

1 The Honorable Board of Lander County Commissioners met in
2 regular session in the Commission Chambers of the Lander County
3 Courthouse and Administration Building in Battle Mountain,
4 Nevada, 50 State Route 305, on December 3, 2020, at 9:02 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**
8 **ART CLARK III, COMMISSIONER**
9 **BRYAN SPARKS, COMMISSIONER (BY TELEPHONE)**
10 **BERT RAMOS, COUNTY MANAGER**
11 **SADIE SULLIVAN, COUNTY CLERK**
12 **THEODORE HERRERA, DISTRICT ATTORNEY (BY**
13 **TELEPHONE)**
14
15

16 (Let the record reflect the presence of a quorum of three
17 commissioners. Meeting broadcast using GoToMeeting. Let the
18 record reflect the presence of Austin via teleconference.)
19
20

21 VICE CHAIRMAN CLARK: -- Austin Courthouse. We have
22 Commissioner Waits and Commissioner Clark present, Commissioner
23 Sparks on the phone.

24 All times of the agenda are approximate. Consideration of
25 items may not -- may require more or less time than is
26 scheduled. Items on the agenda may be taken out of order; the
27 public body may combine two or more agenda items for
28 consideration; and the public body may remove an item from the
29 agenda or delay discussion relating to an item on the agenda at
30 any time. Pu- -- Public comment is designated for discussion
31 only. The public has an opportunity to address the commission
32 on any matter not appearing on the agenda; however, no action
33 may be taken on any matter raised until the matter itself has
34 been specifically included in the agenda as an item upon which
35 action may be taken. Additionally, public comment may be heard
36 on any item listed on the agenda. Persons are invited to submit
37 comments in writing or attend and make comments on any agenda
38 item at the health board meeting? At the health board -- and
39 public comment may be limited to three minutes per person, at
40 the discretion of the commission.

1 Patsy, you want to lead us in the Pledge of Allegiance?
2 COMMISSIONER WAITS: (Off microphone) Thank you.
3 Yes. Please join me in the salute to our flag.

4
5 (Pledge of Allegiance)

6
7 VICE CHAIRMAN CLARK: We'll have a moment of silence,
8 please.

9
10 (Moment of silence)

11
12 VICE CHAIRMAN CLARK: Lander County Commission may break
13 for lunch from 12:00 p.m. to 1:15 p.m. Any agen- -- agenda item
14 may be taken out of order, may be combined for consideration by
15 the public body, and items may be pulled or removed from the
16 agenda.

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19 **COMMISSIONER REPORTS**

20
21 VICE CHAIRMAN CLARK: Commissioners reports on meetings,
22 conferences, and seminars attended.

23 Patsy?

24 COMMISSIONER WAITS: (Off microphone) Thank you.

25 Yes. We did have our annual state NACO meeting. That was
26 the November 17th, 18th, and 19th. We did it all, of course, on
27 computer and a new -- a new program, which was kind of
28 interesting. They opened it up to the different panels so that
29 we could all speak, but everyone else could only text in and use
30 the chat line.

31 And it -- it went very well for what we had to do. We just
32 missed being together.

33 There were some excellent programs that we actually did.
34 The presentations and educational sessions are on the NACO
35 website and on YouTube.

36 A couple of them of particularly good interest was the
37 Changing Landscape of Public Lands Management.

38 And then, of course, we did the -- a training for the newly
39 elected county commissioners.

40 And we have a brand-new handbook that's been updated with

1 all of the last legislative things that apply to our county. So
2 those are going out to the -- to the new commissioners.

3 On the 19th, we did have the Kingston Town Board meeting.
4 They always do a big afternoon with Santa. And, of course,
5 that's not really possible this year. So they collected the
6 gifts and all, but they're going to have Santa in the firetruck,
7 and he's going to go out and deliver personally to the -- the
8 children that have -- have put their names in. So they're still
9 continuing with that.

10 On the 27th, we did have our official Hallmark moment with
11 the Christmas tree lighting in Austin and s'mores and -- and our
12 fire pits and our heating patio lights, which were wonderful.
13 It was very well attended and the -- and a lot of people in
14 their cars.

15 And -- and it was exciting. The tree truly is beautiful.
16 So our thank-yous to Lander County for the -- the tree and all
17 the work that Road and Bridge did to make that all come through
18 and happen.

19 And, of course, Ormat stepped up to actually pay for the
20 fire pits and the patio lights.

21 On the 30th of November, I had an AT&T conference call.
22 And this is regarding the provider of last resort letter that we
23 wrote to the public utilities commission because they want to
24 pull out the rest of the county.

25 And in response to that letter, they actually asked for a
26 phone call.

27 So we did a conference phone call, which was kind of
28 interesting. It was just kind of reiteration of -- of our
29 letter. Because we did not only a letter but a backup letter
30 too.

31 I don't know whether it's going to make any difference, but
32 it stays in the AT&T file. And we -- they said, well, it won't
33 make any difference if we pull out of these areas where no one
34 lives.

35 And we said, we're talking future growth. We're talking
36 our public lands that we're going to have a lot of.

37 You never know what's going to be growth. And we never
38 know where people live that might have asked for service that
39 didn't get it.

40 And they said, well, it's not going to make any difference.

1 And we said, well, if it's not going to make any
2 difference, why are you pulling out? Why don't you just leave
3 Lander County the way it is?

4 But it was nice to at least be on the phone call and at
5 least get some recognition. But I have no idea what they're
6 going to do about that, of course.

7 Yesterday, I did have a Justice and Public Safety meeting.
8 That's our national board. Most of their information was
9 actually regarding COVID And the billions of dollars that
10 they're putting through the different legislative groups, now
11 our assembly and senate, and where it's going to be.

12 But it is all kind of up in arms if everyone are going over
13 the amount. So we're not sure about that yet.

14 And that's my report. Thank you.

15 VICE CHAIRMAN CLARK: Yeah. I -- I didn't go to any
16 meetings. I didn't have any meetings.

17 COMMISSIONER WAITS: Bryan?

18 VICE CHAIRMAN CLARK: Bryan?

19 COMMISSIONER SPARKS: Yeah. No report, Art.

20 VICE CHAIRMAN CLARK: Okay.

21 Okay. Public comment for nonagendized --

22 Oh, Bert. I'm sorry, Bert.

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25 **STAFF REPORTS**

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27 BERT RAMOS: Good morning, Commission.

28 So for my report on the RS 2477 roads, I just want to make
29 sure that we keep touching base so that you guys know that we
30 aren't dropping the ball. And if I am dropping the ball on
31 anything, please remind me.

32 So at the NACO conference, in one of the classes, a
33 commissioner from Elko County had made mention that there was
34 possibly a bill draft to give all the land back to the counties
35 and go completely away from the -- the government. And that
36 that's -- that's a bill that's on the table. But it -- it is
37 sitting, waiting to see who takes the House and where -- where
38 all that kind of idles out.

39 So with that, we're -- we're kind of sitting in idle on the
40 2477 roads unless this commission chooses to give me some

1 different direction. But I -- I don't think that we should put
2 a lot of energy into it with that possibly being on the table.

3 The other thing -- and I'll br- -- I'll bring a bunch more
4 information on that as -- as I get more of it.

5 I -- I'd reached out to the Elko County manager. And he
6 had a lot more information. Because I guess this has been going
7 on for quite a while, but I wasn't aware of it. And I don't
8 know that our board --

9 COMMISSIONER WAITS: We've been --

10 BERT RAMOS: -- was --

11 COMMISSIONER WAITS: -- reporting --

12 BERT RAMOS: -- aware --

13 COMMISSIONER WAITS: -- on it --

14 BERT RAMOS: -- of it.

15 COMMISSIONER WAITS: -- here, but you haven't always been
16 here, way before you became county manager.

17 BERT RAMOS: Oh, okay.

18 COMMISSIONER WAITS: (Off microphone) Yeah. And -- and
19 Trump -- President Trump was really pushing for that, actually.

20 So if we go back through some of the records on our
21 reports, we -- we have been following it, but, like, the public
22 lands, it's all held -- (on microphone) it's all held out.

23 Thank you.

24 BERT RAMOS: Okay.

25 COMMISSIONER WAITS: Completely forgot that this morning.

26 Thanks.

27 BERT RAMOS: Well, so I just -- I wanted to touch on that.

28 As far as the wildlife board, we -- we're doing a little
29 bit of research. What we're going to -- probably end up having
30 to do is have them convene and then send their chair or a member
31 of the board to report to this commission.

32 And is what we're going to try to do is I need to reach out
33 to the Conservation District. I'm going to try to make this
34 kind of a -- a county-wide. Anybody that has any interest in
35 wildlife conservation, anything to do with the -- the betterment
36 of the county, make -- make this a -- a whole group effort where
37 we're -- we're combined to -- to make a good decision for all
38 parties involved. But they will probably -- both boards will
39 have to have their own meetings and then send a representative
40 of their boards to the commission here to -- to open that

1 discussion.

2 Hopefully, we can get that on the 17th meeting. I'm going
3 to see where this falls with the rest of the boards in it. And
4 it may not work out. And -- and then again, it may.

5 But all that's still moving forward as well.

6 On COVID-19. So to date, we have 242 confirmed cases in
7 Lander County. Fifty-six of them are active right now. And 182
8 of them have recovered.

9 I want to say a big thanks to the hospital. Jason and
10 Holly at the hospital have done all of the work on putting
11 together the vaccination plan. They reached out to the
12 sheriff's office. And they've -- they've reached out to the
13 fire department and -- and everybody that -- first responders
14 that will get this vaccine.

15 According to the governor last night, it could be within
16 two weeks that they're going to be handing out these vaccines.

17 It's a two-tier vaccine. So there -- there's one shot and
18 then 20 days later you get your next shot.

19 The issue with that is a little bit of a scheduling issue
20 for departments. And that's the -- most people when they get
21 the vaccination, they have to be off for two days to see what
22 kind of reactions they have or to withstand the reaction. And
23 then the next person -- and these vaccines have to be
24 administered within four days of the hospital receiving them.
25 They're going to be doing it in the back at the John Peters.
26 And it's -- and it's optional, obviously, for all of our first
27 responders.

28 VICE CHAIRMAN CLARK: Now, on the two-step, that's the only
29 one that's available to Nevada?

30 BERT RAMOS: It's the only one that I'm ava- -- that I'm
31 aware of that is going to be available at this point. There's
32 talk of one that is a single step, but it's not -- it hasn't
33 been on the table yet.

34 COMMISSIONER WAITS: There's only two. What? That Moldrum
35 or something and then Pfizer. Is that it? But there's only two
36 that are approved right now that they're -- they're passing out
37 to all the states. And that -- that's the double. So --

38 VICE CHAIRMAN CLARK: They're all double.

39 COMMISSIONER WAITS: Yeah. So far.

40 VICE CHAIRMAN CLARK: Okay. Because the news gets pretty

1 confusing on this. Because on the news are saying one shot
2 in --

3 BERT RAMOS: Well, definite- --

4 VICE CHAIRMAN CLARK: It depends on the vaccine, I guess.

5 BERT RAMOS: Yeah, definitely in Lander County, it's going
6 to be the -- the two shots.

7 VICE CHAIRMAN CLARK: And there's two days off after each
8 of the shots.

9 BERT RAMOS: Yes.

10 VICE CHAIRMAN CLARK: Okay.

11 BERT RAMOS: Yes.

12 And then the CDC came out with new guidelines last night on
13 their recommendations. So they went from 14 days of quarantine
14 for a close contact to 7, and 10 days for a positive, as opposed
15 to -- to 14.

16 So they're -- they're slowly backing off the -- the number
17 of days for -- for quarantine. And that's -- that's about
18 the -- all there is for -- for COVID right now in -- in the
19 county. I know it's a -- it's an ever-moving target.

20 As far as our quick response machines, that's -- that's an
21 ever-moving target as well. So I hate to keep telling you guys
22 that we're possibly going to get them because it keep -- that
23 ball keeps getting kicked down the road.

24 VICE CHAIRMAN CLARK: Thanks, Bert.

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27 **CONSENT AGENDA**

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29 VICE CHAIRMAN CLARK: Consent agenda.

30 All matters listed under consent agenda are considered
31 routine and may be acted upon by the Board of County
32 Commissioners with one action, without extensive discussion.
33 Any member of the board or any citizen may request that an item
34 be taken from the consent agenda, discussed, and acted upon
35 separately during the meeting. Consent agenda materials are
36 available at the Lander County Clerk's Office for viewing, and
37 copies are available for a nominal charge.

38 Number 1, approve --

39 BERT RAMOS: Hey, Arthur?

40 VICE CHAIRMAN CLARK: -- of the --

1 ELIZABETH MACDONALD: Art?
2 BERT RAMOS: Art?
3 Would -- would you open it up for public comment, real
4 quick.
5 VICE CHAIRMAN CLARK: Oh. Yeah. I'm sorry.
6
7

8 **PUBLIC COMMENT**
9

10 VICE CHAIRMAN CLARK: We'll open it up for public comment
11 on nonagendized items.
12 Okay.
13
14

15 **CONSENT AGENDA**
16

17 VICE CHAIRMAN CLARK: Now we'll go on to the consent
18 agenda. Number 1, --
19 VOICE RECORDING: Muted.
20 VICE CHAIRMAN CLARK: -- approval of --
21 VOICE RECORDING: Unmuted.
22 VICE CHAIRMAN CLARK: -- December -- December 3, 2020,
23 agenda notice; approval of May 7, 2020, special budget workshop
24 meeting minutes; approval of May 14, 2020, meeting minutes;
25 approval of July 23, 2020, meeting minutes; approval of
26 August 13, 2020, meeting minutes; approval of August 27, 2020,
27 meeting minutes; approval of September 10, 2020, meeting minutes;
28 approval of September 24, 2020, meeting minutes; approval of
29 October 8, 2020, meeting minutes; approval of October 22, 2020,
30 meetings -- meeting minutes; approval of November 12, 2020, meeting
31 minutes; approval of November 16, 2020, meeting minutes; and approval
32 of payroll change request.
33 Patsy?
34 COMMISSIONER WAITS: Thank you, Mr. Chairman.
35 I move that we approve Number 1, which is the agenda
36 notice; Number 11, Approval of the November 22, 2020, meeting
37 minutes, and Number 12, approval of the November 16, 2020,
38 meeting minutes.
39 I have not received any of the other meeting minutes, and
40 there were no payroll change requests.

1 VICE CHAIRMAN CLARK: Okay.
2 Patsy made a --
3 COMMISSIONER SPARKS: I'll -- I'll second that motion.
4 VICE CHAIRMAN CLARK: Yeah. Okay.
5 All in favor?
6 COMMISSIONER WAITS: Aye.
7 VICE CHAIRMAN CLARK: Aye.
8 COMMISSIONER SPARKS: Aye.
9 VICE CHAIRMAN CLARK: Okay. Bryan votes aye. Okay.

10

11 1) **COMMISSIONERS: For possible action to approve/disapprove the**
12 **payment of bills.**

13

14 VICE CHAIRMAN CLARK: Commissioners.
15 For possible action to approve or disapprove the payment of
16 the bills.

17 COMMISSIONER WAITS: Mr. --

18 VICE CHAIRMAN CLARK: Do we have any checks we need to
19 pull?

20 COMMISSIONER WAITS: Yes, we do. There's two checks,
21 actually, for the Point S, which we pull out for Bryan. And
22 that's 209780, 209852.

23 And since we actually don't have a quorum without him, I
24 ask that we take those two checks and pull them over to the next
25 agenda so those can be approved and ratified.

26 And I make a motion we approve the balance of the bills.

27 COMMISSIONER SPARKS: I'll second that motion.

28 VICE CHAIRMAN CLARK: All in favor?

29 COMMISSIONER WAITS: Aye.

30 COMMISSIONER SPARKS: Aye.

31 VICE CHAIRMAN CLARK: Aye.

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1 **2) For possible action to approve/disapprove the appointment of**
2 **three individuals to serve on the Austin Airport Advisory**
3 **Board, which currently has four (4) vacancies, new terms are**
4 **from July 1, 2020, through June 30, 2022, and to consider all**
5 **of the following applicants to include: a) Tom Andersen, B)**
6 **Ray H. Williams, c) Claudio Cardoza.**
7

8 VICE CHAIRMAN CLARK: Okay. Number 2. Commissioners.

9 For possible action to approve, disapprove the appointment
10 of three individuals to serve on the Austin Airport Advisory
11 Board, which currently has four vacancies -- new terms are from
12 July 1, 2020, through June 30, 2022 -- and to consider all the
13 following applicants to include: Tom Andersen, Ray Williams,
14 and Claudio Cardoza.

15 I need a motion.

16 COMMISSIONER WAITS: Mr. Chairman, I have a question on
17 this.

18 First of all, when we lump it as four vacancies, it's
19 really three board members and one alternate.

20 Now, when Mr. Cardoza put his request in, he asked for
21 alternate, because we thought that's what was available.

22 Even though the letter says "alternate," legally, can we go
23 ahead and put him on as a regular board member? Do we have to
24 check with him first?

25 VICE CHAIRMAN CLARK: Okay.

26 COMMISSIONER WAITS: How does that work?

27 VICE CHAIRMAN CLARK: Yeah. Ted?

28 COMMISSIONER WAITS: Ted?

29 DISTRICT ATTORNEY HERRERA: Well, you should probably check
30 with him and -- and tell him that a board position is available
31 and an alternate position and what would be his preference?

32 So what you could do is make a motion to approve him as
33 both positions depending on his (indiscernible).

34 MITESHELL LANHAM: This is Austin. Tom is here.

35 UNIDENTIFIED PARTICIPANT: Are you talking about Tom or
36 Claudio?

37 DISTRICT ATTORNEY HERRERA: Okay. You can --

38 COMMISSIONER WAITS: I'm sorry.

39 DISTRICT ATTORNEY HERRERA: -- ask --

40 COMMISSIONER WAITS: I --

1 DISTRICT ATTORNEY HERRERA: -- you --
2 COMMISSIONER WAITS: -- missed --
3 DISTRICT ATTORNEY HERRERA: -- can ask --
4 COMMISSIONER WAITS: -- the last --
5 DISTRICT ATTORNEY HERRERA: -- him right --
6 COMMISSIONER WAITS: -- part.
7 DISTRICT ATTORNEY HERRERA: -- now.
8 BERT RAMOS: (Off microphone) Yeah. I think we can
9 just --
10 MITESHELL LANHAM: Which one?
11 ELIZABETH MACDONALD: He's saying that you can go ahead and
12 approve him for either/or, the alternate or the full position.
13 BERT RAMOS: Tom -- Tom is in Austin so maybe he could
14 speak.
15 VICE CHAIRMAN CLARK: (Off microphone) Ask him if he wants
16 to be --
17 TOM CARDOZA: Yes, I'll take the permanent position.
18 COMMISSIONER WAITS: Okay. Thank you, --
19 VICE CHAIRMAN CLARK: (Off microphone) Okay.
20 COMMISSIONER WAITS: -- Tom.
21 VICE CHAIRMAN CLARK: (Off microphone) Thanks, Tom.
22 COMMISSIONER WAITS: The other two have served, and so
23 they're asking for reappointment, actually.
24 So I'll make a motion that we approve all three for the
25 airport board positions in Austin: Tom Andersen, Ray Williams,
26 and Claudio Cardoza.
27 COMMISSIONER SPARKS: And I'll second that motion.
28 VICE CHAIRMAN CLARK: (On microphone) All in favor?
29 Aye.
30 COMMISSIONER WAITS: Aye.
31 COMMISSIONER SPARKS: Aye.
32 VICE CHAIRMAN CLARK: Thank you, gentlemen.
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1 **3) COMMISSIONERS: For possible action to approve/disapprove the**
2 **appointment of one (1) individual to serve on the Lander**
3 **County Planning Commission, which currently has three (3)**
4 **vacancies. New terms are from July 1, 2020, through**
5 **June 30, 2024, and to consider all of the following**
6 **applicants to include: a) Louis A. Lani.**
7

8 CHAIRMAN ANCHO: For commissioners.

9 For possible action to approve, disapprove the appointment
10 of one individual to serve on the Lander County Planning
11 Commission, which currently has three vacancies -- the new terms
12 are from July 1, 2020, through June 30, 2024 -- and to consider
13 all the following applicants to include -- we have one, Louis
14 Lani.

15 COMMISSIONER WAITS: I move to approve Louis Lani on the
16 Lander County Planning Commission. Term is July 1, 2020,
17 through June 30, 2024.

18 COMMISSIONER SPARKS: I'll second your motion.

19 VICE CHAIRMAN CLARK: All in favor?

20 Aye.

21 COMMISSIONER WAITS: Aye.

22 COMMISSIONER SPARKS: Aye.

23 CHAIRMAN ANCHO: Thank you, Louis.
24

25 **4) COMMISSIONERS: For possible action to approve/disapprove the**
26 **appointment of one (1) individual to serve on the Lander**
27 **County Advisory Board to Manage Wildlife, which currently has**
28 **two (2) vacancies, new terms are from July 1, 2020, through**
29 **June 30, 2023, and to consider all of the following**
30 **applicants to include: a) Shawn Mariluch.**
31

32 VICE CHAIRMAN CLARK: For possible action to approve or
33 disapprove the appointment of one individual to serve on the
34 Lander County Advisory Board to Manage Wildlife, which currently
35 has two vacancies -- new term from July 1, 2020, through
36 June 30, 2023 -- and to consider all the following applicants to
37 include -- and we have Shawn Mariluch applied for this position.

38 I need a motion.

39 COMMISSIONER WAITS: A motion --

40 COMMISSIONER SPARKS: I'll make a motion that we accept

1 Shawn Mariluch to serve on the board.

2 COMMISSIONER WAITS: I'll second the motion.

3 VICE CHAIRMAN CLARK: All in favor?

4 Aye.

5 COMMISSIONER WAITS: Aye.

6 COMMISSIONER SPARKS: Aye.

7 VICE CHAIRMAN CLARK: Thank you, Shawn.

- 8
- 9 5) **J-U-B Engineering: For possible action to approve/disapprove**
10 **the FY 2021 FAA AIP Grant Application for the Construct Taxi**
11 **Lanes (Design Only) project for the Battle Mountain Airport**
12 **for an FAA funding amount of \$112,500 and a Lander County**
13 **match of \$7,500.**

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15 VICE CHAIRMAN CLARK: J-U-B Engineering.

16 For possible action to approve, disapprove the FY 2021 FAA
17 AIP Grant Application for the Construct Taxi Lanes, design only,
18 project for the Battle Mountain Airport for an FAA funding
19 amount of 112,500 and a county match of \$7500.

20 What you need to understand, folks, is that the -- the
21 federal government kicks in 94 percent, is it?

22 DAVID MEYER: 93.75 percent. David Meyer, J-U-B
23 Engineers, --

24 VICE CHAIRMAN CLARK: Right.

25 DAVID MEYER: -- for the record.

26 VICE CHAIRMAN CLARK: Okay. Take it away, bud.

27 DAVID MEYER: Yep.

28 So you should have in your packets a similar drawing. But
29 this is the existing apron with our expansion on the west side
30 of Battle Mountain now.

31 We'll be doing three taxi lanes. The first one, which is
32 kind of driving this process, is a paved taxi lane up to the
33 county hangars that were built so that access to those is
34 easier.

35 And then just for the sake of adding a little more so we
36 get better unit cost, we'll also build a taxi lane here that
37 will serve these hangars on this side. These are Rick Harless's
38 hangars.

39 And then taxi lane here to serve on this side.

40 There actually is not a taxi lane here, according to the

1 master plan. It's too narrow right here. It doesn't meet FAA
2 separation. So that's why it's not shown. I have had that
3 conversation with Rick. He's aware of it. So that's pretty
4 much the -- the extent of the project.

5 It will be designed this year as part of this design-only
6 grant and then constructed in 2022 as part of a separate grant,
7 bid and constructed.

8 Thanks.

9 VICE CHAIRMAN CLARK: Thank you.
10 Do you have any questions, Patsy?

11 COMMISSIONER WAITS: No, I don't.

12 And I -- I move that we approve the fiscal year 2021 FAA
13 AIP Grant Application to construct the taxi lanes, design only,
14 project for Battle Mountain Airport. The FAA funding amount of
15 112,500 and Lander County match of 7,500.

16 VICE CHAIRMAN CLARK: Need a second.

17 COMMISSIONER SPARKS: I'll second the motion.

18 VICE CHAIRMAN CLARK: Okay. All in favor?
19 Aye.

20 COMMISSIONER WAITS: Aye.

21 COMMISSIONER SPARKS: Aye.

22 VICE CHAIRMAN CLARK: Okay.

23 DAVID MEYER: All right. Thank you, Commission.
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1 6) DESMOND SKEATH: For discussion of the Austin Building and
2 Facilities Maintenance and Repair and Grounds Maintenance
3 Agreement between Lander County and Desmond Skeath, doing
4 business as Dessie Skeath Lawn and Parks between the dates of
5 April 2018 and November 2020 with regard to overpayment by
6 the county to Desmond Skeath in the amount of \$23,186.50.
7 For possible action to either: 1) immediately terminate the
8 contract with or without cause upon 30 days' written notice
9 pursuant to the clause 9(a) of the contract and put the
10 contract out for bid; or 2) to negotiate with Dessie Skeath
11 for the repayment of the overpayment to be taken out of his
12 checks going forward; or 3) to waive the overpayment amount
13 in full or partially; or 4) to come up with a solution that
14 is a combination of options 1, 2, or 3 or formulate a plan
15 not contained herein.

16
17 VICE CHAIRMAN CLARK: Number 6. Desmond Skeath.

18 For discussion of the Austin Building and Facilities
19 Maintenance And Repair and Grounds Maintenance Agreement between
20 Lander County and Desmond Skeath, doing business as Desmond
21 Skeath Lawn and Parks, between the dates of April 2018 and
22 November 2020, with regard to overpayment by the county to
23 Desmond Skeath in the amount of \$23,186.50. For possible action
24 to either, one, immediately terminate the contract with or
25 without cause upon 30 days' written notice pursuant to
26 clause 9(a) of the contract and put the contract out to bid; or to
27 negotiate with Dessie Skeath for the repayment of the overpayment to
28 be taken out of his checks going forward; or to waive the overpayment
29 amount in full or partially, or for -- to come up with a solution
30 that is a combination of options 1, 2, and 3; or formulate a plan,
31 not contained herein.

32 BERT RAMOS: So going back, on -- and I know this is
33 worded -- it seems slightly harsh. Desi's done a great job for
34 the county. And I'd like to point that out first.

35 But going back through the contracts, he's actually been
36 being paid like this since 2014.

37 So I don't believe that it -- I believe it was a
38 misinterpretation of the contract. And I don't think that it
39 was a fault of anybody in the staff of the county or -- or Desi
40 himself.

1 And the recommendations that -- that I would make to the
2 commission is that we do the 30-day written notice to terminate
3 the contract, and Desi and myself get together and rewrite two
4 contracts that are solid, number-based so there isn't the
5 confusion that -- that caused this, which is the 300 for
6 different months and 200 for here. And we're -- we're combining
7 two contracts.

8 And this -- and the reason I'm proposing that is, most
9 importantly, it's a ding that we get hit with on our audit for
10 not bidding this. And it's over \$50,000 so we should be putting
11 this out to bid, these contracts, instead of just awarding.

12 Whereas, if we split these two contracts up, it falls under
13 the \$50,000 threshold. And we could just award them to Desi
14 and -- and be in compliance with our auditors. And it would
15 also clear up the confusion that is here.

16 I don't think that anything was done here that was
17 malicious and -- and that the county should just waive that
18 23,000 that has the appearance of a faulted contract. Because
19 it has been paid for so many years.

20 That -- That's my recommendation.

21 VICE CHAIRMAN CLARK: So Desi didn't do anything wrong.
22 And he didn't know that anything was amiss.

23 BERT RAMOS: No, absolutely --

24 VICE CHAIRMAN CLARK: So that --

25 BERT RAMOS: -- not.

26 VICE CHAIRMAN CLARK: -- it's the council -- it's the
27 county's responsibility to be correct in this situation, I
28 believe.

29 COMMISSIONER WAITS: Let me see if I can clarify some of
30 this for you.

31 I did a great deal of research. And I went back quite a
32 bit. And I did have the opportunity to speak with Mr. Skeath on
33 this.

34 Actually, he had so many different contracts. We have the
35 cleaning and maintenance. And then we added the visitor center.
36 And then we -- we added the lawn. And then we -- I mean, all
37 kinds of things. And he has an individual contract for each
38 one.

39 So he tells me that a couple years ago when he came up and
40 sat down and went over everything with -- with the DA and with

1 Keith that they finally put it in one contract. And that was
2 kind of the key on it.

3 Actually, according to him, the -- the contract is correct,
4 except -- let me see if I can explain this -- the first one --
5 when you look at the first one, which is for maintenance and
6 repair, it's 2,502 per month. That one has been -- that one we
7 have no discrepancy whatsoever.

8 Then the next one says that it will be for lawns. And it
9 was -- actually says, 2,383. And then it says, during the
10 months of March through October and an additional 300 for the
11 snow.

12 First of all, he tells me it wasn't 300. It was 300 per
13 pay period. It was 600 per month. And when I looked back, that
14 is what we were paying. But the interesting thing is when he
15 gave us the contract, he gave us a full contract for the full
16 year. He's only going to be there for March through October,
17 but the amount of money he gave that he actually bid it for --
18 and I think I go --

19 Yeah. It comes out \$28,596, I think, total for the full
20 year.

21 Then he asked us, instead of being -- instead of being paid
22 May through October and not having anything in the winter, could
23 we please prorate that over the full year?

24 So he was to be paid over the full year because that was
25 his contract full amount.

26 Now, it doesn't say anything about full amounts on here.

27 But if you read it, an interpretation is that he will be
28 paid for grounds maintenance, services satisfactory performed
29 during the months of March through October and an additional 300
30 per month for snow removal. And an additional. So like it
31 doesn't stop. And it wasn't supposed to stop because the full
32 amount that he gave us on a contract was divided by 12. And we
33 pay him all year long.

34 So if you look at that, we have not overpaid him. And
35 we've been paying exactly right. And even the 300 we've been
36 paying every two pay periods, like -- like he said. He said, I
37 bid it for \$600 a -- a month. He said there's no way that I can
38 shovel all of those buildings. I mean, sometimes it's five and
39 six times a day that he has to go over and have somebody shovel.
40 He said, I wouldn't bid it for 300 a month. I bid it for 600.

1 And that's exactly what we did. We've continued to pay the
2 283 bi-monthly and added the 300.

3 So, actually, the only one that was wrong was last
4 November, last month. And that's when we caught the mistake
5 that we thought was a mistake and said, Oh. And we took away
6 that one full payment for the lawn because we interpreted it
7 that he was only working the lawn eight months so we were going
8 to pay him eight months.

9 But, remember, he took the whole contract amount and
10 divided it. So he should be paid all 12 months.

11 Now we still have to do something with the contract. And I
12 do recommend that you do sit down and talk with him because we
13 do have to amend it.

14 But the only thing that's wrong on it, according to Mr.
15 Skeath, is the 300 monthly that should have been 600 monthly or
16 300 every pay period.

17 Interesting.

18 BERT RAMOS: It -- that is interesting. However, the
19 interpretation of the contract by our -- by our legal is not how
20 you interpreted it or how Mr. Skeath has interpreted it or
21 the -- or the language that is in it per se that it would be
22 amongst 12 months. It's -- it's an eight-month to a -- it -- it
23 -- yes. Now I understand. And that's -- that's the contracted
24 language --

25 COMMISSIONER WAITS: And it is --

26 BERT RAMOS: -- that I leave to our legal.

27 COMMISSIONER WAITS: Yeah. And that's true. Because if --
28 if it would have been done that way, it wouldn't have sent an
29 additional 300 per month. It would have just been 300 per month
30 for those four months.

31 The word "additional."

32 But you're right. It's up to legal interpretation. And
33 that was Dessie's contract. He has the full amounts. He came
34 in with the full amounts per year and asked to be paid over the
35 12. And this is the contract they came up with four years ago,
36 at least.

37 And -- and, like you said, he's been working for us for a
38 long, long time. And, you know, we have no complaints
39 whatsoever with -- with what he does. He's on call. I mean,
40 literally is.

1 But whatever we have to do to make it right.
2 So, with that, I don't -- Miteshell, is Dessie there this
3 morning? Does he have any comment?
4 MITESHELL LANHAM: Yes, he's here.
5 COMMISSIONER WAITS: Any comment, Dessie?
6 DESSIE SKEATH: Kind of. I have documentation stating that
7 the contract was part of the 2002.
8 COMMISSIONER WAITS: 2002.
9 DESSIE SKEATH: It was the same amount of money that I'm
10 getting today.
11 The only thing I would like to do is I would like to speak
12 with county manager and the district attorney and sit down and
13 discuss some of this stuff before I'm convicted is what I would
14 like to do. Have a meeting in Battle Mountain ASAP. Because
15 this conversation's going around like wildfire that I cheated
16 the county out of \$27,000.
17 And it's not a very good thing to have on your reputation.
18 So I'm going to go to Battle Mountain and meet with the
19 district attorney and the county manager, whatever day they want
20 me to go.
21 COMMISSIONER WAITS: Okay. I -- I think we got it. But we
22 do have to get together with you.
23 And so we'll go ahead and take the action today and then
24 let you -- you come in and -- and talk with -- with our county
25 manager and with our legal. And we'll -- we'll get it all
26 straightened out for you, Dessie. Thank you.
27 DESSIE SKEATH: Okay. Thank you.
28 COMMISSIONER SPARKS: Okay. With that, we do have to give
29 notice, the 30-day notice. Is -- is that correct? To --
30 VICE CHAIRMAN CLARK: Is that --
31 COMMISSIONER WAITS: -- break the contract?
32 BERT RAMOS: Yes. So I be- -- I believe that we should
33 give the 30 days' notice, re- -- with the understanding that
34 we're going to renegotiate with -- with Dessie, even if the
35 numbers stay the same and -- and come back with this clarified
36 in the contract for everybody's understanding.
37 COMMISSIONER WAITS: Okay. With that, they also made a
38 notation of B & D being identical, which was the amount of \$100
39 on a monthly basis for repair items.
40 He pays for anything under a hundred and anything over it.

1 And -- and it's written identical twice.
2 So we do need to clean up the contract. Absolutely.
3 It's -- it's -- needs some work.
4 Okay. With that, I make a motion that we -- we do the
5 30-day written notice pursuant to clause 9(a) of the contract
6 and that we rene- renegotiate -- renegotiate with Dessie Skeath
7 and do two contracts to complete the -- complete the contracts,
8 I guess.
9 What else do I need on that?
10 BERT RAMOS: I think one would be building maintenance and
11 one would be grounds and --
12 COMMISSIONER WAITS: Okay. One would be -- all right.
13 I'll separate that. One would be building maintenance and one
14 would be grounds and snow removal.
15 VICE CHAIRMAN CLARK: (Off microphone) Grounds and --
16 COMMISSIONER SPARKS: I'll second that motion, Patsy.
17 COMMISSIONER WAITS: Thank you.
18 VICE CHAIRMAN CLARK: (Off microphone) -- snow. Okay.
19 We get a second?
20 ELIZABETH MACDONALD: Yeah.
21 BERT RAMOS: Yeah.
22 VICE CHAIRMAN CLARK: (On microphone) All in favor?
23 Aye.
24 COMMISSIONER WAITS: Aye.
25 COMMISSIONER SPARKS: Aye.
26 VICE CHAIRMAN CLARK: Okay.
27 Moving on to --
28 DESSIE SKEATH: That's not so I get done talking about it.
29 It's janitorial.
30 COMMISSIONER WAITS: What?
31 DESSIE SKEATH: Because I clean the courthouse, the
32 firehouse, the town hall, --
33 BERT RAMOS: Yes. That is -- that's the building
34 maintenance.
35 DESSIE SKEATH: -- and the sheriff's office.
36 UNIDENTIFIED PARTICIPANT: It's all under maintenance.
37 DESSIE SKEATH: Does it all come under maintenance?
38 BERT RAMOS: That -- that is --
39 DESSIE SKEATH: Or is it a (indiscernible)?
40 BERT RAMOS: That is my understanding. That's part of what

1 we will -- when we sit down with the -- with legal and myself
2 that we'll get it all ironed out so we have two separate
3 contracts that are proper per building and grounds. And another
4 one which would be snow removal and -- and lawn care, I believe.

5 DESSIE SKEATH: Okay.

6 Okay. Thank you.

7 VICE CHAIRMAN CLARK: Okay.

8 BERT RAMOS: Thank you, Dessie. Appreciate it.

9 VICE CHAIRMAN CLARK: Okay.

- 10
11 7) **PLANNING DEPARTMENT: For possible action to review the**
12 **language contained in Lander County Code 17.58.020 (Permitted**
13 **Uses) and Lander County Master Plan 2010, (Land Uses,**
14 **Page 3-10, 3-11), and then to decide if clarification of the**
15 **existing policy is needed and whether to move forward with**
16 **Code and Master Plan revisions.**

17
18 VICE CHAIRMAN CLARK: Number 7. Planning Department.

19 For possible action to review the language contained in
20 Lander County Code 17.58.020, Permitted Use, and Lander County
21 Master Plan 2010, Land Uses, page 3-10, 3-11, and then to decide
22 if clarification of the existing policy is needed and whether to
23 move forward with Code and Master Plan revisions.

24 So who do we have? Anna. Thank you.

25 ANNA PENOLA: Uh-uh.

26 VICE CHAIRMAN CLARK: No?

27 BERT RAMOS: I -- so I -- I -- I will speak on behalf of
28 this one.

29 We put this on the agenda because we thought that it was
30 important for the community to be aware of what is coming and
31 part of why -- why it's coming and how it -- how it got there.

32 We have a hotel, I do believe. Do we have Kyla on the
33 line?

34 VICE CHAIRMAN CLARK: Hotel or motel.

35 DISTRICT ATTORNEY HERRERA: Motel.

36 VICE CHAIRMAN CLARK: There's a --

37 UNIDENTIFIED PARTICIPANT: Yeah.

38 VICE CHAIRMAN CLARK: -- difference.

39 ELIZABETH MACDONALD: Motel.

40 DISTRICT ATTORNEY HERRERA: It's a motel.

1 BERT RAMOS: Motel.
2 VICE CHAIRMAN CLARK: Motel.
3 COMMISSIONER WAITS: Motel.
4 BERT RAMOS: I do apologize. A motel that's coming in
5 where they had proposed to put a fuel station prior. And it had
6 caused a little ruffle in the community.
7 Per our master plan, the wording is open to interpretation,
8 which legal has reviewed. And it fits.
9 So if legal would like to clarify that for the -- for the
10 commission and the community, I would appreciate it.
11 DISTRICT ATTORNEY HERRERA: All right. Thank you.
12 Commissioners, under the -- under the Code 17.58.020,
13 Permitted Uses, say one allows the building of a motel. It does
14 not allow the building of a hotel, but a motel. And what's
15 being proposed is a motel.
16 So the question is, under the Lander County Master Plan,
17 3-10, it says that -- that if a 24-hour business should not
18 encroach on a residential area.
19 Now I believe that the writers fully intended the word
20 "abut" to be there, not "encroach." But since the word
21 "encroach" is there that means it can abut a residential area,
22 and that's why it's permissible as written for a contractor to
23 construct a motel without a special-use permit. All he needs to
24 do is get a building permit.
25 So the question before the commission -- and it's a policy
26 one -- is do you want motels and 24-hour businesses to abut a
27 residential area? Or do you want to keep the word in
28 "encroach"? Because it -- it -- again, if you -- if you read
29 the word "encroach," it means it can abut. And you're going to
30 have these motels right up against a residential area.
31 Any questions?
32 COMMISSIONER WAITS: I -- I do. I'm not following you,
33 Counselor. I'm sorry.
34 The word "encroach," you said. Give -- give that to me
35 Again. If we leave the word --
36 DISTRICT ATTORNEY HERRERA: No, no.
37 COMMISSIONER WAITS: -- "encroach" in --
38 DISTRICT ATTORNEY HERRERA: The master plan says
39 "encroach." That means it can't go onto the land.
40 COMMISSIONER WAITS: But our --

1 DISTRICT ATTORNEY HERRERA: So --
2 COMMISSIONER WAITS: -- ordinance --
3 DISTRICT ATTORNEY HERRERA: -- so --
4 COMMISSIONER WAITS: -- our ordinance does allow it with a
5 buffer, right?
6 DISTRICT ATTORNEY HERRERA: Well, the -- the buffer is --
7 is up to Anna and -- and when they're given a building permit.
8 But the question is: Do you want to allow him to abut --
9 BERT RAMOS: So, --
10 DISTRICT ATTORNEY HERRERA: -- or not? --
11 BERT RAMOS: -- Patsy, I think --
12 DISTRICT ATTORNEY HERRERA: -- is the problem.
13 BERT RAMOS: -- to answer your question -- I think to
14 answer your question, in a special-use permit, we can put
15 certain stipulations on.
16 However, if they're abiding by our code, we cannot put them
17 stipulations on. Is all we can do is issue them permit because
18 they are abiding by our code.
19 COMMISSIONER WAITS: And they are abiding by the code right
20 now.
21 It's just the master --
22 DISTRICT ATTORNEY HERRERA: Yes.
23 COMMISSIONER WAITS: -- plan has the other word, which is
24 confusing.
25 UNIDENTIFIED PARTICIPANT: Correct.
26 DISTRICT ATTORNEY HERRERA: Right. So it's a perspective
27 action. It's (indiscernible). When we -- when we have -- we've
28 hired an outfit to go over the master plan and the codes with
29 us, do you want -- the question is in your mind is: Do you want
30 these motels to be built right next to residential?
31 Yes or no? That's the question.
32 COMMISSIONER WAITS: Okay. So the Lander County Master
33 Plan says "commercial and tourist commercial activity proposing
34 24-hour operations should not encroach upon established
35 residential areas."
36 And the only way to make that comply with our ordinance is
37 just to take that wording out of the master plan.
38 DISTRICT ATTORNEY HERRERA: No. It complies right now.
39 It -- it -- but I don't think that was the intent of the -- of
40 the lawyers. I believe they -- I believe that they didn't want

1 it to abut. But if you make a determination now, they were
2 accurate -- we don't want it to encroach -- then you leave it
3 like it is.

4 BERT RAMOS: So --

5 UNIDENTIFIED PARTICIPANT: The motels.

6 COMMISSIONER WAITS: Well, I -- I guess because -- because
7 we've only got some main roads around here and we're small,
8 they're like, Highway 80 is right here and Highway 376 and --
9 and all of it, I'm -- I'm going, I -- I -- I really don't want
10 to stop our growth. But I don't want them in the middle of my
11 residential area either. But if we can put up a buffer -- and
12 one does say buffer -- I don't consider that encroaching. It's
13 kind of next door.

14 So I guess --

15 DISTRICT ATTORNEY HERRERA: Well, it's just --

16 VICE CHAIRMAN CLARK: That --

17 DISTRICT ATTORNEY HERRERA: -- it's abutting.

18 VICE CHAIRMAN CLARK: That'd be abutting.

19 DISTRICT ATTORNEY HERRERA: That's the difference between
20 "abut" and "encroach."

21 COMMISSIONER WAITS: Yeah, abut. Yeah. I'm -- and I'm
22 okay with that.

23 I -- I just --

24 DISTRICT ATTORNEY HERRERA: Okay.

25 COMMISSIONER WAITS: -- don't want them in the middle of my
26 residential area. That's all. And I want a good buffer up
27 there, whether it's a park or -- or -- you know, a park and a
28 huge fence or whatever. But I -- I want it separated.

29 So --

30 BERT RAMOS: So is -- is what we're asking for is just for
31 you guys to make a determination moving forward. We can't
32 change what is already in place right now and what's -- what is
33 coming because they are following the rules as we have them
34 written.

35 But with -- with us updating our master plan, we'd like to
36 address as many of these type of situations now and put them in
37 our new master plan to clarify these kind of things so we don't
38 have any confusion with the planning and zoning or with our
39 commission or the community or businesses that would like to
40 come in.

1 COMMISSIONER WAITS: Well, I'm okay with the ordinance. So
2 if -- if we -- what? -- we -- we need to make a motion that our
3 master plan comply with the ordinance?

4 VICE CHAIRMAN CLARK: Well, I -- I would definitely like to
5 see it move forward for a review by the people that are in
6 charge of the master plan now and have you and Ted and master
7 plan people discuss this and make recommendations to come back
8 so that we don't wind up in this situation again, so that we
9 have a definite language approach to the situation so that
10 there's no confusion. That's what I'd like to see.

11 COMMISSIONER WAITS: I think it's -- it's a -- it's a big
12 decision too. And we can do it that way. We could just table
13 this and let them work out the master plan.

14 But because there's only three of us, I would also like to
15 wait until we have five commissioners to really weigh in on
16 this. I -- I think it's important enough that we -- that we
17 table it.

18 VICE CHAIRMAN CLARK: We'll only have four.

19 COMMISSIONER WAITS: If you want to bring it back for just
20 this in- --

21 COMMISSIONER SPARKS: I agree. It's what Art had stated.

22 COMMISSIONER WAITS: We'll only have four.

23 VICE CHAIRMAN CLARK: When JR comes on, he can't be
24 involved in this. It'll only be four of us.

25 COMMISSIONER WAITS: Oh. Okay.

26 VICE CHAIRMAN CLARK: So then we can get a 2:2.

27 BERT RAMOS: Well, I -- I -- I do believe that JR could be
28 involved. I don't believe that he could -- that he could say
29 anything on the property that is actually -- that we're --
30 that -- that is going to be built on at this time.

31 But this is going to be something moving forward with all
32 properties that either abut or encroach on residential areas.

33 So he -- he could actually --

34 VICE CHAIRMAN CLARK: Okay.

35 BERT RAMOS: -- vote on this because it wouldn't be
36 directly related to the -- there would be no ties to that.

37 VICE CHAIRMAN CLARK: Oh, okay. Okay.

38 COMMISSIONER WAITS: If -- if that were to -- most of us
39 would be abstaining, I guess. A master plan does affect us all
40 somehow.

1 Okay. All right. Good. Then I'm -- I recommend we table
2 it.

3 VICE CHAIRMAN CLARK: We need a motion or just going to
4 table it?

5 COMMISSIONER WAITS: Yeah.

6 VICE CHAIRMAN CLARK: Okay. We table it.

7 (Off microphone) Okay. What do we got now?

8 (On microphone) This is a record.

9 BERT RAMOS: (Off microphone) So it should be clear.

10 (On microphone) Are we -- are you guys giving me direction
11 to reach out to -- with -- with legal -- reach out to the people
12 that are putting our master plan together and kind of gather a
13 bunch of information, then --

14 VICE CHAIRMAN CLARK: Yeah.

15 BERT RAMOS: -- bring this back to you when we have a board
16 of -- a full board?

17 VICE CHAIRMAN CLARK: Yeah.

18 BERT RAMOS: Okay.

19 VICE CHAIRMAN CLARK: So that we don't -- I -- I don't like
20 gray areas. I like things in black and white when it comes to
21 these kinds of issues. I think everybody'd be comfortable with
22 black and white.

23 BERT RAMOS: Perfect.

24

25 **8) CORRESPONDENCE: Correspondence, reports, future agenda**
26 **items.**

27

28 VICE CHAIRMAN CLARK: (Off microphone) Okay. All right.
29 Correspondence, reports, future agenda items.

30 (On microphone) Excuse me. Correspondence, reports, and
31 future agenda items.

32 I talked to Bert. I've contacted Paul Tomera about
33 possible starting a bird program to develop a better bird base
34 for Lander County.

35 Bryan Sparks brought up his concern last meeting. I have
36 concern about the amount of game in the area.

37 So I'd like to ask that Bert get in touch with Paul Tomera
38 and discuss it.

39 And when Bert has some information, to come back and check
40 on cost and other issues that are related to it.

1 That's the only thing I have a concern about.
2 COMMISSIONER SPARKS: Have we heard how the -- the lawsuit
3 with Ely is going? Is there any update on that?
4 BERT RAMOS: (Off microphone) Who? I didn't catch you.
5 Sorry, Bryan, I didn't catch --
6 VICE CHAIRMAN CLARK: Say that --
7 BERT RAMOS: -- the --
8 VICE CHAIRMAN CLARK: -- again.
9 BERT RAMOS: -- lawsuit with -- with who?
10 COMMISSIONER SPARKS: With what Ely's doing down there?
11 BERT RAMOS: Oh.
12 We have done a little bit of research on that.
13 It sounds -- I'll let legal respond to this because it
14 sounds like maybe they're in the -- in the wrong court or
15 something filed like that. So I'll let legal --
16 DISTRICT ATTORNEY HERRERA: Well, they -- they filed an
17 action, against the governor, in Ely. And they filed it in Ely
18 in the district court there.
19 And these -- these -- these matters are supposed to be
20 filed in Carson City.
21 So I believe that there'll be a change of venue to Carson
22 City. And then it would be taking place. And -- and what it is
23 is the private business owner is the injured party. It's --
24 it's not the -- the county of Ely or the city of Ely or the town
25 of Ely. It's a business, private business owner.
26 COMMISSIONER SPARKS: Thank you.
27 DISTRICT ATTORNEY HERRERA: But it -- it -- then,
28 furthermore, it's -- it's what we discussed in litigation
29 when -- when we retained the services of Mr. Hardy. And we were
30 contemplating a similar action. And you can't have an action
31 until you have a victim.
32 COMMISSIONER SPARKS: Okay. Thank you.
33 VICE CHAIRMAN CLARK: Okay. Thanks, Ted.

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PUBLIC COMMENT

38 VICE CHAIRMAN CLARK: Public comment for nonagendized
39 items? You have three minutes if you would like to get up and
40 talk about anything that wasn't on the agenda.

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(No comment.)
VICE CHAIRMAN CLARK: No public comment?
I need a motion.

ADJOURNMENT

COMMISSIONER SPARKS: I'll make a motion we adjourn.
COMMISSIONER WAITS: Second.
VICE CHAIRMAN CLARK: All in favor?
Aye.
COMMISSIONER WAITS: Aye.
COMMISSIONER SPARKS: Aye.
VICE CHAIRMAN CLARK: Forty-nine minutes and 22 seconds.

(Meeting adjourned at 9:49 a.m.)



**CHAIRMAN OR VICE 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.

1 STATE OF UTAH)
2) ss.
3 COUNTY OF DAVIS)
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6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"
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11 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE
12
13 THE 3RD DAY OF DECEMBER, 2020, AND SAID RECORDING AND INFORMATION
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15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO/VIDEO RECORDING ALLOWED.
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22 DATED AT _____
23 THIS _____ DAY OF _____
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26 _____
27 TIFFANY ELKINGTON, CCR #930
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