UPDATE ONLY**

## **PUBLIC WORKS**

- 17) Discussion For Possible Action Regarding Current Status & Alternatives With Respect To The Battle Mountain Water System Well #2 & Other Matters Properly Related Thereto:** Jake Edgar, Public Works Foreman, said this is not well #2 it is well #8. Mr. Edgar said Mr. Dan Trampie, from Carson Pump, was here last week and they went through the RPMs and everything seems to be fine. He said the only thing different is the amps. Mr. Edgar said they were supposed to check the flow meter today, and if nothing comes out on that they may be having a round table meeting to see what they can come up.

Steve Brigman, Summit Engineering, said the new pump was installed by Carson Pump at no cost. The invoice for the new pump has been sent to Legacy Construction for reimbursement and the cost is being tracked back to the Contractor as a warranty item. He said the shaft adjustment appears to be the cause of the first pump to fail. He said the vendor has been put on notice that the pump is not hitting its duty point. Mr. Brigman said the control engineers are also on notice to revisit what is going on. Mr. Brigman explained how the shaft works. **UPDATE ONLY**

- 18) Discussion For Possible Action Regarding The Mountain View Golf Course Green Emergency Replacement Project & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this project has been undertaken as an emergency project. He said one option was to close the golf course for the remainder of the summer, but they did not want to do that.

Jake Edgar, Public Works Foreman, said Art from Specialized Shaping and his co-partner from West Coast Turfs came out and looked at all the greens. He said they have some mold issues on a few of them and they won't come back because they are dead. Mr. Edgar said he received three options and he went through those options with the Board. He said they need to have schooling for the green keepers so they know how to care for greens properly.

Rogene Hill, Finance Director, said the PILT money has been received at it is over what was budgeted. That is something they can address in the augment to pay for the Golf Course Emergency Project.

Commissioner Bullock said this will make the Golf Course certified a USGA course, where now it is not. They can have more Tournaments and bring more people in.

Commissioner Stienmetz moved for the Commission to recognize and establish the emergency situation at Mountain View Golf Course and select the third alternative, exhibit A #3, in the amount of \$386,700.00 and it be started as soon as possible. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

Commissioner Bullock said they are scheduled to be here June 22, 2012.

**19) Discussion For Possible Action Regarding The Request Of Jay Fischer To Waive Hook-Up Fees To Battle Mountain Water System & Other Matters Properly Relating Thereto:**

Executive Director, Gene Etcheverry, said Mr. Fischer did help with hydrology on the development on the Battle Mountain., He was allowed to do that as a favor from Newmont Mining Corporation and he put in a lot of his own time and resources as well. Mr. Fischer asked for some point in the future, for his services, that he would like to hook-up to the Battle Mountain Water System and would request the hook-up fees be waived. Mr. Etcheverry said Mr. Fischer's well went dry a few weeks ago and is now requesting a waiver of the hook-up fees.

Commissioner Stienmetz moved for the Commission to grant the request of Mr. Jay Fischer and waive the hook-up fees to the Battle Mountain Water System at his home residence. Seconded by Commissioner Mason.

Commissioner Williams said he this was some kind of a handshake deal and was not a part of any agreement. He said he said there have already been some cobwebs come out of this process that was not discussed in this Chamber. He said he feels there needs to be a deal up front. It was stated that the hook-up fees are \$3000.00

The motion was voted and carried with Commissioner Bullock, Mason and Stienmetz voting "AYE" and Commissioner Williams voting "NAY". APPROVED

### ROAD & BRIDGE NORTH

**20) Discussion For Possible Action Regarding Ward Of Bid For The Battle Mountain 2012 Road & Bridge Department Road Rehabilitation Project & Other Matters Properly Relating Thereto:** Steve Brigman, Shaw Engineering, said the Road Rehabilitation Projects are all the CTB projects in town. He said there were six Contractors bidding. Mr. Brigman said Loren Hunewill was the successful bidder and he is qualified to perform the work. He recommended the award of the 2012 Road Rehabilitation Projects be made to Hunewill Construction in the amount of \$1,166,835.09.

The streets to be done in this project are as follows:

- 2<sup>nd</sup> Street – from Galena St. to Tule St.
- 4<sup>th</sup> Street – from Sonoma St. to Mountain St.
- 5<sup>th</sup> Street – from Altenburg Ave. to Humboldt St.
- 6<sup>th</sup> Street – from Broad St. to Humboldt St.
- 4<sup>th</sup> Street – from Weaver Ave to Good St.
- Galena Street – from Altenburg Ave. to 2<sup>nd</sup> St.
- Scott Street – from 6<sup>th</sup> St to 2<sup>nd</sup> St.

Commissioner Stienmetz moved for the Commission to award of bid for the Battle Mountain 2012 Road and Bridge Road Rehabilitation Project to Hunewill Construction for \$1,166,835.09. Seconded by Commissioner Williams, the motion was voted and carried. APPROVED

### ROAD & BRIDGE SOUTH

**21) Discussion For Possible Action Regarding Award Of Bid For The Austin & Kingston 2012 Road Department Paving Project & Other Matters Properly Relating Thereto:** Steve Brigman, Shaw Engineering, said there were six Contractor that submitted bids on this work. Hunewill Construction was the low bidder on this project.

Commissioner Bullock said he noticed there is only about a \$23,000.00 difference between two of the bidders. He said since Hunewill can't seem to be done on time, maybe they should consider getting another Contractor.

Mr. Brigman said Hunewill has brought on a paving partner to assist him in these projects and suggested bringing Mr. Hunewill in to assure the Commission that he can



have the work done on time. He said he would still recommend the Board award the bid to Hunewill Construction in the amount of \$1,468,660.00.

Commissioner Williams moved for the Commission to accept the bid proposal to H.E. Hunewill Construction in the amount of \$1,468,660.00. Seconded by Commissioner Stienmetz, th emotion was voted and carried. **APPROVED**

### **EXECUTIVE DIRECTOR**

**22) Discussion For Possible Action Regarding Presentation Of Governor Sandoval's March 1, 2012 Certification Of Population Letter Certifying The Estimated Population Figures For Nevada, Its Counties, Incorporated Cities, & All Of Its Unincorporated Towns As Of July 1, 2011 Pursuant To Nevada Revised Statutes (NRS) 360.285 & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said the State Demographer establishes the population and the Governor certifies it. The key date for most of the distribution formulas for taxes and other revenues is July 1. The certified population for Lander County, Austin, Battle Mountain and Kingston, at July 1, 2011 is as follows:

<b>LANDER COUNTY</b>	<b>5,988 (-0.1%)</b>
<b>Town of AUSTIN</b>	<b>171 (-45.2%)</b>
<b>Town of BATTLE MOUNTIAN</b>	<b>3,326 (+13.8%)</b>
<b>Town of KINGSTON</b>	<b>125 (-61.9%)</b>

Commissioner Williams said there is no way you could lose that many residents in Austin and Kingston. Mr. Etcheverry said if there is a protest it must be done in December when a preliminary report is sent. Commissioner Williams asked for a letter to be sent concerning the disagreement in the numbers.

No motion was made to accept Governor Sandoval's March 1, 2012 Certification of Population Letter certifying the estimated population figures for Lander County, the Town of Austin, the Town of Battle Mountain and the Town of Kingston. **NO ACTION**

**23) Discussion For Possible Action Regarding Letter Of Resignation From Grady Pierce From The Lander County Convention & Tourism Authority & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said there was a letter received from Grady Pierce resigning from his "At Large" position on the Lander County Convention and Tourism Authority Board. It was effective immediately on May 17, 2012.

Commissioner Stienmetz moved for the Commission to accept the letter of resignation from Grady Pierce resigning from his position on the Lander County Convention and

Tourism Authority Board effective May 17, 2012. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

### **BOARD APPOINTMENTS**

**24) Discussion For Possible Action Regarding Appointments to the 2012-2013 Advisory Board, Categories 1,2,3 & 4 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said Mr. Philip Williams has requested re-appointment to the Public Land Use Advisory Planning Commission. His seat is up June 30, 2012. Ami Rogers has sent a letter to be appointed to the "At Large" seat with Convention and Tourism. Ray Salisbury has asked for re-appointment on Convention and Tourism. Philip Williams has asked for re-appointment on Convention and Tourism. Richard Ripley has asked for re-appointment on Convention and Tourism. Jodi Moore has asked for re-appointment to the Lander County Events center Board. Rita Rogers has asked for re-appointment to the Lander County Events Center Board. Shirley Shepherd has asked for re-appointment to the Lander County Events Center Board. Mary Bengoa is asking to be appointed as a new member to the Events Center Board.

Commissioner Williams moved to accept the request for appointment to the Boards as presented by the Executive Director. Seconded by Stienmetz, the motion was voted and carried with Commissioner Williams abstaining from the vote on Philip Williams. **APPROVED**

Commissioner Stienmetz moved to make Ami Rogers' appointment to the "At Large" seat with Convention and Tourism effective immediately. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

### **COMMISSIONERS**

**25) Discussion For Possible Action Regarding The Wild Bunch Motorcycle Club's Request To Host An Event, The Wild Bunch Outback Poker Run, At Lions Park & To Allow Bikers To Camp During July 27<sup>th</sup> & 28<sup>th</sup> & Other Matters Properly Relating Thereto:** Gary Hutchens, of the Wild Bunch Motorcycle Club, informed the Board on the activities that would take place at this event. He said anyone is welcome to attend this event.

Commissioner Stienmetz moved for the Commission to grant the Wild Bunch Motorcycle Club's request to host an event, the "Wild Bunch Outback Poker Run," at the Lions Park and to allow bikers to camp during July 27-28, 2012. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

**26) Correspondence/Reports/Potential Upcoming Agenda Item:**

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

1. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail regarding article entitled "*Utah Deserves Title to Thousands of Roads*" published in the Salt Lake Tribune on May 12, 2012.
2. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail concerning updated information regarding EAJA from Western Legacy Alliance.
3. US DEPARTMENT OF AGRICULTURE, FOREST SERVICE, Austin/Tonopah Ranger Districts, Notice of Proposed Action and Opportunity to Comment, Antelope Vegetative Treatment Project.
4. JEFFERY FONTAINE, NEVADA ASSOCIATION OF COUNTIES (NACO), to Dean Bullock, Lander County Commission Chairman, letter expressing appreciation for the prompt payment of Lander County's membership dues and for the Board's continued support and participation in NACO.
5. KEVIN E. SULLIVAN, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Misty Wessel-Darr/Debra Jill Phillips, Estate of Martin T. Wessel, letter regarding 3<sup>rd</sup> Quarter 2011 Monitoring Report, Former Ted's Chevron Facility, 474 W. Front Street, Battle Mountain, NV, Facility Number: 5-000103; Petroleum Fund ID: 1999000052.
6. KEVIN E. SULLIVAN, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Misty Wessel-Darr/Debra Jill Phillips, Estate of Martin T. Wessel, letter regarding 4th Quarter 2011 Monitoring Report, Former Ted's Chevron Facility, 474 W. Front Street, Battle Mountain, NV, Facility Number: 5-000103; Petroleum Fund ID: 1999000052.
7. KEVIN E. SULLIVAN, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Misty Wessel-Darr/Debra Jill Phillips, Estate of Martin T. Wessel, letter regarding 1<sup>st</sup> Quarter 2011 Monitoring Report, Former Ted's Chevron Facility, 474 W. Front Street, Battle Mountain, NV, Facility Number: 5-000103; Petroleum Fund ID: 1999000052.

8. GERALD DIXON, BUREAU OF LAND MANAGEMENT, to Reader, letter regarding Draft Environmental Impact Statement (DEIS) for Rodeo Creek Gold Inc.'s proposed Hollister Underground Mine Project.
9. PATTI BUTE, BUREAU OF LAND MANAGEMENT, to Lander County Commissioners. Letter of update regarding BLM Ely District's ongoing projects and activities.
10. KEVIN E. SULLIVAN , NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Amanda Applet, Western Energetix, letter regarding 1<sup>st</sup> Quarter 2012 Groundwater Monitoring Report, Western Energetix Bulk Plant, 125 N. Mountain Street, Battle Mountain, NV, NDEP ID#5-000289, Petroleum Fund #2009000020.
11. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding BLM's plans to complete an Environmental Assessment (EA) to analyze the impacts of conducting a wild horse gather within the Diamond Complex.
12. STEVEN FISCHENICH, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Chris Benna, GE Transport, letter regarding Request for Release/Spill Information, GE Transport, Release of Diesel Fuel on Highway 50, two miles east of Austin Summit, Facility ID pending, Spill Report No. 12603-01.

Executive Director, Gene Etcheverry, said he hoped the Board paid close attention to correspondence #1 and #2, the ones from Kenneth Brown. He said they are actually making some headway in the District on the RS2477 issue. Another piece of correspondence on the BLM Ely Districts ongoing projects and activities.

Commissioner Williams asked for a conceptual design on the park in Austin. Mr. Edgar said he is sending one to Donna in Austin. He also said the BBQ's and Picnic Tables will be new.

Executive Director, Gene Etcheverry, said the next meeting will contain a lot of Resolutions, along with policies and procedures. He said there will be no random drug testing or pre-employment drug testing except for DOT, Law Enforcement and safety sensitive positions. There will also be no cell phone use while driving and seatbelts must be worn.


There will also be a RTC meeting on July 12, 2012.

#### **PUBLIC COMMENT**

No public comment at this time

**ADJOURNMENT**

There being no further business before the Board at this time, Commissioner Stienmetz moved to adjourn the meeting of June 14, 2012. Seconded by Commissioner Mason the motion was voted and carried. **ADJOURNMENT**

  
CHAIRMAN OF THE BOARD OF LANDER  
COUNTY COMMISSIONERS AND THE  
LANDER COUNTY LIQUOR BOARD

ATTEST: Sadie Sullivan  
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.*