

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 28, 2012 at 9:00 a.m.

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

ABSENT: **DEAN BULLOCK, COMMISSIONER**

9:00 A.M.

Vice Chairman Steven Stienmetz called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Commissioner Mason 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 Garner moved to approve the Notice of Posting. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

APPROVAL OF MINUTES

June 14, 2012 Regular Session

Commissioner Garner moved to approve the minutes of June 14, 2012 regular session. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COMMISSIONER REPORTS

Commissioner Williams reported on his attendance of the NACO Board meeting in Carson on June 21 and 22, 2012 where they discussed the next Legislative session. He said one of the presentations, by the State Director of the Bureau of Land Management, was the identification of disposal of land that might be needed for future development around rural communities, and this year would be a good year to identify anything additional. He said Rex Massey has been working on our Land Use Plan that has a large section already identified but will be making a proposal to the Planning Commission to look at additional areas. Commissioner Williams said on July 5, 2012 they will be meeting with the BLM Real Estate people to discuss some of the areas that might be accessed. He reported on the Austin Gridley Days and the Kingston fishing day at the reservoir and their trap shoot. He also reported the renovation of the park at the Austin pool is about half done and he hopes it will be done by July 4th. Commissioner Williams said he has been working with Mr. Massey on portions of the Land Use Plan. He said Commissioner Bullock is at the Mayor and Chairs meeting and there will also be a meeting in Carson with the Forest Service and BLM to take input on the Sage Grouse Plan. He also said the surrounding Counties would like to join with Lander County in the Sage Grouse Plan and suggested someone from Lander County be the coordinator, and this issue should be addressed in the next meeting to make it official.

Commissioner Stienmetz reported he attended Gridley Days.

STAFF REPORTS

Executive Director, Gene Etcheverry, reported on the last regular meeting of the Legislative Committee on Public Land in Ely on June 19, 2012. He said he doesn't feel this Committee is moving ahead. He said he thinks the Lander County plan, which was created by Mr. Massey, is probably the most cohesive and recognized plan out there. He discussed issues concerning the water grab in Lincoln, White Pine & Eastern Nevada, and said seventy percent of Nevada's population gets ninety percent of their water from the Colorado River. He also said that all the water in the State of Nevada can only support three million people. Mr. Etcheverry said he stopped in Austin on June 20th to take a look at the parks project, and said it is coming along well. He said he would be attending a teleconference with NDOT at 1:00 (June 28, 2012) to discuss the Austin Loneliest Highway Visitors Center. Mr. Etcheverry also said Rogene will be

attending a tele-video conference at 10:00 (June 28, 2012) with Carson City regarding the Net Proceeds of Mineral Tax. Mr. Etcheverry provided the quarterly Anthem publication for the record for those who would like to look at it.

PAYMENT OF THE BILLS

Jane Bianchi presented the Board with bills to be ratified.

SHAW ENGINEERING

Commissioner Garner moved to ratify check #40937 in the amount of \$1,977.53 to Shaw Engineering. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

J-U-B ENGINEERS, INC.

Commissioner Garner moved to ratify check #40928 in the amount of \$578.34 to J.U.B. Engineers, Inc. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

WELLS FARGO REMITTANCE

Commissioner Garner moved to approve check #40942 in the amount of \$1,033.06 to Wells Fargo Remittance. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

Commissioner Stienmetz question check #41028 to Erin McMurtrey. He said he has asked to see the contract, and he wants to know if she was being paid by contract or voucher. He said there had been some question raised about her using the County vehicle. Finance Director, Rogene Hill, said she is contracted. Commissioner Stienmetz said he would like to see the contract. Executive Director, Gene Etcheverry, requested for Jane to bring back a copy of the contract for all the Commissioners.

Commissioner Garner moved to approve the submitted expenditures in the amount of \$411,809.47 from check #40953 thru #41096. Seconded by Commissioner Mason, the motion was voted and carried with Commissioner Garner abstaining from vote on check #40959.

APPROVED

PAYROLL CHANGE REQUESTS

1. Employee Change Request for employee number 1553, New Hire, 1st Year Lifeguard/Austin, \$8.25 per hour, effective June 11, 2012.
2. Employee Change Request for employee number 1157, New Hire, Patrol Deputy, \$20.92 per hour, effective July 5, 2012.

3. Employee Change Request for employee number 1046, Step Level 2, Communications Supervisor, \$21.21 per hour, effective July 9, 2012.

Commissioner Garner moved to approve the payroll change requests. Seconded by Commissioner Williams, the motion was voted and carried. **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 on the revenues for the Golf Course for the month of April as follows:

Green Fees:	\$24,990.00 - \$9,550.00 over last year
Trail Fees:	\$2,545.00 - \$360.00 over last year
Cart Storage Fees	\$3100.00 - \$200.00 over last year

Golf Course Revenues for the month of May are as follows:

Green Fees:	\$6,712.00 - \$884.00 under last year
Trail Fees:	\$245.00 - \$245.00 under last year
Cart Storage Fees:	under last year budget by \$250.00

Ms. Hill said she has been working on Resolutions and Budget Augments for today's meeting. She said they have also received Net Proceeds, at \$52,975,474.00. The School will receive \$11,850,124.00 and the Hospital will receive \$8,072,307.00 leaving the County's portion at \$33,053,040.00. Ms. Hill said \$6,083,231.00 is mandated and \$26,969,809.00 is the discretionary funds and she will be doing a Resolution on the discernment of that for the next Commission meeting. She said all those funds have been earmarked for all the County Projects for this upcoming Fiscal Year.

9:20 A.M.

- 2) **Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2012-06, A Resolution To Augment The FY 2011-2012 Budget & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said this is the date and

time noticed to conduct a public hearing to accept public testimony and input on a proposed augmentation of the 2011-2012 budget.

Commissioner Garner moved to open the public hearing. Seconded by Commissioner Williams, the motion was voted and carried. PUBLIC HEARING OPENED

Finance Director, Rogene Hill, reviewed Resolution 2012-06 with the Board. This is a Resolution to augment the FY 2011-2012 Budget of the General Fund (001), Road & Bridge Fund (002), Indigent Fund (003), State Medical Indigent Fund (004), AG Fund (005), Aged Services Fund (009), Landfill Fund (011), Airport Fund (012), Building & Equipment Fund (029), Capital Acquisition Fund (031), Culture & Recreation Fund (052), B.M. Capital Acquisition Fund (054), Construction of Capital Projects Fund (055), Water Fund (226), Sewer Fund (236), Technology Fund (300) and the Airport Capital Fund (380).

Commissioner Williams moved to close the public hearing. Seconded by Commissioner Garner, the motion was voted and carried. PUBLIC HEARING CLOSED

Commissioner Garner moved for the Commission to approve and adopt Resolution No. 2011-10*, a Resolution augmenting the Fiscal Year 2010-2011** Lander County Budget, providing for augmentation of the Lander County General Fund (001), Road & Bridge Fund (002), Indigent Fund (003), State Medical Indigent Fund (004), Agriculture Extension Fund (005), Aged Services Fund (009), Landfill Fund (011), Airport Fund (012), Building & Equipment Fund (029), Capital Acquisition Fund (031), Culture & Recreation Fund (052), B.M. Capital Acquisition Fund (054), Construction of Capital Projects Fund (055), Battle Mountain Water Fund (226), Battle Mountain Sewer Fund (236), Technology Fund (300) and the Airport Capital Fund (380), applying the specific resources as identified with in the Resolution. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

***(NOTE: The Resolution No. 2010-11 was incorrect in the Recommended Action and should have read Resolution No. 2012-06)**

**** (NOTE: The Fiscal Year 2010-2011 was incorrect in the Recommended Action and should have read Fiscal Year 2011-2012)**

- 3) **Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2012-10. A Resolution To Un-Commit & Re-Commit Ending Fund Balances & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said this does not have to be a notice Resolution because it is not a Budget Resolution, but it is to keep us on track with the provisions with the Governmental Accounting Standards Board Statement No. 54. He said this is a replacement of last year's Resolution.

Finance Director, Rogene Hill, said this is basically a cleanup. She said after a lot of discussion they wanted to take away that designated amount to keep them from having to come back each year and whatever the ending fund balance is would be the committed.

Commissioner Garner moved for the Commission to pass and adopt Resolution No. 2012-10, a Resolution to un-commit and re-commit fund balances of the Building and Equipment Fund (029). Emergency Fund (056), Lander County Airports Capital Improvements Fund (380) and the Court Facilities Capital Fund (385), maintain compliance with the provisions of Governmental Accounting Standards Board (GASB) Statement 54. Seconded by Commissioner Williams, the motion was voted and carried.

APPROVED

4) **Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2012-11, A Resolution Setting The FY 2012-2013 Tax Rate For The Cooperative Extension (Agricultural Extension) & Other Matters Properly Related Thereto:**

Executive Director, Gene Etcheverry, said each year the tax rate used for the Ag Extension, or Cooperative Extension, exceeds 0.0100 per \$100.00 of assessed value, Nevada Revised Statute requires a Resolution committing the excess tax rate to that fund.

Finance Director, Rogene Hill, said they come before the Board, any time it is over the 0.0100, to get approval.

Commissioner Garner moved for the Commission to approve Resolution No. 2012-11, a Resolution of the Board of Lander County Commissioners setting Fiscal Year 2012-2013 tax rate for support of the Cooperative Extension (Agricultural Extension) Fund at \$0.0150 per \$100.00 of assessed value, excluding the Net Proceeds of Mineral Tax. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

5) **Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2012-12, A Resolution To Establish Fund Balance Policies As Required By Governmental Accounting Standards Board (GASB) Statement Number 54 & Other Matters Properly Related Thereto:**

Executive Director, Gene Etcheverry, said this is another cleanup form last year and bringing it into conformance with Governmental Accounting Standards Board (GASB) Statement No. 54. He said this Resolution replaces last year's Resolution No. 2011-08 and a clarifying Resolution No. 2011-15.

Commissioner Garner moved for the Commission to pass and adopt Resolution No. 2012-12, a resolution to establish fund balance policies as required by Governmental

Accounting Standards Board (GASB) Statement Number 54, replacing Resolution No. 2011-08, passed and adopted by the Commission during the regular meeting of June 9, 2011. Seconded by Commissioner Mason, the motion was voted and carried.

APPROVED

TREASURER

- 6) **Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2012-08. A Resolution Certifying The Ad Valorem (Property) Tax Rate Required For Fiscal Year July 1, 2012 Through June 30, 2013 In Accordance With Nevada Revised Statutes (NRS) 361.460 & Other Matters Properly Related Thereto:** Treasurer, Grace Powrie, said the Tax Commission met on June 25, 2012 and certified the tax rate for the 2012-2013 Fiscal Year. She said she then brings it before the Board of Commissioners to levy the tax rate and put it into effect. She said a few of the individual items have changed a little but the base tax rate has not changed.

Commissioner Garner moved to approve Resolution No. 2012-08 Per NRS 361.460. The Board of County Commissioners of Lander County, now, that the Nevada Tax Commission has certified the Ad Valorem (Property) Tax Rate, that the levy of taxes in Lander County for the fiscal period beginning July 1, 2012 through June 30, 2012, shall be in accordance with the following schedule for each fund on \$100 of property, State .1700, County 1.9243, School .7500, Hospital .5109. The Base of that is 3.3552. Specials, Sewer & Water District #2 .0677, Austin Town .2213, Battle Mountain Town .0500 and Kingston Town .3048. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 7) **Discussion For Possible Action Regarding Letter On One (1) Year Delinquent Taxes Per Nevada Revised Statutes (NRS) 361.5648 & 361.565 & Other Matters Properly Relating Thereto:** Treasurer, Grace Powrie, said every year, by Statues, the process begins for the one year delinquencies. Ms. Powrie said the process to take the property and set it for sale is a three year process. She said this process started in March and she explained the process. Ms. Powrie provided the Board with a letter stating the action taken to give each delinquent taxpayer due notice. **UPDATE**

- 8) **Discussion For Possible Action Regarding Approval/Disapproval Of The Following Adjustments To The Tax Roll: A) Adjustment To The 2008-2009 Through 2011-2012 Secured Tax Roll; B) Adjustment To The 2005-2006 Through 2011-2012 Unsecured Tax Roll; & Other Matters Properly Related Thereto:** Treasurer, Grace Powrie, said during the 2011-2012 tax year they have to prove any adjustments to the taxes through the Commissioner approval on secure property. The personal property is a courtesy; the

Assessor has the right to do those. She said this is a formality and all of this has already been done throughout the year.

Commissioner Garner moved to approve the adjustment to the secure rolls as follows. Approve adjustment 2008-2009 secured roll -\$74.54. Approve adjustment to 2009-2010 secured roll -\$630.60. Approve adjustment to 2010-2011 secured roll +\$554.39. Approve adjustment to 2011-2012 secured roll +\$463.38 with a total of +\$312.63. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

Treasurer, Grace Powrie, said part B is for the unsecured tax roll.

Commissioner Garner moved to approve the adjustments to the unsecured roll as follows. Approve adjustment to 2005-2006 unsecured roll -\$152.96. Approve adjustment to 2006-07 unsecured roll -\$104.54. Approve adjustment to 2007-2008 unsecured roll -\$90.99. Approve adjustment to 2008-2009 unsecured roll -\$105.56. Approve adjustments to 2009-2012 unsecured roll +\$429.03. Approve adjustment to 2010-2011 unsecured roll +\$398.41. Approve adjustment tot 2011-2012 unsecured roll +\$12,285.94 for a total of +\$12,659.33. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

- 9) Discussion For Possible Action Regarding The Approval/Disapproval Of The Following Transfers Of Delinquent Water/Sewer Accounts To The 2011-2012 Secured Tax Roll: A) Transfers According To Ordinance No. 2009-13 – Battle Mountain Water & Sewer; B) Transfers According To Ordinance No. 2009-14 – Austin Water & Sewer District #2; & Other Matters Properly Related Thereto: Treasurer, Grace Powrie, explained, to the Board, the process of transferring unpaid water/sewer bills to the tax roll verses hanging door hangers. Ms. Powrie said anyone who is less than ninety days delinquent does not get transferred in June. She said she only does the transfer once a year then collects it in the same manner as the real property taxes. She said if the property then goes three year delinquent she will collect the money in a tax sale. This way there is never a worry of uncollectibles in the water/sewer department.

Commissioner Williams shared his concern that this takes the responsibility away from the parties, and questioned the State legality of the process.

Ms. Powrie explained why the County chose to change the policy. She said she has 41 accounts she is transferring in Battle Mountain. She provided the Board with a list of the properties, the owners and the amount to be transferred to the secured roll.

Commissioner Garner moved to approve transfers from Battle Mountain water and sewer to the secured 2011-2012 tax roll per Ordinance No. 2009-13 in the amount of

\$21,031.29. Seconded by Commissioner Mason, the motion was voted and carried.

APPROVED

Treasurer Grace Powrie, said the next list were the Austin accounts that were transferred to the legal owner, and two are properties she has taken for back taxes.

Commissioner Garner moved to approve transfers from combined water and sewer district #2 to secured 2011-2012 tax roll per Ordinance No. 2009-14 in the amount of \$680.68. Seconded by Commissioner Mason, the motion was voted and carried.

APPROVED

- 10) Discussion For Possible Action Regarding Approval/Disapproval Of Payment For Delinquent Water & Sewer Accounts For 2011-12: A) To Pay Accounts According To Ordinance No. 2009-13 – Battle Mountain Water & Sewer; B) To Pay Accounts According To Ordinance No. 2009-14 – Austin Water & Sewer District #2; & Other Matters Properly Related Thereto: Treasurer, Grace Powrie, said this was a voucher she needed approved by the Board to pay the amount of the water and sewer transfers from the previous item.

Commissioner Garner moved to pay accounts according to Ordinance No. 2009-13 Battle Mountain water and sewer in the amount of \$21,031.29 and to pay account according to Ordinance No. 2009-14 Austin water and sewer #2 in the amount of \$689.68 brought before this Commission. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 11) Discussion For Possible Action Regarding Approval/Disapproval Of The Following Payments For 2012 Estimated Net Proceeds Of Mineral Tax Revenue Received In June 2012: A) The Lander County School District; B) The Lander County Hospital District; & Other Matters Properly Relating Thereto: Treasurer, Grace Powrie, said they have received the 2012 projected Net Proceeds money. She provided the Board with the apportionment. She said the School and the Hospital needed their money for the end of the Fiscal Year, so the checks have been cut. She said she needed the Board to approve the vouchers for the Hospital and the School. She said almost \$53,000,000.00 was received and the Hospital's apportionment is \$8,072,306.74 and the School's apportionment is \$11,850,127.33.

Commissioner Garner moved to approve the submitted expenditures for the Battle Mountain General Hospital in the amount of \$8,072,306.74 and for the Lander County School District in the amount of \$11,850,127.33 and authorize the Commissioners to sign. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 12) Discussion For Possible Action Regarding Approval/Disapproval For Payment To The Lander County Treasurer For Taxes Held For 2012-2013 & Other Matters Properly Related Thereto: Treasurer, Grace Powrie, said this is money that is held when people pay her in advance or when there are over payments. She said she is just taking the money and putting it towards the next year's tax bill for those people.

Commissioner Garner moved to approve the expenditures for the 2012-2013 roll over taxes. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 13) Discussion For Possible Action Regarding Approval/Disapproval Of Investment Advisory Agreement Between The Lander County Treasurer's Office & FTN Financial Main Street Advisors, LLC & Other Matters Properly Relating Thereto: Treasurer, Grace Powrie, said these are Money Managers that help her invest money with Agencies, Municipal Bonds and Tea Bills. She said this is their expertise and the tool she needs to make sure the County Money is diversified and the best safety.

Commissioner Williams asked how much this cost. Ms. Powrie said it can vary depending on the investment. They get ten basis points of the total.

Commissioner Garner moved to approve the Investment Advisory Agreement between Lander County Treasurer's Office and FTN Financial Main Street Advisors. LLC. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

COMMISSIONERS

- 14) Discussion For Possible Action Regarding Acceptance/Non-Acceptance Of Renewal Of Airport Liability Insurance Policies For Austin, Battle Mountain & Kingston Airports For Period Of July 1, 2012 Through June 30, 2013; Approval For Payment Of Premium In The Amount Of \$4,300.00 From FY 2012-2013 Funds; & Other Matters Properly Relating Thereto: Stephen Romero, Wells Fargo Insurance Services, said he is the Counties Agent on the Airport policies for the Battle Mountain Airport, Austin Airport and Kingston Airport. He said this year's premium came in identical to what it was last year at \$4,350.00. He said the coverage is the same and reviewed the coverage with the Board. He stated he had looked outside the Pool to see if there was anything additional per request of Commissioner Williams.

Commissioner Garner moved for the Commission to accept the proposal for renewal of airport liability insurance policies for Austin, Battle Mountain and Kingston Airports for

the period of July 1, 2012 through June 30, 2012 and authorize payment in the amount of \$4,350.00 from Fiscal Year 2012-2013 funds. Seconded by Commissioner Williams.

Commissioner Mason asked why there was such a difference in premium from 1995-96, from \$12,000 to \$4,000 in 2012-13. Mr. Romero said Lander County wasn't in the Pool in 1995 so it wasn't leveraged out. Mr. Romero said the bumps in the premiums after 2001 are due to September 11th.

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

PLANNING COMMISSION

15) **Discussion For Possible Action Regarding Approval/Disapproval Of A Zone Change Request For Jay Wintle, E4 Of Section 14, T32N, R44E, Battle Mountain, APNs 010-280-05, 010-280-07, 010-280-09, 010-280-13, 010-280-17, 010-280-21, 010-280-25, To Change From Farm & Ranch District (A-3) Zoning To Five-Acre Agricultural District (A2) Zoning & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said the Lander county Planning Commission met in regular session on June 13, 2012 and considered, discussed and reviewed this item. It was the recommendation of the Planning Commission for the Lander County Commissioners to approve the zone change. Mr. Etcheverry said there were letters sent to the Planning Commission, in opposition that were considered. He also said there has been one phone call in opposition.

Commissioner Stienmetz, said he got a call from a former Commissioner that is against this zone changes. He said this does not follow the Master Plan, and he feels the Master Plan should be followed.

Commissioner Williams said he received the same calls and he concurs with the comments made. He said he is totally against all these zone changes.

Mr. Jay Wintle said most access will come off of 26th and will not be on Allen Ranch Road. Mr. Wintle provided another map for the Commissioners to look at.

Commissioner Mason said he feels this section needs to open up and if it's not in the Master Plan they will approach it when they deal with the sewer. Commissioner Stienmentz said this is not being subdivided to provide roads, sewers or any kind of utilities. Commissioner Williams said he listened to the people who live out there and bought out there for these purposes. Commissioner Mason argued that it should be changed and said the Planning Commission has already approved it.

Commissioner Williams moved for the Commission to not uphold and vote against the recommendation of the Lander County Planning Commission and disapprove a zone change request for Mr. Jay Wintle, E4 of Section 14, T32N, R44E, Battle Mountain, APNs 010-280-05, 010-280-07, 010-280-09, 010-280-13, 010-280-17, 010-280-21 and 010-280-25, to change from Farm and Ranch District (A-3) zoning to Five-Acre Agricultural District (A2) zoning. Seconded by Commissioner Garner, the motion was voted and carried with Commissioner Williams, Garner and Stienmetz voting "AYE" and Commissioner Mason voting "NAY". **NOT APPROVED**

EXECUTIVE DIRECTOR

- 16) **Discussion For Possible Action Regarding Update On Transfer Of Lander County EMS From Lander County To Battle Mountain General Hospital On July 1, 2012, Under Agreement, & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said July 1, 2012 is when the agreement provides for the full transfer of Lander County Emergency Medical Services to be transferred, administratively and operationally, to the Lander County Hospital District Battle Mountain General Hospital.

Phil Hanna, Administrator for Battle Mountain General Hospital, provided the Commission an update summary that he reviewed with the Board. He said they are prepared to assume the responsibilities for the service on July 1, 2012 and there will also be a Paramedic Service back in Lander County at that time as well. Mr. Hanna also said the County Commissioners financial obligation will be reduced by 30%, based on the numbers they are putting together now. He said they will be expanding and enhancing the service and talked about training that will be provided. **UPDATE ONLY**

ROAD & BRIDGE NORTH

- 17) **Discussion For Possible Action Regarding Approval/Disapproval Of Agreement Between Lander County & Hunewill Construction Co., In The Amount Of \$1,166,835.09, For The Battle Mountain 2012 Road Rehabilitation Project & Other Matters Properly Relating Thereto:** Donnie Negro, Road & Bridge Foreman North, said this was approved in the last Commission meeting. This is just the contract and it has been reviewed by the District Attorney and everything is in order.

Commissioner Mason moved for the Commission to accept and approve the Agreement between Lander County and Hunewill Construction Co., in the amount of \$1,166,835.09, for the Battle Mountain 2012 Road Rehabilitation Project and authorize the Chairman to sign the documents. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

ROAD & BRIDGE SOUTH

- 18) **Discussion For Possible Action Regarding Approval/Disapproval Of Agreement Between Lander County & Hunewill Construction Co., In The Amount Of \$1,468,660.00, For The Austin/Kingston Paving Project 2012 & Other Matters Properly Relating Thereto:** Commissioner Mason moved for the Commission to accept and approve the Agreement between Lander County and Hunewill Construction Co., in the amount of \$1,468,660.00, for the Austin/Kingston Paving Project 2012 and authorize the Chairman to sign the documents. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

PUBLIC WORKS & ROAD & BRIDGE NORTH

- 19) **Discussion For Possible Action Regarding Approval Of The Public Works/Road & Bridge North's Job Description For "Administrative Assistant/Public Works & Road & Bridge Departments" & Other Matters Properly Relating Thereto:** Commissioner Williams said he felt there was a lot of duplications in the job description. He said drug screening and advertising should fall under the Human Resources Department. Commissioner Williams pointed out the areas in the job description that he feels need to be removed or changed. Soveida Robinson, Human Resources, said she does the random Drug and Alcohol screenings and she sits in on interviews.

Donnie Negro, Road & Bridge Foreman North, said Karen is retiring and Tami will take over Karen's position and a replacement will be hired for Tami.

Tami Dimitroff, said when the Public Works Director job split from just one to three different departments, this job description was never changed. Commissioner Stienmetz said the concern of the Board, on the job description, were #4 and #6. It was stated that #6 should be completely removed along with #4. It was also discussed to add some wording to #3 to coordinate with Community Development. This is a salary position.

Commissioner Garner moved for the Commission to approve the Public Works/Road and Bridge North job description for "Administrative Assistant/Public Works and Road and Bridge Departments" as presented with additions and corrections of #4 being dissolved, #6 being dissolved and #3 the addition of coordinate with Community Development. Seconded by Commissioner Mason, the motion was voted and carried.

APPROVED

- 20) **Discussion For Possible Action Regarding Hiring A Replacement For The Position Of Administrative Assistant/Public Works & Road & Bridge Departments & Other Matters**

Properly Relating Thereto: Donnie Negro, Road and Bride North, said they are just replacing Tami Dimitroff's position. This is a bargaining unit position.

Commissioner Garner moved for the Commission to ratify the hiring of Tammy Dimitroff, Public Works Department Executive Secretary, to fill the position of Administrative Assistant/Public Works and Road and Bridge Departments, effective July 9, 2012. Seconded by Commissioner Mason, the motion was voted and carried.

APPROVED

PUBLIC WORKS

21) Discussion For Possible Action Regarding The Mountain View Golf Course Greens Emergency Replacement Project & Other Matters Properly Relating Thereto: Jake Edgar, Public Works Foreman, provided the Board with an update on the Mountain View Golf Course greens emergency replacement project. He explained the issues that have emerged to delay the project. Mr. Edgar informed the Board that the contractor has reduced his price and Lander County will buy the sod and irrigation parts. He said the cost of the project will not change.

James Barnes, Deputy District Attorney, said there is a new contract stating those changes. Mr. Edgar said the contractor wanted an unsuitable material clause that states if the greens are junk the correct materials can be put in. This may be an additional charge.

Commissioner Garner moved for the Commission to direct Executive Director Etcheverry and Public Works Foreman Edgar to proceed with the Mountain View Golf Course greens emergency replacement project in a fashion to facilitate completion as soon as possible and authorize the Chair to sign. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

SENIOR CENTER

22) Discussion For Possible Action Regarding Ratification & Acceptance Of Supplemental Grant Award No. 09-000-57-NX-12, Nevada Aging & Disability Services Division, For Nutrition Services Incentive Program In The Amount Of \$1,099.00 & Other Matters Properly Related Thereto: Commissioner Garner moved for Commission to accept and ratify supplemental Grant award No. 09-000-57-NX-12, Nevada Aging and Disability Services Division, for Nutrition Services Incentive Program, revising the original grant award by adding an additional amount of \$1,099.00. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

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- 23) Discussion For Possible Action Regarding Ratification & Acceptance Of grant Award No. 09-000-10-BX-13, Nevada Aging & Disability Service Division, For The Transportation Program In The Amount Of \$15,000.00, With Required Match of \$2,647.00 & Acknowledgement Of Confidentiality Addendum & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to accept and ratify Grant Award No. 09-000-10-BX-13, Nevada Aging and Disability Services Division, for the Senior Transportation Program, in the amount of \$15,000.00 and requiring matching funds in the amount of \$2,647.00, and acknowledge the terms of the Confidentiality Addendum. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

COMMISSIONERS

- 24) Discussion For Possible Action Regarding Approval/Disapproval Of The Emergency Facilities & Land Use Agreement Between Lander County & The Bureau Of Land Management (BLM) For The Use Of The Austin Airport As A SEAT (Single Engine Air Tanker) Base By BLM & Other Matters Properly Related Thereto: Commissioner Garner asked James Barnes, Deputy District Attorney, if he had looked over this agreement. Mr. Barnes said this is basically to put the tanks out there.

Commissioner Williams said he the description of Lander Facilities should have Austin Airport general ramp Lander County State of Nevada Township Range Section. Commissioner Williams said he doesn't feel negotiating an agreement for Battle Mountain should have been on this agenda item.

Commissioner Garner moved for the Commission to direct staff to proceed with negotiating an agreement for use by the BLM of the Austin Airport as a Single Engine Air Tanker (SEAT) base and to negotiate a new Battle Mountain Tanker Base Agreement, as well. Seconded by Commissioner Mason.

There was discussion if the negotiation for Battle Mountain should have been read into the Motion. Commissioner Garner said it is "other matters relating thereto." Commissioner Williams argued that the Austin Agreement was a SEAT agreement and the Battle Mountain agreement would be for a Tanker, and those are two totally different things. Commissioner Garner retracted his motion.

Commissioner Garner moved for the commission to direct staff to proceed with negotiating an agreement for use by the BLM of the Austin Airport, only, as a Single Engine Air Tanker (SEAT) base. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

25) Discussion For Possible Action Regarding Approval/Disapproval Of The Agreement Between Lander County & Mueller Land & Cattle Company, LLC, In The Amount Of \$5,000.00 Per Year, For Lease Of Three Thousand (3,000) Acre Feet Of Water Rights & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to approve the Agreement between Lander County and Mueller Land and Cattle Company, LLC, for lease of the three thousand (3,000) acre feet of water rights for a period of three (3) years, commencing July 1, 2012 and ending on June 30, 2015. With an annual lease payment in the amount of \$5,000.00, payable on August 1st of each year. Seconded by Commissioner Williams.

Commissioner Williams asked if there was an out in this agreement. He found there is a 30 day out.

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

26) Discussion For Possible Action Regarding Approval/Disapproval Of Agreement Between Lander County & Norm Powell, dba Valley TV & Communications, For Maintenance & Repair Services To Equipment Serving The Community Of Austin With Broadcast Television Services & Other Matters Properly Relating Thereto: Commissioner Garner moved for the Commission to approve renewal of the Agreement between Lander County and Norm Powell, dba Valley TV and Communication to provide maintenance, upgrade and repair of the television translator equipment and related appurtenances thereto for the Town of Austin, for a one year period from signing of the agreement by both parties through June 30, 2013, with no increase in fees or charges. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

27) Discussion Fro Possible Action Regarding Approval/Disapproval Of Agreement Between Lander County & Battle Mountain, Parent Cooperative Preschool, Inc., For Lese Of Building Located At 370 South Mountain Street, Battle Mountain & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to approve the Agreement between Lander County and Battle Mountain, Parent Cooperative Preschool, Inc., for lease of the building located at 370 South Mountain Street, Battle Mountain, for a one-year period ending on June 30, 2013, with automatic renewal each year for a one-year period at an annual payment of \$10.00. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

BOARD APPOINTMENTS

28) Discussion For Possible Action Regarding Appointments To The 2012-2013 Advisory Board, Categories 1, 2, 3 & 4 & Other Matters Properly Relating Thereto:

Commissioner Stienmetz said they had one letter from Kimberlie Davis. Commissioner Garner said if this was put out for advertisement. Sadie Sullivan, Lander County Clerk, said it was advertised in the paper in January for two consecutive weeks after Ms. Davis resigned in December. Commissioner Stienmetz said she is now requesting to be reappointed to the position she vacated. Commissioner Williams asked if Ms. Davis said it was a conflict of interest in her letter of resignation. Commissioner Garner said she did. Commissioner Williams suggested she could abstain from the issues that would be of conflict.

Commissioner Mason moved for the Commission to appoint Ms. Kimberlie Davis to the Lander County Planning Commission to fill the remainder of the term to which she was appointed, with such term to expire June 30, 2015. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

CLERK

- 29) **Discussion For Possible Action Regarding The Canvass Of The Votes For The June 12, 2012 Primary Election:** Sadie Sullivan, Lander County Clerk, presented the Board with the Canvass of the Voted from the 2012 Primary Election. She explained to the Board there are 2,469 registered voters and of those only 629 voted with 8 spoiled ballots. This is 25.48% and Ms. Sullivan said that is roughly what the State predicted for voters in this Primary Election. She explained to the Board they could see on the reports how many voters voted in each precinct.

Commissioner Garner moved for the Commission to canvass the Abstract of Votes of the June 12, 2012 Primary Election and authorize Vice-Chairman Stienmetz to sign the canvass. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COMMISSIONERS

30) **Correspondence/Reports/Potential Upcoming Agenda Items:**

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

1. ROBERT V. ABBEY, BUREAU OF LAND MANAGEMENT, to Government Official, letter announcing the newly published *Desk Guide to Cooperating Agency Relationships and Coordination with Intergovernmental Partners*.
2. GERALD DIXON, BUREAU OF LAND MANAGEMENT, to Reader, letter regarding a preliminary environmental assessment (EA) titled "North Elko Pipeline Project" to

analyze the impacts of a proposal to construct and operate an underground natural gas pipeline on private lands in Elko and Eureka Counties.

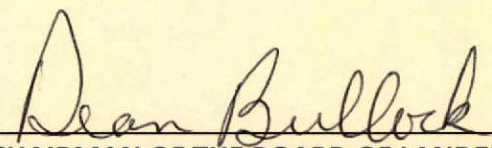
3. NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, Notice of Proposed Action, New Class II Air Quality Operating Permit AP 1479-3062, Baker Hughes Drilling Fluids, Slaven Canyon Mine.
4. TIM WILSON, NEVADA DIVISION OF WATER RESOURCES, to Ladies and Gentleman, letter regarding Monitoring, Management and Mitigation Plan for the Mount Hope Molybdenum Mine.
5. FRANK R. WOODBECK, DIRECTOR, NEVADA DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION, to Commissioner Dean Bullock, letter appointment to serve on GWIB's Mining, Materials and Manufacturing Sector Council.
6. DOUGLAS W. FURTADO, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding completion and availability of the *Battle Mountain District Drought Management Environmental Assessment* (EA).

PUBLIC COMMENT

No public comment at this time

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Garner moved to adjourn the meeting of June 28, 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: 

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.