

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 May 14, 2020, at 8:59 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**
8 **ART CLARK III, COMMISSIONER**
9 **JUDIE ALLAN, COMMISSIONER (BY TELEPHONE)**
10 **BRYAN SPARKS, COMMISSIONER**
11 **KATHLEEN ANCHO, COMMISSIONER**
12 **KEITH WESTENGARD, COUNTY MANAGER**
13 **SADIE SULLIVAN, COUNTY CLERK**
14 **THEODORE HERRERA, DISTRICT ATTORNEY**
15 **BY TELEPHONE)**
16
17

18 (Let the record reflect the presence of a quorum of five
19 commissioners. Let the record reflect GoToMeeting was utilized.
20 Let the record reflect the presence of Austin via
21 teleconference.)
22
23

24 CHAIRMAN ANCHO: So we'll go ahead and get started with the
25 Lander County Commission meeting, Town Board of Battle Mountain
26 and Austin, Board of County Highway Commission, May 14, 2020.

27 This is also be- -- being held via audio conference by
28 GoToMeeting.

29 All right.

30 So we're going to go ahead and do the Pledge of Allegiance,
31 please.

32 Art, do you want to lead us?
33

34 (Pledge of Allegiance)
35

36 CHAIRMAN ANCHO: All right. We're going to go ahead and do
37 a moment of silence.
38

39 (Moment of Silence)
40

1 CHAIRMAN ANCHO: All right. We're going to move on.
2 Lander County Commissioners may break for lunch from
3 12:00 p.m. to 1:15 p.m. Any agenda item may be taken out of order,
4 may be combin- -- combined for consideration by the public body, and
5 items may be pulled or removed from the agenda at any time.
6
7

8 COMMISSIONER REPORTS

9

10 CHAIRMAN ANCHO: Commissioners' reports on meetings,
11 conferences, and seminars attended.

12 Judie?

13 COMMISSIONER ALLAN: I don't have anything.

14 CHAIRMAN ANCHO: All right. Very good.

15 Bryan?

16 COMMISSIONER SPARKS: Nothing to report.

17 CHAIRMAN ANCHO: I --

18 COMMISSIONER CLARK: Noth- --

19 CHAIRMAN ANCHO: This is --

20 Go ahead. I'm sorry, Art.

21 COMMISSIONER CLARK: Nothing to report.

22 CHAIRMAN ANCHO: Patsy?

23 COMMISSIONER WAITS: Yes, I do. I'm -- I'm not going into
24 all the ones that we do, the committee meetings that -- that we
25 do almost every day and -- and that type of thing.

26 But I did have a JPS, which is our Justice and Public
27 Safety national meeting on the 6th of May.

28 They're looking at a -- at a lot of different things. But
29 the biggest thing is they're saying that most of our -- our
30 sheriff's department and our police department and all of them
31 are out there with the older seniors especially. They said they
32 are apprehending, but they are not arresting because they don't
33 want to bring them in for the COVID-19. So if there's any way
34 they can do that, that's pretty much what they're doing.

35 And the Bureau of Justice has got -- under the Care Act --
36 some emergency supplemental grant funding, which they can use.

37 If we're interested in anything like that, the applications
38 are good up until, I think, May 29 is our deadline.

39 Thank you.

40 CHAIRMAN ANCHO: Very good. Thank you. And I have not --

1 I don't have any.

2
3
4 **STAFF REPORTS**

5
6 CHAIRMAN ANCHO: So we'll go ahead -- move on to staff
7 reports on meetings, conferences, seminars attended.

8 KEITH WESTENGARD: All right. Thank you.

9 Start out with crickets. Crickets seem to be -- not seem
10 to be -- crickets are a big issue in the county right now.

11 I will tell you that last year we bought two pallets of the
12 cricket bait. We went -- we went through that pretty quick. We
13 ordered four more and received four more pallets last week: two
14 for the north and two for the south.

15 Road and Bridge has been out actively poisoning or putting
16 the bait down. And I hope it's making -- I hope it's making
17 some kind of a -- of a difference.

18 I've -- I -- I get phone calls pretty regularly saying,
19 crickets are at my house. I -- I left for the day and I came
20 back and they're all over my porch or coming in my house.

21 And so we are working on it best we can.

22 Last I had -- discussion we had with Department of Ag is
23 there was some dis- -- possible aerial spraying.

24 COMMISSIONER SPARKS: Yeah. I was going to --

25 KEITH WESTENGARD: I do not know if they've started that
26 yet. But we have put a lot of bait out.

27 Like I said, we've -- we've had a total of three pallets in
28 the north and three pallets in the south to work on the cricket
29 issues.

30 So if they're -- if they continue, please contact myself or
31 Bert or the public can contact myself or Bert and we will look
32 at those areas and target them if needed.

33 COMMISSIONER CLARK: I've got a question, Keith.

34 KEITH WESTENGARD: Yes.

35 COMMISSIONER CLARK: How -- how -- how's the county
36 working, you know, with the -- in the outlying areas when it's
37 BLM land? We working together with them?

38 KEITH WESTENGARD: We -- we've -- we've been working with
39 BL- -- well, with -- through the Department of Agriculture, yes.
40 We have --

1 COMMISSIONER CLARK: Okay.

2 KEITH WESTENGARD: -- been working in those areas. And
3 that was the initial hold up is that Ag had put out some type of
4 a -- of a -- a comment period on what they --

5 COMMISSIONER CLARK: Okay.

6 KEITH WESTENGARD: -- were going to use. And that ended.
7 And once that ended, we were right on it the next day with Ag's
8 approval or okay.

9 COVID-19. Currently we have 405 individuals that have been
10 tested in the county; 388 have come back negative. We have 19
11 positives. And we have 46 pending.

12 I -- I'm not sure of how many have actually recovered and
13 returned to work.

14 And Brandy has patients this morning. So that was what she
15 wanted to pass on to you. I can find out how many have actually
16 recovered and -- and were able to return to work.

17 Next, on our airport contracts, our FAA contracts. We
18 opened bids on April 28. Sierra Nevada Construction was the low
19 bidder for the hangar, taxiway line in Austin at \$827,007.
20 Those will come fore -- before you shortly for your fin- -- your
21 approval.

22 That is a grant as well through the FAA. The total grant
23 amount was a hun- -- 1,070,607. So we are under -- are under
24 the grant amount even -- and it still is a match. There's the
25 potential there under the CARES Act for that to be a 100 percent
26 covered grant. So we're -- we're still waiting on that.

27 Battle Mountain, three bids were received. The -- the
28 total bid was \$4,392,094. Once again, the same thing. We have
29 a grant -- a grant match on that. But the potential there for
30 the CARES Act to -- to cover that 100 percent is out there. We
31 filed the applications with the FAA to hopefully cover that.
32 And it would be a hundred percent paid by the FAA. That's --
33 that's the goal here.

34 One of the things NACO, Nevada National Association of
35 Counties put -- has put out -- and we'll be working on this
36 shortly -- is it's called *We Are Counties*. It's going to be a
37 countywide video that'll be put together. And we're just ask-
38 -- or they're just asking that individuals hold up *We Are*
39 *Counties*. And we're going to show all of what Lander County is,
40 how we're a -- a county, and we're working with this COVID-19.

1 So we'll be coming around. We'll have a little sign for
2 you to hold and identify yourself. It'll all be put together in
3 one big, statewide video that'll go to the National Association
4 of Counties just to show unit- -- unity.

5 And I think the rest of the stuff is on the agenda. But we
6 do need -- I do need to request a closed litigation hearing
7 prior to getting into the agenda if we could, please.

8 Thank you.

9 COMMISSIONER ALLAN: This is Judie. I have a question for
10 Keith.

11 CHAIRMAN ANCHO: I'm -- sorry. Could not --

12 COMMISSIONER ALLAN: Judie.

13 CHAIRMAN ANCHO: -- hear you. What?

14 ELIZABETH BARELA: (Off microphone) It's Judie. She has a
15 question.

16 COMMISSIONER ALLAN: This is Judie.

17 CHAIRMAN ANCHO: Okay.

18 COMMISSIONER ALLAN: I have a question.

19 CHAIRMAN ANCHO: All --

20 COMMISSIONER ALLAN: -- for --

21 CHAIRMAN ANCHO: -- right. Go --

22 COMMISSIONER ALLAN: -- Keith.

23 CHAIRMAN ANCHO: -- ahead.

24 COMMISSIONER ALLAN: Is who was the low bidder for the
25 Battle Mountain Airport?

26 CHAIRMAN ANCHO: Do you want --

27 ELIZABETH BARELA: Who's the low bidders --

28 COMMISSIONER CLARK: (Off microphone) What?

29 ELIZABETH BARELA: -- for the Battle Mountain Airport?

30 KEITH WESTENGARD: I'm looking right now. I can't --

31 Oh, boy. Where did it go? Oh. Quil- -- Quilcon. Quilcon
32 Contractors.

33 COMMISSIONER ALLAN: Quilcon or Qualcon?

34 KEITH WESTENGARD: Q-U-A-L-C-O-N of Minden is the low
35 bidder. And they are teaming --

36 COMMISSIONER ALLAN: That's Qualcon.

37 KEITH WESTENGARD: -- with Hunewill Construction of
38 Winnemucca.

39 COMMISSIONER ALLAN: Okay. That's what I was wondering.
40 Thank you.

1 KEITH WESTENGARD: Uh-huh.
2 CHAIRMAN ANCHO: So then question, real quick.
3 So then after I do the public comment, is that when you
4 want to go into a closed?
5 KEITH WESTENGARD: Sure. That -- that would be fine.
6 Thank you.
7 CHAIRMAN ANCHO: Okay.
8 KEITH WESTENGARD: Yes.
9 CHAIRMAN ANCHO: All right. So for public comment for
10 nonagendized items only.
11 Persons are invited to submit comments in writing and/or
12 attend and make comments on any nonagend- -- nonagendized item
13 at the board meeting, if any, and discussions of those comments
14 at the discretion of the board. All public comments may be
15 limited to three minutes per person, again at the discretion of
16 the board. Reasonable restrictions may be placed on public
17 comment based on time or place and manner, but public comment
18 based upon viewpoint may not be restricted.
19 So at this point, we're going to go into a closed
20 litigation meeting.
21 ELIZABETH BARELA: (Off microphone) No, --
22 COMMISSIONER SPARKS: Is there any public --
23 ELIZABETH BARELA: -- that's --
24 COMMISSIONER SPARKS: -- comment?
25 ELIZABETH BARELA: -- public comment.
26 CHAIRMAN ANCHO: Oh. I'm sorry.
27 So are we ready for public comment -- Robert? -- before I
28 ask?
29 Okay. So do we have any public comment?
30 (No comment.)
31 CHAIRMAN ANCHO: All right. Very good. Thank you.
32 KEITH WESTENGARD: Ted and Judie, will be calling you back
33 shortly on another line.
34 COMMISSIONER SPARKS: Okay.
35 VOICE RECORDING: Muted.
36
37 (Break taken.)
38
39
40

1 **CONSENT AGENDA**

2
3 CHAIRMAN ANCHO: -- the consent agenda.

4 All matters listed under the consent agenda are considered
5 routine and may be acted upon by the Board of County
6 Commissioners with one action, without extensive discussion.
7 Any member of the board or -- or any citizen may request that an
8 item be taken from the consent agenda, discussed, or acted upon
9 separately during the -- this meeting. Consent agenda materials
10 are available at the Lander County Clerk's Office for viewing,
11 and copies are available for a nominal charge.

12 So Number 1, approval of May 14, 2020, agenda notice;
13 Number 2, approval of December 5 -- December 5, 2019, meeting
14 Minutes; 3, approval of December 19, 2019, meeting minutes; 4,
15 approval of January 9, 2020, meeting minutes; Number 5, approval
16 of January 23, 2020, meeting minutes; Number 6, approval of
17 February 27, 2020, meeting minutes; Number 7, approval of
18 April 9, 2020, meeting minutes; Number 8, approval of April 23, 2020,
19 meeting minutes; Number 9, approval of payroll change requests.

20 COMMISSIONER WAITS: Madam Chair?

21 CHAIRMAN ANCHO: Yes.

22 COMMISSIONER WAITS: I make a motion that we approve
23 Number 1, the approval of May 14 agenda notice; Number 7, approval of
24 April 9, 2020, meeting minutes. I don't have any record of any of
25 the others being in our books.

26 CHAIRMAN ANCHO: All right. Are we good?

27 Do we have a second?

28 COMMISSIONER SPARKS: I'll second.

29 CHAIRMAN ANCHO: All in favor?

30 COMMISSIONER CLARK: Aye.

31 CHAIRMAN ANCHO: Aye.

32 COMMISSIONER WAITS: Aye.

33 CHAIRMAN ANCHO: Opposed?

34 COMMISSIONER ALLAN: Judie says aye.

35 CHAIRMAN ANCHO: I'm sorry, Judie. What?

36 ELIZABETH BARELA: Judie said aye.

37 CHAIRMAN ANCHO: Okay. Very good. Thank you.

38 COMMISSIONER ALLAN: Aye.

39 CHAIRMAN ANCHO: All right. Thank you.

40 All right. So the rest have been pulled -- correct? --

1 because we don't have them? We don't have any?
2 COMMISSIONER WAITS: (Off microphone) I'm sorry?
3 CHAIRMAN ANCHO: The rest. We don't have any of the other
4 meeting minutes so --
5 COMMISSIONER WAITS: No.
6 CHAIRMAN ANCHO: Okay. Very good. All right.
7 COMMISSIONER WAITS: (On microphone) No other -- no
8 other --
9 CHAIRMAN ANCHO: Okay.
10 COMMISSIONER WAITS: -- minutes and --
11 CHAIRMAN ANCHO: So nothing --
12 COMMISSIONER WAITS: -- no --
13 CHAIRMAN ANCHO: -- there.
14 COMMISSIONER WAITS: -- payroll change --
15 CHAIRMAN ANCHO: Okay.
16 COMMISSIONER WAITS: -- requests.
17 CHAIRMAN ANCHO: Very good.
18 All right.
19
20 1) **COMMISSIONERS: For possible action to approve/disapprove the**
21 **payment of bills.**
22
23 CHAIRMAN ANCHO: Going on to Number 1.
24 For possible action to approve, disapprove the payments of
25 bills.
26 COMMISSIONER SPARKS: I'll need to abstain from
27 Check #207648 and 207714. They're made to my employer.
28 COMMISSIONER WAITS: I make a motion that we approve the
29 Check 207648 and 207714.
30 CHAIRMAN ANCHO: Do I have a second?
31 COMMISSIONER CLARK: Second.
32 CHAIRMAN ANCHO: All in favor?
33 Aye.
34 COMMISSIONER CLARK: Aye.
35 COMMISSIONER WAITS: Aye.
36 CHAIRMAN ANCHO: Abstain?
37 COMMISSIONER SPARKS: I can't --
38 COMMISSIONER WAITS: And I make a motion that we approve
39 the balance of the bills.
40 COMMISSIONER CLARK: Second.

1 CHAIRMAN ANCHO: All in favor?
2 COMMISSIONER SPARKS: Aye.
3 CHAIRMAN ANCHO: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER ALLAN: Aye.
6 CHAIRMAN ANCHO: All right. Very good.
7

8 2) **COMMISSIONERS: For possible action for discussion of issues**
9 **related to the federal and State of Nevada Economic Recovery**
10 **plans and further discussion of possible action that Lander**
11 **County can take as it relates to any assistance or support to**
12 **local businesses in reopening with appropriate health**
13 **protections in place.**
14

15 CHAIRMAN ANCHO: Moving on to Number 2. Commissioners.
16 For possible action for discussion of issues related to the
17 federal and State of Nevada economic recovery plans and further
18 discussion of possible action that Lander County can take as it
19 relates to any assistance or support to local businesses in
20 reopening with the appropriate health protection in place.

21 KEITH WESTENGARD: Ted, I'd ask you to -- to get into the
22 specifics of that, please.

23 DISTRICT ATTORNEY HERRERA: I -- I don't know if I'm
24 comfortable giving you specif- -- specifics of this.

25 What this is, basically -- there's a lot of feedback on my
26 end.

27 COMMISSIONER SPARKS: (Off microphone) What'd he say?

28 CHAIRMAN ANCHO: There's --

29 ELIZABETH BARELA: There's --

30 CHAIRMAN ANCHO: -- a --

31 ELIZABETH BARELA: -- a --

32 CHAIRMAN ANCHO: -- lot --

33 ELIZABETH BARELA: -- lot of feedback on his end.

34 KEITH WESTENGARD: Would you like me -- would you like me
35 to try, Ted?

36 COMMISSIONER ALLAN: Ted?

37 DISTRICT ATTORNEY HERRERA: Yes.

38 COMMISSIONER ALLAN: Are you on speaker?

39 DISTRICT ATTORNEY HERRERA: Yes.

40 COMMISSIONER ALLAN: No, I mean, do you have your phone on

1 speaker?

2 DISTRICT ATTORNEY HERRERA: Yes.

3 COMMISSIONER ALLAN: Keep --

4 DISTRICT ATTORNEY HERRERA: I'll take --

5 COMMISSIONER ALLAN: -- it off --

6 DISTRICT ATTORNEY HERRERA: -- off.

7 COMMISSIONER ALLAN: -- and see if that helps.

8 DISTRICT ATTORNEY HERRERA: All right.

9 Can -- can you hear me better?

10 CHAIRMAN ANCHO: Yeah, we --

11 COMMISSIONER CLARK: (Off microphone) Yeah.

12 CHAIRMAN ANCHO: -- can --

13 COMMISSIONER CLARK: You're --

14 CHAIRMAN ANCHO: -- hear --

15 COMMISSIONER CLARK: -- real --

16 CHAIRMAN ANCHO: -- you.

17 COMMISSIONER CLARK: -- good.

18 DISTRICT ATTORNEY HERRERA: All right. We'll try this one.

19 All right. What this is -- there's still feedback -- but

20 what this is, is Keith was asked to put this on to see if

21 there's anything that the county can do as a county to assist

22 in -- in support or assistance to local businesses in reopening

23 even before the governor allows us to reopen.

24 So that -- so that's the issue in front of us. As I'm

25 aware of it, Keith.

26 Keith?

27 UNIDENTIFIED PARTICIPANT: (Off microphone) No.

28 KEITH WESTENGARD: Yeah. That -- that's correct, Ted.

29 They're open, but on a limited basis, maintaining social

30 distancing in the restaurants, maintaining face masks, required

31 face masks for the employees, recommended face masks for the --

32 the patrons.

33 So I do believe everything is -- is -- is open at this

34 time.

35 ELIZABETH BARELA: No.

36 KEITH WESTENGARD: Oh, --

37 CHAIRMAN ANCHO: (Off microphone) No.

38 KEITH WESTENGARD: No. It's not. Okay.

39 SHERIFF RON UNGER: (Off microphone) The bars are not.

40 KEITH WESTENGARD: Oh, that -- the -- correct. Thank --

1 ELIZABETH BARELA: Messages, --
2 KEITH WESTENGARD: -- thank you, Sheriff.
3 CHAIRMAN ANCHO: (Off microphone) Massage.
4 ELIZABETH BARELA: -- all the stuff --
5 KEITH WESTENGARD: Yeah.
6 ELIZABETH BARELA: -- like that.
7 KEITH WESTENGARD: So there are some things that are not
8 open. I -- I'm not sure about the flower shop.
9 CHAIRMAN ANCHO: (Off microphone) She's open.
10 KEITH WESTENGARD: Okay. So the flower shop's open.
11 But there are some limitations with --
12 COMMISSIONER SPARKS: What about our other, like,
13 organizations, our churches, --
14 CHAIRMAN ANCHO: No.
15 COMMISSIONER SPARKS: -- our other -- are they still not
16 able to --
17 CHAIRMAN ANCHO: They're not --
18 COMMISSIONER SPARKS: -- assemble and --
19 CHAIRMAN ANCHO: No. They're not.
20 KEITH WESTENGARD: Oh. That's the groups of -- we're still
21 at the group --
22 ELIZABETH BARELA: Because they can't --
23 KEITH WESTENGARD: -- of --
24 ELIZABETH BARELA: -- go --
25 KEITH WESTENGARD: -- ten.
26 ELIZABETH BARELA: -- a group of ten.
27 KEITH WESTENGARD: Yes. That's still at groups 10 or --
28 COMMISSIONER SPARKS: Yeah.
29 KEITH WESTENGARD: -- less.
30 COMMISSIONER SPARKS: So, again, I'll state my -- my
31 position is that I'm against it. I swore into this seat as to
32 uphold the Constitution. And it's a complete infringement
33 against people's constitutional rights.
34 And it's -- it's -- it's our job to see that those rights
35 are protected. And because there is an emergency declaration
36 doesn't mean that it's okay to take somebody's constitutional
37 right.
38 If somebody wants to stay home and not gather, doesn't want
39 to go and partake and patron one of our businesses, that's their
40 choice. But to take everybody else's free choice away that was

1 constitutionally given to them is wrong.
2 And I'm -- I'm -- I'm just -- I'm stating my position on it
3 again. It's --
4 COMMISSIONER CLARK: I agree with you, Bryan, a hundred
5 percent. I think that for myself -- and -- and I'm just going
6 to speak -- generally, I think most everybody was concerned
7 right from the beginning.
8 I was waiting to wake up in the morning and hear 2,000
9 homeless people died in Las Vegas, 500 homeless people died in
10 Reno, homeless people dying everywhere. The homeless people
11 aren't dying off as fast as the people who stayed at home.
12 So I -- I -- I want to open completely.
13 CHAIRMAN ANCHO: Yeah. That --
14 COMMISSIONER CLARK: I think that it's just --
15 DISTRICT ATTORNEY HERRERA: Well --
16 COMMISSIONER CLARK: -- wrong to --
17 DISTRICT ATTORNEY HERRERA: Commissioners, let me -- let
18 me -- let me give you a legal background on this.
19 I -- I'm going to advise you to -- just like every other DA
20 in the state that's advised their county commissioners -- and
21 that is that technically the county commissioners cannot open up
22 their counties if the state has closed it.
23 Be- -- if they do is probably the better question. If they
24 do attempt to do that, they can have federal and state fines
25 result on that. And -- and the state and such will, you know,
26 is likely to do that.
27 I agree with both commissioners who have spoken so far. I
28 believe it's a constitutional issue.
29 And I believe that the people who own businesses and run
30 businesses in Lander County have the constitutional right to
31 stay open. And I don't believe that the governor has the power
32 to overcome that.
33 That being said, we as a county, do not have the authority
34 to over- -- to do what the -- the state has advised against
35 without losing a benefit.
36 So the individual constitutional right lies with the
37 business owner, not with the county government.
38 So some type of assistance or support from the county
39 government would probably be the -- the only thing we can
40 legally do without incurring a substantial -- a substantial

1 deficit by both the state and the -- and the feds, if -- if
2 that's understandable.

3 CHAIRMAN ANCHO: Well, and I think that -- this is Kathy --
4 and I don't mean to interrupt you, Art -- but, like, I'll repeat
5 what I said last time. I -- when I spoke with Amodei's office,
6 they specifically said that you start -- you know -- yes, I
7 agree with everyone. I agree that we should not be meddling in
8 the middle of it. However, the state and federal funding are --
9 that would be FEMA money, other money, what little money we're
10 going to get from the state anyway with cuts, is going to --
11 it's going to be small. But they can withhold all of that if we
12 go against that order.

13 And I just think that that's -- like, my example was if we
14 had a train wreck in the middle of town and we needed FEMA, they
15 could deny us FEMA funds -- correct? -- if we go against --

16 DISTRICT ATTORNEY HERRERA: Yes.

17 CHAIRMAN ANCHO: Yes. And that's -- but where it's --
18 makes it a little nerve -- nerve-racking is they hold us, you
19 know, they hold their foot on our necks, unfortunately. But if
20 we need that money for those -- that as well, we're -- we don't
21 get it.

22 COMMISSIONER SPARKS: That's where they trap you is with
23 the money.

24 CHAIRMAN ANCHO: Unfortunately.

25 COMMISSIONER SPARKS: It's like we --

26 DISTRICT ATTORNEY HERRERA: That's --

27 COMMISSIONER SPARKS: -- don't --

28 DISTRICT ATTORNEY HERRERA: -- how they trap you.

29 COMMISSIONER SPARKS: We sell out our constitutional
30 rights.

31 CHAIRMAN ANCHO: Yeah. No.

32 COMMISSIONER SPARKS: For -- I mean --

33 CHAIRMAN ANCHO: And I agree.

34 COMMISSIONER SPARKS: I mean, --

35 CHAIRMAN ANCHO: And I --

36 COMMISSIONER SPARKS: -- it's --

37 CHAIRMAN ANCHO: -- agree.

38 COMMISSIONER SPARKS: -- a -- it's a double-edged sword.

39 CHAIRMAN ANCHO: It is. And I agree.

40 COMMISSIONER SPARKS: But I see how it -- it does lie in

1 the hands of the individual person as far as their
2 constitutional right. I guess, we, as a commission board, could
3 ask that no one in our county be punished if they decide to
4 gather, if they decide to open. That's something that we could
5 take a stand on, is it not, Ted?

6 COMMISSIONER WAITS: Commissioner?

7 DISTRICT ATTORNEY HERRERA: Yes, it is. You -- you can
8 make recommendations to both the Sheriff's Office and to the
9 District Attorney's Office.

10 And you can also make recommendations to the state, do not
11 proceed against any of these people and try to pull their state
12 licenses.

13 But you can offer assistance. You can offer advice. You
14 can make recommendations.

15 COMMISSIONER SPARKS: Basically --

16 DISTRICT ATTORNEY HERRERA: But you can't tell anybody what
17 to do.

18 COMMISSIONER SPARKS: Right. Basically making the
19 statement that, yes, there's an executive order put out from the
20 governor stating this. But then you also have your
21 constitutional rights. So you're going to have to be big boys
22 and girls and make up your own mind. But Lander County will not
23 take a stance on anything that infringes on your constitutional
24 right.

25 DISTRICT ATTORNEY HERRERA: As long as they take the
26 appropriate health protections.

27 COMMISSIONER SPARKS: Right.

28 COMMISSIONER CLARK: Ted, this is Art.

29 DISTRICT ATTORNEY HERRERA: Yeah.

30 COMMISSIONER CLARK: We've already --

31 DISTRICT ATTORNEY HERRERA: Yes.

32 COMMISSIONER CLARK: -- declared ourselves a constitutional
33 county, haven't we?

34 With the Second Amendment, we --

35 DISTRICT ATTORNEY HERRERA: We -- we -- for Second
36 Amendment purposes, yes, we did.

37 COMMISSIONER CLARK: I -- I can't hear him.

38 ELIZABETH BARELA: (Off microphone) For second amendment
39 purposes, yes.

40 COMMISSIONER WAITS: (Off microphone) Yes.

1 COMMISSIONER CLARK: For Second Amendment purposes only?
2 DISTRICT ATTORNEY HERRERA: No, we -- Second, Fourth, and
3 Fifth, I believe that the thing says. That we -- we believe in
4 the Constitution. We believe in our oath that we took as
5 elected -- elected officials that we would uphold both the state
6 and federal constitutions against those who would oppose it,
7 both foreign and domestic.
8 COMMISSIONER CLARK: Okay.
9 So my point is we're already on the road declaring what we
10 feel our coun- -- how it should operate. And --
11 CHAIRMAN ANCHO: It's up to the business owners.
12 COMMISSIONER CLARK: Patsy hasn't said much.
13 COMMISSIONER WAITS: Thank you.
14 Of course, we think things are a little bit different in
15 the south because there's so few of us. So when our bars are
16 closed down, many of them are saying, I -- I don't get ten
17 people in here at a time on a regular day.
18 So, you -- you know, we -- we think we're different than
19 some of the -- the bars. And I'm sure that even the bars up
20 here could do something like that.
21 But at any rate, what -- what we're looking at is if we
22 make the stand and -- and it's on record -- because this is all
23 recorded, of course -- and I agree with all of you -- at least
24 we won't take away their business license or their liquor
25 license and -- and things that we have control over. We're
26 saying we're letting them -- knowing -- knowing what the
27 governor has said and we don't want to be in pure civil
28 disobedience so we just tell them, this is what the governor
29 said, but we're not taking any other further action.
30 And that would be easier for our sheriff's department too
31 that gets the calls with the complaints, I think. And they have
32 to -- to go out and -- and say something. And what can they
33 say? This is what the governor said. You're not open yet. You
34 don't serve food. And yet, some of our bars have just got a
35 take-out window. And they said, if -- if I don't make any
36 money, then I'm going to lose my whole business. There's --
37 there's just nothing else.
38 And -- and it's so critical. And it's everywhere.
39 So I -- I definitely agree. And I think that would be our
40 stand. And we don't really have to do any more. It's all on

1 record. And we've all -- we've all said something. And I think
2 Judie's the only one that hasn't.

3 COMMISSIONER ALLAN: Hi. This is Judie -- is I pretty much
4 agree with everybody else. So, you know, I can reiterate --
5 reiterate what everybody's said. But I'm -- I'm in agreement
6 with everything that's been said.

7 CHAIRMAN ANCHO: (Off microphone) Go ahead.

8 KEITH WESTENGARD: I -- I -- this is kind of directed at --
9 at Ted.

10 Ted, what -- what implica- -- what would be issues or what
11 might come up with individuals in the county that have
12 professional licenses? How would that work with them?

13 I mean, the commissioners can ask the state to let it go --
14 let it go or leave it alone. But how about these individuals
15 with the professional licenses? Massage therapists or the
16 barbers in town, anything --

17 COMMISSIONER WAITS: Cosmetology.

18 KEITH WESTENGARD: -- like that.

19 Cosmetology. Thank you.

20 DISTRICT ATTORNEY HERRERA: Well, the -- the state -- the
21 state has control of those, unfortunately.

22 And, like I said earlier, the county can ask the state to
23 be receptive to your wishes and wants, but it doesn't mean they
24 have to. If -- if they want to come down on us, they will. If
25 they don't think we're worth it, they probably won't.

26 And a lot of this -- and if people -- if -- if the county
27 commissioners make certain recommendations and the people of
28 Lander County. And we have a county full of fines, people
29 who -- who are not going to ignore that there should be some
30 appropriate health protection should be in place if they reopen.
31 So it -- it's hard to gauge the future on what the state will
32 do.

33 COMMISSIONER ALLAN: This is Judie.

34 So the state's already allowed certain businesses to
35 open -- I know that cosmetology and whatnot -- with
36 restrictions. So mainly you're looking at, you know, the bars
37 and -- and, you know, some other various businesses.

38 And those are our state licenses as well.

39 So I don't know if that's really -- you know, it's kind of
40 a moot point. It -- it's hoping that those businesses will

1 follow the recommended guidelines as far as the social
2 distancing. But did -- they're open now.

3 COMMISSIONER WAITS: What about the health department? I
4 mean, if we've got some of these open and the health -- the
5 state health department pulls their license --

6 CHAIRMAN ANCHO: (Off microphone) That we can't do anything
7 about that. I mean, that's --

8 COMMISSIONER WAITS: No, but what we're saying is we -- we
9 could make a statement and ask them to be considerate or
10 something like that because -- because we have such few numbers
11 compared to some of the other larger counties?

12 COMMISSIONER SPARKS: Well, it's just -- there's just so
13 many inadequacies that don't add up, you know. Is you can have
14 a -- I had my hair cut yesterday. But you can't social distance
15 in a bar. You can't social distance in a -- in an election.
16 You know what I'm saying? There's just so many things that
17 don't make sense.

18 COMMISSIONER CLARK: You can't go to a campground and be
19 50 --

20 COMMISSIONER SPARKS: Yeah.

21 COMMISSIONER CLARK: -- yards --

22 COMMISSIONER SPARKS: Exactly.

23 COMMISSIONER CLARK: -- away from somebody.

24 COMMISSIONER SPARKS: Yeah. Exactly.

25 But you can go to the grocery store and -- and -- that's
26 what I mean. It's -- it's just --

27 COMMISSIONER CLARK: It's --

28 COMMISSIONER WAITS: You should see the --

29 COMMISSIONER CLARK: -- liberal logic.

30 COMMISSIONER WAITS: -- campgrounds that we have. They are
31 absolutely packed in Kingston, just packed. And out at the --
32 even the hot ponds. I mean, I'm -- people say they've never
33 seen so many. They must have all moved up from, you know, the
34 other places because they can't get in the campgrounds. We're
35 literally talking, you know, 50, 60, 70 campers all around that
36 whole area.

37 COMMISSIONER CLARK: (Off microphone) All around Kingston?

38 COMMISSIONER WAITS: All --

39 COMMISSIONER CLARK: They're not even --

40 COMMISSIONER WAITS: -- around --

1 COMMISSIONER CLARK: -- parked, --
2 COMMISSIONER WAITS: -- Kingston --
3 COMMISSIONER CLARK: -- though.
4 COMMISSIONER WAITS: -- and -- and --
5 CHAIRMAN ANCHO: I know they're on --
6 COMMISSIONER WAITS: -- Gilman and -- and the --
7 COMMISSIONER CLARK: Are they in the --
8 COMMISSIONER WAITS: -- hot ponds. Yes.
9 COMMISSIONER CLARK: They're up in the --
10 COMMISSIONER ALLAN: State parks are closed, but I don't
11 believe some of the other ones are.
12 Oh.
13 COMMISSIONER WAITS: Well, our national -- the Forest
14 Service hasn't opened from winter yet. So all ours are closed.
15 COMMISSIONER ALLAN: Oh, and that's -- that's a -- well,
16 federal, I guess, but, you know. Some of them that are BLM are
17 on private property, like, the hot ponds and stuff.
18 But -- but, like I said, agree with it or not, you know, we
19 have a soft opening and in -- by the recommendations, but there
20 are businesses that are excluded out of that. And if we, like
21 you've said, just basically kind of leave them up to the
22 business owners and don't have any repercussions for them, take
23 our stand, that it's -- it's a personal decision, that the
24 County won't --
25 ELIZABETH BARELA: (Off microphone) I have a public
26 comment.
27 COMMISSIONER ALLAN: -- enforce it.
28 CHAIRMAN ANCHO: All right. Do we have any public comment?
29 Wait -- wait one second for me.
30 Are you ready? Okay. Now are we ready for public comment?
31 ELIZABETH BARELA: I have a public comment from Shannon
32 Thiss from Kingston. She said the Kingston campgrounds are
33 open.
34 CHAIRMAN ANCHO: Okay. Any other public comment?
35 All right.
36 COMMISSIONER ALLAN: I'll make a motion that Lander County
37 take the stance of recognizing the governor's requirements, but
38 also, as a public body, recognizing the constitutional rights of
39 its citizens that we will not enforce violations.
40 COMMISSIONER SPARKS: (Off microphone) I mean, we cannot

1 enforce, but we can recommend --
2 CHAIRMAN ANCHO: (Off microphone) She has to say this board
3 reco- --
4 COMMISSIONER SPARKS: Recom- --
5 CHAIRMAN ANCHO: Recommends.
6 COMMISSIONER ALLAN: Exactly.
7 CHAIRMAN ANCHO: So is that --
8 ELIZABETH BARELA: Correct?
9 DISTRICT ATTORNEY HERRERA: Yes. Recommend that they will
10 not be enforced by any local -- by the local Sheriff's Office or
11 the district attorney's office.
12 CHAIRMAN ANCHO: So yeah, recommend.
13 COMMISSIONER ALLAN: But recommend that -- that -- well,
14 the recommendations that they will not be --
15 CHAIRMAN ANCHO: (Off microphone) Legal action.
16 COMMISSIONER ALLAN: -- sanctioned or fined for --
17 COMMISSIONER WAITS: Loss of license?
18 COMMISSIONER ALLAN: Yeah. The re- -- repercussions, I
19 guess, --
20 CHAIRMAN ANCHO: So do you --
21 COMMISSIONER ALLAN: -- viola- --
22 CHAIRMAN ANCHO: -- want to re- --
23 COMMISSIONER ALLAN: -- in -- in violation.
24 CHAIRMAN ANCHO: Let's refi- -- can you take a minute --
25 just a minute and refine your -- your motion, please, so we have
26 it clear?
27 COMMISSIONER ALLAN: Yes.
28 Okay.
29 Lander County will take the stance that we recognize the
30 governor's mandates, but we -- we will not take a stance in
31 reprisal to local businesses that violate the governor's orders
32 or recommendation in that we will not prosecute or --
33 ELIZABETH BARELA: Can't say --
34 COMMISSIONER ALLAN: -- retaliate -- I don't know. Not
35 retaliate --
36 CHAIRMAN ANCHO: You -- you can't --
37 COMMISSIONER ALLAN: -- prosecute --
38 CHAIRMAN ANCHO: -- you can't say that.
39 COMMISSIONER ALLAN: -- those in violation.
40 CHAIRMAN ANCHO: We can't -- we have -- we don't take a

1 stance as far as the prosecution part of it. We don't have the
2 right to say that one way or the other.
3 COMMISSIONER ALLAN: That's true.
4 COMMISSIONER CLARK: Okay.
5 COMMISSIONER SPARKS: I'll --
6 COMMISSIONER CLARK: -- Judie.
7 COMMISSIONER SPARKS: Yeah.
8 COMMISSIONER CLARK: Judie, this is our -- let me -- let
9 me -- as you were talking, I wrote this down.
10 We recommend that residents follow the governor's order,
11 but we will not interfere with residents when practicing their
12 constitutional rights.
13 COMMISSIONER ALLAN: Okay. If you want --
14 DISTRICT ATTORNEY HERRERA: If they --
15 COMMISSIONER ALLAN: -- to make --
16 DISTRICT ATTORNEY HERRERA: -- send --
17 COMMISSIONER ALLAN: -- that motion, --
18 DISTRICT ATTORNEY HERRERA: -- data, --
19 COMMISSIONER ALLAN: -- Art.
20 COMMISSIONER CLARK: Okay. That's my --
21 DISTRICT ATTORNEY HERRERA: If they --
22 COMMISSIONER CLARK: -- motion.
23 DISTRICT ATTORNEY HERRERA: -- do it with the appropriate
24 health protections in place.
25 CHAIRMAN ANCHO: With health -- health protections --
26 ELIZABETH BARELA: Yes.
27 CHAIRMAN ANCHO: -- in place. With health protections in
28 place.
29 COMMISSIONER CLARK: With health -- yeah, with the
30 recommended health protections in place.
31 CHAIRMAN ANCHO: All right.
32 COMMISSIONER SPARKS: I'll second the motion.
33 COMMISSIONER ALLAN: I'll second.
34 CHAIRMAN ANCHO: All right.
35 All in favor?
36 COMMISSIONER SPARKS: Aye.
37 COMMISSIONER CLARK: Aye.
38 CHAIRMAN ANCHO: Aye.
39 COMMISSIONER WAITS: Aye.
40 CHAIRMAN ANCHO: None opposed.

1 COMMISSIONER ALLAN: Aye.
2 All right. Very good. We're going to --
3 ELIZABETH BARELA: Kathy?
4 CHAIRMAN ANCHO: I'm sorry. Go -- go ahead, Keith.
5 KEITH WESTENGARD: I just had a "for instance."
6 I'd like to kind of get --
7 CHAIRMAN ANCHO: Okay.
8 KEITH WESTENGARD: -- a little insight into. If, for
9 instance, the state holder was to be fined or license removed,
10 what -- what could we do? What could this board do to protect
11 them? Or would -- would we be ba- -- would the board be backing
12 them once -- with this motion in place? Would the board back
13 them and -- and go to fight for them with the state if, for
14 instance, their state license was revoked?
15 CHAIRMAN ANCHO: That's a -- that's --
16 COMMISSIONER ALLAN: Can you --
17 CHAIRMAN ANCHO: -- up to --
18 COMMISSIONER ALLAN: -- do that, --
19 CHAIRMAN ANCHO: -- Ted question.
20 COMMISSIONER ALLAN: -- Ted?
21 KEITH WESTENGARD: Ted. Okay. Ted, did you hear that?
22 DISTRICT ATTORNEY HERRERA: Yes, --
23 COMMISSIONER ALLAN: So do you --
24 DISTRICT ATTORNEY HERRERA: -- I heard --
25 COMMISSIONER ALLAN: -- understand them?
26 DISTRICT ATTORNEY HERRERA: -- it.
27 I don't think we can defend them.
28 But we -- we can -- we can certainly assist them and make
29 recommendations to them.
30 KEITH WESTENGARD: Okay.
31 All right. I just think it's -- it's about some of the --
32 the state license holders.
33 CHAIRMAN ANCHO: Okay.
34 COMMISSIONER SPARKS: So --
35 COMMISSIONER WAITS: This is --
36 COMMISSIONER SPARKS: -- basically we just --
37 COMMISSIONER WAITS: So we need --
38 COMMISSIONER SPARKS: -- made the statement --
39 COMMISSIONER WAITS: -- we need --
40 COMMISSIONER SPARKS: -- that --

1 COMMISSIONER WAITS: -- we need to make sure that this
2 is -- what? -- like put in *The Bugle* and -- and such because
3 they don't do any reporting anymore. And that way it arms the
4 citizens. If something does come up, they have at least the
5 report on what the Lander County Commission did.

6 KEITH WESTENGARD: So -- so what I can do, if the
7 commission would like, is we'll take Commissioner Clark's motion
8 verbatim and that it was approved by the county commissioners
9 and we could post it around town. And we can try to get it in
10 the paper. Sometimes they don't put our things in the paper,
11 but --

12 COMMISSIONER WAITS: Yeah. Even if we don't, like you
13 said, how can we fight for them? We can't really fight for
14 them, but at least they can show them what their county
15 considerations were --

16 CHAIRMAN ANCHO: Uh-huh.

17 COMMISSIONER WAITS: -- regarding their opening.

18 COMMISSIONER CLARK: I think that where the confusion comes
19 with most people, aside from anxiety, is the things that
20 commissioners would like to do versus the things that we
21 actually can do.

22 I -- I think we're all pretty much on the same page with
23 this, whatever it is. But we are limited too.

24 COMMISSIONER WAITS: I -- I think what I'm picking up,
25 though, from -- from the ones that I talked to that are not open
26 is the fear, the actual fear. They don't know how long it's
27 going to be. And they've risked sometimes their full retirement
28 savings and such.

29 I mean, they have big nuts to crack with all kinds of
30 utility bills, of leases, and things that they're buying.
31 And -- and it's the fear of losing everything. And that's what
32 we're trying to address.

33 And if -- if they make that decision to open, they make it
34 on their own. But they know that at least, even though we -- we
35 don't have the power, we're -- we're a hundred percent behind
36 them and not going to give them any penalties as far as their
37 county is concerned.

38 CHAIRMAN ANCHO: Liz, did you --

39 ELIZABETH BARELA: Ted, I --

40 CHAIRMAN ANCHO: -- have something to say?

1 ELIZABETH BARELA: -- have a question. In Art's motion, he
2 says "residents." Does he need to amend that to say businesses?
3 DISTRICT ATTORNEY HERRERA: Yeah. We do -- we could have
4 certain local businesses that -- that are operated by
5 nonresidents. So in that regard, we could -- residences and all
6 local businesses.
7 COMMISSIONER CLARK: Right.
8 ELIZABETH BARELA: Okay.
9 COMMISSIONER CLARK: Okay. I'll amend my --
10 COMMISSIONER ALLAN: I have another question. Oh, go
11 ahead, Ted. Or --
12 CHAIRMAN ANCHO: Art -- go ahead, Art.
13 COMMISSIONER CLARK: I'll amend my motion to recommend that
14 residents of Lander cali- -- Lander County follow the governor's
15 order.
16 Let m- -- hold on a second.
17 We recommend that residents follow the governor's order,
18 but we will not interfere with residents or business owners'
19 constitutional rights.
20 Is that it?
21 CHAIRMAN ANCHO: Does that work?
22 ELIZABETH BARELA: (Off microphone) Does that work, Ted?
23 DISTRICT ATTORNEY HERRERA: Yeah.
24 CHAIRMAN ANCHO: All right.
25 COMMISSIONER SPARKS: (Off microphone) I'll second.
26 COMMISSIONER CLARK: Okay.
27 COMMISSIONER ALLAN: And I'll second.
28 CHAIRMAN ANCHO: All right. All in favor?
29 COMMISSIONER SPARKS: Aye.
30 COMMISSIONER CLARK: Aye.
31 CHAIRMAN ANCHO: Aye.
32 COMMISSIONER ALLAN: Wait a minute. I have a question.
33 CHAIRMAN ANCHO: Oh. All right. Go ahead.
34 COMMISSIONER ALLAN: I -- I mean, I know you can vote. But
35 I just have a question for Ted. Is I -- I had heard rumors of
36 you know, lawsuits or -- I don't even know if there's class
37 action lawsuits against the governor for -- for these mandates.
38 And hopefully that will basically cure everything in the
39 end for any businesses that do have loss of revenue.
40 Can you comment on that?

1 DISTRICT ATTORNEY HERRERA: Yes. There -- there are --
2 there are a number of lawsuits that have been filed or will be
3 filed against the governor's directives.

4 In fact, there are lawsuits all over the United States
5 against a lot of different governors' directives. Some are more
6 even-handed than others.

7 Ours -- ours falls, like, right in the middle. I mean, it
8 could be a lot worse, what they're doing.

9 But we -- we as a county don't have a lawsuit to file yet,
10 unless we find one that we find appropriate.

11 I -- Judie, I'll -- I'll keep my eyes and ears open. You
12 know, I'll try to check all outstanding lawsuits and see if
13 anything or both -- any of them are appropriate for us, and I'll
14 bring it to your attention.

15 COMMISSIONER ALLAN: Thank you. Because I think that's
16 also something to consider was, you know, how -- how things play
17 out and following that to see what -- what could be done at a
18 county level also.

19 UNIDENTIFIED PARTICIPANT: (By telephone) Okay. I'll copy
20 it down.

21 CHAIRMAN ANCHO: All right. So do you have all that,
22 Kathy? So are we good to go to the next item?

23 CHAIRMAN ANCHO: Yes.

24 All right. Very good.

25 Well, we're going to go ahead and move on.

26 COMMISSIONER ALLAN: We need to vote.

27 CHAIRMAN ANCHO: We already did.

28 COMMISSIONER CLARK: Oh, yeah. We've already voted.

29 CHAIRMAN ANCHO: Every -- you already did because you --
30 you (indiscernible) --

31 DISTRICT ATTORNEY HERRERA: Not on the amended one.

32 COMMISSIONER ALLAN: No, we --

33 CHAIRMAN ANCHO: Yeah.

34 COMMISSIONER CLARK: I amended.

35 COMMISSIONER ALLAN: We haven't voted.

36 COMMISSIONER CLARK: I amended.

37 ELIZABETH BARELA: Yes.

38 COMMISSIONER CLARK: Judie seconded.

39 ELIZABETH BARELA: (Off microphone) You also --

40 COMMISSIONER CLARK: We voted.

1 CHAIRMAN ANCHO: We all di- -- we did already.
2 DISTRICT ATTORNEY HERRERA: All right.
3 CHAIRMAN ANCHO: Okay.
4 So all right.
5 COMMISSIONER ALLAN: Can we do it again just because I
6 don't recall that we voted. We had public comment -- more
7 comments.
8 CHAIRMAN ANCHO: All right.
9 COMMISSIONER CLARK: I'll read it again.
10 CHAIRMAN ANCHO: All right.
11 COMMISSIONER CLARK: Lander County Board of Commissioners
12 will recommend that residents follow the governor's order, but
13 the county will not interfere with residents or businesses that
14 are practicing their constitutional rights.
15 CHAIRMAN ANCHO: All right.
16 COMMISSIONER ALLAN: And it was seconded.
17 CHAIRMAN ANCHO: All right.
18 Second? Judie?
19 DISTRICT ATTORNEY HERRERA: Wait, wait, wait. If they take
20 appropriate health protections.
21 ELIZABETH BARELA: (Off microphone) If they take the
22 appropriate health protections.
23 CHAIRMAN ANCHO: Appropriate health --
24 COMMISSIONER ALLAN: So does that mean --
25 COMMISSIONER CLARK: Oh, --
26 COMMISSIONER ALLAN: -- it's not under we force anybody --
27 COMMISSIONER CLARK: Right. With the -- with the
28 appropriate health safety -- using the appropriate health safety
29 guidelines.
30 CHAIRMAN ANCHO: All right. So we -- who's the second?
31 COMMISSIONER ALLAN: I'll second.
32 CHAIRMAN ANCHO: All right. All in favor?
33 COMMISSIONER SPARKS: Aye.
34 CHAIRMAN ANCHO: Aye.
35 COMMISSIONER ALLAN: Aye.
36 COMMISSIONER WAITS: Aye.
37 CHAIRMAN ANCHO: None --
38 COMMISSIONER CLARK: Aye.
39 CHAIRMAN ANCHO: -- opposed.
40

1 **3) COMMISSIONERS: For possible action to approve/disapprove the**
2 **proposed Ordinance 2020-01 finalizing the dissolution of the**
3 **Lander County Combined Sewer and Water District #2 General**
4 **Improvement District and its board of trustees.**

5
6 CHAIRMAN ANCHO: All right. We're going to go ahead and
7 move on to Number 3.

8 Let me get my glasses.

9 For possible action to approve, disapprove the proposed
10 Ordinance 2020-01 finalizing the dissolution of the Lander
11 County Combined Sewer and Water District 2 General Improvement
12 District and its board of trustees.

13 COMMISSIONER CLARK: Keith?

14 COMMISSIONER WAITS: Before we do anything on this, I
15 wanted some input from the commission.

16 If you take a look at the last page with the rates, the
17 question has come up under the -- the tampering fee which has
18 been \$50. And I believe Battle Mountain's is a hundred? The
19 tampering fee? Is that -- is that right?

20 Anyway, we do --

21 KEITH WESTENGARD: I believe it is, Commissioner, --

22 CHAIRMAN ANCHO: (Off microphone) Here. Let's -- let's --

23 KEITH WESTENGARD: -- in terms of what?

24 ELIZABETH BARELA: Ask --

25 KEITH WESTENGARD: Yes.

26 ELIZABETH BARELA: -- the people on --

27 COMMISSIONER WAITS: We --

28 ELIZABETH BARELA: -- bridge to mute themselves.

29 COMMISSIONER WAITS: -- we do have some concerns of a
30 number of people --

31 CHAIRMAN ANCHO: Can the people on the bridge please mute
32 your phones? Thank you.

33 ELIZABETH BARELA: Off microphone, indiscernible.)

34 COMMISSIONER WAITS: So we have had a few. And -- and it
35 isn't our regular people who are on the water all the time.
36 It's the people that can turn it off in the wintertime, and
37 they're -- they're not paying the fee. And then they come up
38 and spend a weekend or whatever and -- and turn their water on
39 automatically and water and -- and this type of thing.

40 So we thought maybe if we could discourage that a little

1 bit -- because they shouldn't be tampering with that at all --
2 that we move that up to a hundred dollars.

3 ELIZABETH BARELA: (Off microphone) Keith just went to go
4 check on that rate.

5 COMMISSIONER WAITS: Okay. And, anyway, we'll -- we'll
6 take a look and see what Battle Mountain's is. But it looks
7 like this is a long one. So --

8 CHAIRMAN ANCHO: (Off microphone) Okay. Yeah. So --
9 that's a -- what Battle Mountain is.

10 COMMISSIONER SPARKS: So I'll go ahead and -- and --

11 ELIZABETH BARELA: (Off microphone) And I want to ask a
12 question.

13 (On microphone) Ted, when they read in this resolution,
14 does she have to read in all the rates?

15 COMMISSIONER WAITS: The old --

16 DISTRICT ATTORNEY HERRERA: No.

17 COMMISSIONER WAITS: -- ones?

18 DISTRICT ATTORNEY HERRERA: It's attached.

19 ELIZABETH BARELA: It's an attachment.

20 DISTRICT ATTORNEY HERRERA: Read the title.

21 ELIZABETH BARELA: It's an attachment so you don't have to
22 read the rates, just the --

23 COMMISSIONER WAITS: I don't --

24 ELIZABETH BARELA: -- resolution.

25 COMMISSIONER WAITS: -- have to read the rates. Okay.

26 ELIZABETH BARELA: Thanks.

27 COMMISSIONER CLARK: I've got a question here.
28 On that last page, it says, meter tampering fee, \$50, will
29 be applied to anyone who turns on or off the water?

30 COMMISSIONER WAITS: Right.

31 COMMISSIONER CLARK: If you have an emergency, you can't
32 turn off the water?

33 COMMISSIONER WAITS: No, no.
34 No. You can turn your -- your water off. You have all
35 kinds of places. But you can't run out and turn that off. No.

36 CHAIRMAN ANCHO: In the street.

37 COMMISSIONER SPARKS: Turning what off?

38 COMMISSIONER WAITS: You have to call.

39 KEITH WESTENGARD: The -- the me- --

40 COMMISSIONER CLARK: I have a --

1 ELIZABETH BARELA: The --
2 COMMISSIONER CLARK: -- meter --
3 ELIZABETH BARELA: -- meter.
4 COMMISSIONER CLARK: -- in -- in --
5 CHAIRMAN ANCHO: The --
6 COMMISSIONER CLARK: -- in --
7 COMMISSIONER WAITS: Uh-huh.
8 COMMISSIONER CLARK: -- my si- -- my sidewalk.
9 If I have a leak in my house, I turn that off. What's
10 wrong with that?
11 COMMISSIONER WAITS: That's tampering. You have --
12 COMMISSIONER CLARK: No. It's --
13 COMMISSIONER WAITS: -- to have the --
14 COMMISSIONER SPARKS: But if it's --
15 COMMISSIONER CLARK: -- not --
16 COMMISSIONER SPARKS: -- the main --
17 COMMISSIONER CLARK: -- tampering.
18 COMMISSIONER WAITS: -- call --
19 COMMISSIONER SPARKS: -- source --
20 COMMISSIONER WAITS: -- the water --
21 COMMISSIONER SPARKS: -- of shutoff --
22 COMMISSIONER WAITS: -- department.
23 COMMISSIONER CLARK: No, it's not.
24 KEITH WESTENGARD: The -- don't you have a shutoff on the
25 house that you would use?
26 COMMISSIONER CLARK: I have a shutoff -- a shutoff on
27 the -- outside the meter that leads to my house.
28 KEITH WESTENGARD: Right. So what this has to do with is
29 -- is somebody would go in, shut their meter off, and then --
30 Yes?
31 That's --
32 CHAIRMAN ANCHO: You're hearing back feed.
33 KEITH WESTENGARD: Oh. Okay.
34 Shut the meter off. And then they could -- they could
35 actually turn it back on without the water department coming out
36 and turning it off and on.
37 COMMISSIONER CLARK: Yeah.
38 KEITH WESTENGARD: There's a way you can turn the meter
39 off. Because usually when they say, --
40 COMMISSIONER CLARK: Oh, --

1 KEITH WESTENGARD: -- for instance, --
2 COMMISSIONER CLARK: -- turn the meter off, --
3 ELIZABETH BARELA: Yeah.
4 KEITH WESTENGARD: Yeah, and --
5 COMMISSIONER CLARK: -- not turn the water off.
6 KEITH WESTENGARD: Right. And some people will --
7 they'll -- they'll have the meter locked, for instance, for
8 nonpayment of bill. They'll go in and they'll cut the lock and
9 turn it on so they have water. That's the meter tampering.
10 It doesn't have anything to do with you shutting flow to
11 your house off for a water leak or to put a sprinkler system in
12 or something like that.
13 COMMISSIONER CLARK: Okay.
14 KEITH WESTENGARD: This has to do with tampering of the
15 meter itself, --
16 ELIZABETH BARELA: And --
17 COMMISSIONER CLARK: Okay.
18 KEITH WESTENGARD: -- county property.
19 COMMISSIONER CLARK: Okay.
20 ELIZABETH BARELA: And that's the one that Patsy's wanting
21 to increase to a hundred; correct?
22 CHAIRMAN ANCHO: Yes.
23 ELIZABETH BARELA: Is that the one? Okay.
24 KEITH WESTENGARD: Yes.
25 Battle Mountain's is a hundred. Yes.
26 COMMISSIONER WAITS: Okay.
27 COMMISSIONER CLARK: Now when we -- on these hookups, do
28 they have to pay it all at one time? Or can you prorate it in
29 their bill?
30 KEITH WESTENGARD: (Off microphone) I believe that --
31 (On microphone) I believe Bert has a program --
32 COMMISSIONER CLARK: Okay.
33 KEITH WESTENGARD: -- that would allow it to be spread out
34 over months, maybe 12.
35 COMMISSIONER CLARK: Okay.
36 KEITH WESTENGARD: I'm not --
37 COMMISSIONER CLARK: Yeah.
38 KEITH WESTENGARD: -- sure exactly. Up to 36 months,
39 depending, I think.
40 COMMISSIONER CLARK: Somebody starting a business, you

1 know, 750 bucks might be a little expensive. And then 4,000.
2 So --

3 Okay.

4 CHAIRMAN ANCHO: Art.

5 COMMISSIONER WAITS: Okay. I will --

6 COMMISSIONER ALLAN: So --

7 COMMISSIONER WAITS: -- I will make a motion.

8 COMMISSIONER ALLAN: I -- I have a question, Patsy.

9 COMMISSIONER WAITS: Yes.

10 COMMISSIONER ALLAN: So basically under that line item, it
11 says, fire hydrant tampering fee of a thousand dollars will be
12 charged to anyone caught accessing water from a hydrant for any
13 use besides fire.

14 Is a lot of times that's not totally convenient if there is
15 a -- a hydrant stand for project watering.

16 I know that in the past, trucks have hooked up to -- to the
17 hydrants for various person -- purposes.

18 I know when I was working for Hunewill, I was pulling off a
19 hydrant. Of course, we didn't have the stand at that time.

20 COMMISSIONER CLARK: Keith, don't we have one place to get
21 water and it's metered now, right?

22 KEITH WESTENGARD: So -- so yes. There's a process in
23 place for project water. If a company wants to use project
24 water, they get with public works, water/sewer, and they are
25 issued a meter. And they are charged for the meter -- for the
26 water that they use off that hydrant based on the meter that
27 they have obtained from Public Works.

28 COMMISSIONER CLARK: And we --

29 COMMISSIONER WAITS: What this is, is --

30 COMMISSIONER CLARK: -- we started that -- didn't we? --
31 just a couple years ago?

32 KEITH WESTENGARD: Yes, I --

33 COMMISSIONER CLARK: Yeah.

34 KEITH WESTENGARD: -- believe so with Bert.

35 COMMISSIONER CLARK: Okay.

36 KEITH WESTENGARD: Public Works.

37 COMMISSIONER WAITS: But the wording on this is
38 "tampering." When construction companies come in and they want
39 the water, et cetera, et cetera, there's all kinds of things
40 that are made with arrangements.

1 KEITH WESTENGARD: That's --
2 CHAIRMAN ANCHO: Uh-huh.
3 KEITH WESTENGARD: -- correct.
4 COMMISSIONER WAITS: And this is called "tampering," --
5 CHAIRMAN ANCHO: Uh-huh.
6 COMMISSIONER WAITS: -- which is another -- that you're
7 doing things that you shouldn't be doing and haven't got
8 authority --
9 CHAIRMAN ANCHO: (Off microphone) Yes.
10 COMMISSIONER WAITS: -- to do. Right.
11 And there's always exceptions. And that's why we have
12 appeals. Okay. All righty.
13 I'll go ahead and start this.
14 I make a motion that we approve Ordinance Number 2020-01,
15 an ordinance finalizing the dissolution of the Lander County
16 Combined Sewer and Water District #2 General Improvement
17 District and its board of trustees.
18 Title. An ordinance providing for the full consideration
19 of protests of the final dissolution of the Lander County
20 Combined Sewer and Water District #2 General improvement
21 District and its board of trustees, providing for the final
22 dissolution of the Lander County Combined Sewer and Water
23 District #2 General Improvement District and its board of
24 trustees, and providing for other matters properly relating
25 thereto.
26 The Board of County Commissioners of the County of Lander,
27 Nevada, do ordain, whereas, the Lander County Combined Sewer and
28 Water District #2 is a General Improvement District and
29 quasi-municipal formed under Nevada Revised Statutes, Chapter
30 318, created by the Board of Lander County Commissioners on
31 November 14, 1969, through Lander County Ordinance Number 14.20,
32 presently 13.08.010.
33 And whereas pursuant to the Ordinance Number 13.08, the LCC
34 SWD 2 was established for the basic purpose of distribution,
35 sale, and delivery of municipal water and sewer services under
36 NRS Chapter 318 to property owners within the boundary of the
37 LCC SWD 2.
38 And whereas LCC --
39 DISTRICT ATTORNEY HERRERA: Commissioner, you don't --
40 COMMISSIONER WAITS: -- SWD --

1 DISTRICT ATTORNEY HERRERA: Commissioner, --
2 COMMISSIONER WAITS: -- 2's --
3 DISTRICT ATTORNEY HERRERA: Excuse me, Commissioner.
4 CHAIRMAN ANCHO: (Off microphone) Whoa, whoa, whoa, whoa.
5 Stop.
6 DISTRICT ATTORNEY HERRERA: You don't have to read the
7 whole thing.
8 COMMISSIONER CLARK: (Off microphone) Just the title.
9 COMMISSIONER WAITS: I don't have --
10 DISTRICT ATTORNEY HERRERA: Just --
11 COMMISSIONER WAITS: -- to?
12 DISTRICT ATTORNEY HERRERA: -- the title.
13 COMMISSIONER WAITS: I thought --
14 COMMISSIONER CLARK: It was --
15 COMMISSIONER WAITS: -- you said --
16 COMMISSIONER CLARK: -- just --
17 COMMISSIONER WAITS: -- I --
18 COMMISSIONER CLARK: -- the --
19 COMMISSIONER WAITS: -- did.
20 COMMISSIONER CLARK: -- title. That's what he said.
21 DISTRICT ATTORNEY HERRERA: Oh, no. No, co- -- I'm sorry.
22 Just the title. Just by title.
23 COMMISSIONER WAITS: Oh, this is wonderful. Okay. Et
24 cetera, et cetera. And authorize the chair.
25 Oh, I'm so glad. That makes it wonderful.
26 So this includes the attachments. And I authorize the
27 chair to sign.
28 COMMISSIONER CLARK: Second.
29 CHAIRMAN ANCHO: (Off microphone) All right.
30 COMMISSIONER ALLAN: Second.
31 CHAIRMAN ANCHO: Is there -- all in favor?
32 COMMISSIONER SPARKS: Aye.
33 CHAIRMAN ANCHO: Aye.
34 COMMISSIONER WAITS: Aye.
35 COMMISSIONER ALLAN: Aye.
36 COMMISSIONER CLARK: Aye.
37 CHAIRMAN ANCHO: (Off microphone) So -- we have public
38 comment? Wait a -- wait just a second for public comment.
39 (On microphone) All right. We're going to go ahead for
40 public comment.

1 (No comment.)
2 CHAIRMAN ANCHO: All right. No public comment?
3 DISTRICT ATTORNEY HERRERA: Commissioner?
4 VOICE RECORDING: Muted.
5 DISTRICT ATTORNEY HERRERA: There is one -- one other
6 thing.
7 CHAIRMAN ANCHO: Yes.
8 VOICE RECORDING: Unmuted.
9 COMMISSIONER WAITS: -- on the rates.
10 DISTRICT ATTORNEY HERRERA: You will notice that there has
11 been no -- no -- no letters in opposition to this that have been
12 filed with the county clerk.
13 COMMISSIONER CLARK: Okay.
14 CHAIRMAN ANCHO: So -- okay. So no letters of opposition
15 have been filed with the county clerk?
16 DISTRICT ATTORNEY HERRERA: Right.
17 CHAIRMAN ANCHO: Okay.
18 COMMISSIONER CLARK: Okay.
19 DISTRICT ATTORNEY HERRERA: You --
20 ELIZABETH BARELA: (Off microphone) So --
21 DISTRICT ATTORNEY HERRERA: But we are going to have a
22 public meeting to -- to allow opposition.
23 But at that public meeting, we're just going to give notice
24 that no oppositions -- no protests have been filed.
25 CHAIRMAN ANCHO: Okay.
26 Okay.
27 COMMISSIONER WAITS: Okay. But we still have the hearing
28 on June 11, --
29 DISTRICT ATTORNEY HERRERA: Yes.
30 COMMISSIONER WAITS: -- right?
31 DISTRICT ATTORNEY HERRERA: Yes.
32 COMMISSIONER WAITS: Okay. Got it.
33 CHAIRMAN ANCHO: So -- with -- with all in favor?
34 COMMISSIONER CLARK: Aye.
35 COMMISSIONER SPARKS: Aye.
36 COMMISSIONER WAITS: Aye.
37 COMMISSIONER ALLAN: Aye.
38 CHAIRMAN ANCHO: All right.
39 None opposed?
40 (No comment.)

1 CHAIRMAN ANCHO: Moving --
2 COMMISSIONER CLARK: (Off microphone) Now the rest --
3 CHAIRMAN ANCHO: -- on.
4 COMMISSIONER CLARK: -- of them.
5 CHAIRMAN ANCHO: Very good.
6
7 **4) COUNTY MANAGER: Update from the fiscal officer.**
8
9 CHAIRMAN ANCHO: So --
10 So Number 4, county manager. Update from the fiscal
11 officer.
12 ELIZABETH BARELA: (Off microphone) Hey, Kath?
13 CHAIRMAN ANCHO: (Off microphone) Oh, I'm sorry.
14 (On microphone) One second.
15 ELIZABETH BARELA: (On microphone) Ted? In that motion,
16 does she need to add the rates with the exception of the change
17 from 50 to 100?
18 DISTRICT ATTORNEY HERRERA: Did they make the change?
19 ELIZABETH BARELA: They -- she -- did you have that in your
20 motion?
21 KEITH WESTENGARD: No.
22 COMMISSIONER WAITS: No.
23 ELIZABETH BARELA: No. She did not have that in her
24 motion. I think she needs to put that in the motion.
25 DISTRICT ATTORNEY HERRERA: Well, if they haven't made the
26 change, then --
27 COMMISSIONER WAITS: All right.
28 DISTRICT ATTORNEY HERRERA: They would have to do a -- they
29 would have to do a motion -- a --
30 COMMISSIONER WAITS: I could just --
31 DISTRICT ATTORNEY HERRERA: -- change.
32 COMMISSIONER WAITS: -- make a separate motion; right?
33 COMMISSIONER CLARK: (Off microphone) Yeah.
34 ELIZABETH BARELA: (Off microphone) Yeah.
35 DISTRICT ATTORNEY HERRERA: Yes.
36 COMMISSIONER WAITS: Okay.
37 With the attached rates that were included with the
38 ordinance, I make a motion that the meter tampering fee be moved
39 to \$100.
40 CHAIRMAN ANCHO: All right.

1 Do I have a second?
2 COMMISSIONER CLARK: Second.
3 CHAIRMAN ANCHO: All in favor?
4 COMMISSIONER CLARK: Aye.
5 COMMISSIONER SPARKS: Aye.
6 CHAIRMAN ANCHO: Aye.
7 COMMISSIONER WAITS: Aye.
8 CHAIRMAN ANCHO: None --
9 COMMISSIONER ALLAN: Aye.
10 CHAIRMAN ANCHO: -- opposed? None opposed?
11 All right. Very good.
12

13 **4) COUNTY MANAGER: Update from the fiscal officer.**
14

15 CHAIRMAN ANCHO: All right. So we're going to go ahead on
16 Number 4 for the county manager.

17 Update from the fiscal officer.

18 KEITH WESTENGARD: Deep breath.

19 LAKEN SULLIVAN: Laken Sullivan, for the record.

20 Okay. So the quarterly fund balance report for the third
21 quarter of FY '19/'20 is as follows: The total revenue for the
22 third quarter is \$12,742,972, which is up 23.93 percent compared
23 to last year's third quarter. The total expenses for the third
24 quarter is five million, eight hundred thirty-four dollars --
25 eight hundred and thirty-four, two hundred and ten dollars,
26 which is down 19.65 percent compared to last year's third
27 quarter.

28 And Lander County has received FAA grants money for the
29 Battle Mountain Airport in the amount of \$18,844.90 and the
30 Austin Airport, the amount is \$13,842.63.

31 COMMISSIONER SPARKS: Question. On the second to last
32 page, the fund balance report, fiscal year 2019-2020, there's
33 75 percent right there at the upper, left-hand corner. What's that
34 represent?

35 LAKEN SULLIVAN: That's showing that we're 75 percent
36 through the year.

37 COMMISSIONER SPARKS: Through the budget cycle?

38 LAKEN SULLIVAN: Yeah.

39 COMMISSIONER SPARKS: Okay.

40 COMMISSIONER CLARK: (Off microphone) What was that, Bryan?

1 The last page?
2 COMMISSIONER SPARKS: Yeah.
3 LAKEN SULLIVAN: Yeah.
4 COMMISSIONER SPARKS: Just this page right here. I was
5 wanting to know what that 75 right there meant, but now I
6 understand.
7 COMMISSIONER CLARK: Oh. Up in the upper left-hand --
8 COMMISSIONER SPARKS: Yeah.
9 COMMISSIONER CLARK: -- corner. That's 75 percent of the
10 year?
11 ELIZABETH BARELA: (Off microphone) Uh-huh.
12 COMMISSIONER SPARKS: Yeah.
13 CHAIRMAN ANCHO: (Off microphone) All right.
14 COMMISSIONER SPARKS: Thank you.
15 CHAIRMAN ANCHO: Thank you --
16 LAKEN SULLIVAN: You're welcome.
17 CHAIRMAN ANCHO: -- very much. What --
18 KEITH WESTENGARD: Since she's up.
19 CHAIRMAN ANCHO: (Off microphone) Oh. We're going to go
20 ahead and skip to -- over to Number 6.
21 ELIZABETH BARELA: Kathy, can have them go on mute?
22 CHAIRMAN ANCHO: Can whoever's on the bridge, can you mute,
23 pretty please?
24 Thank you.
25
26 **6) COUNTY MANAGER: For possible action to approve/disapprove a**
27 **write-off for a landfill invoice for New Nevada Gold**
28 **Incorporated in the amount of \$48.00.**
29
30 CHAIRMAN ANCHO: We're going to go ahead and jump forward
31 to Number 6 for county manager.
32 For possible action to approve, disapprove the write-off
33 for land- -- landfill invoice for New Nevada Gold Incorporated
34 in the amount of \$48.
35 LAKEN SULLIVAN: So the original invoice for this was done
36 on October 12th of 2018. So it's about a year and a half past
37 due. They've made several attempts to get them to pay. They've
38 sent certified and it comes back with attempted, not known on
39 the address.
40 CHAIRMAN ANCHO: So what -- what's the pro- -- I mean, --

1 COMMISSIONER CLARK: New --
2 CHAIRMAN ANCHO: -- why?
3 COMMISSIONER CLARK: Nevada Gold.
4 CHAIRMAN ANCHO: For New Nevada -- I mean, what -- what --
5 where -- what does this bill attached to?
6 LAKEN SULLIVAN: They dumped -- it looks like they dumped
7 out of county municipal solid waste ten -- it says 10 volume on
8 it at \$4.80 per volume.
9 CHAIRMAN ANCHO: What does that mean?
10 KEITH WESTENGARD: So that's septic or sewage dumpage
11 and -- that was not within Lander County. So since it's not
12 from Lander County, we charge for it.
13 And there have been multiple attempts to get them to pay.
14 And it's --
15 COMMISSIONER SPARKS: Which we've --
16 KEITH WESTENGARD: -- just weird --
17 COMMISSIONER SPARKS: -- pro- --
18 KEITH WESTENGARD: -- that it's a \$48 bill.
19 COMMISSIONER SPARKS: And we've probably spent more of
20 that --
21 LAKEN SULLIVAN: Yeah.
22 COMMISSIONER SPARKS: -- trying to get them to --
23 KEITH WESTENGARD: And we've --
24 COMMISSIONER SPARKS: -- pay it.
25 KEITH WESTENGARD: -- probably spent --
26 COMMISSIONER SPARKS: Then let's just write it off.
27 KEITH WESTENGARD: And so the Commission has to allow
28 the -- the write-off of forty -- \$48.
29 And we've been working on it, like -- like Laken said, for
30 a year and a half. So we've probably spent more time and effort
31 than it's worth.
32 COMMISSIONER SPARKS: I'll --
33 CHAIRMAN ANCHO: Okay.
34 COMMISSIONER SPARKS: -- make a motion we write off the \$48
35 for a landfill invoice for New Nevada Gold, Incorporated.
36 CHAIRMAN ANCHO: All right.
37 COMMISSIONER CLARK: Second.
38 CHAIRMAN ANCHO: All right's. All in favor?
39 COMMISSIONER CLARK: Aye.
40 COMMISSIONER SPARKS: Aye.

1 CHAIRMAN ANCHO: Aye.
2 COMMISSIONER WAITS: Aye.
3 CHAIRMAN ANCHO: And opposed?
4 Any public -- Robert, do we --
5 Any --
6 COMMISSIONER ALLAN: This is Judie. I have a question.
7 CHAIRMAN ANCHO: All right. Go ahead.
8 COMMISSIONER ALLAN: Are we still allowing them to dump?
9 COMMISSIONER SPARKS: I don't think they're --
10 ELIZABETH BARELA: (Off microphone) They still don't --
11 COMMISSIONER SPARKS: -- around anymore. We don't know who
12 they are, Judie.
13 But I think that if they ever do come back in the county,
14 maybe we'll remember.
15 KEITH WESTENGARD: True.
16 CHAIRMAN ANCHO: Yeah.
17 KEITH WESTENGARD: Yeah.
18 I -- I -- I don't know, Commissioner Allan, if -- if the --
19 if that's still being done or not. I would really doubt it, but
20 I don't know.
21 CHAIRMAN ANCHO: Can -- so any public comment?
22 (No comment.)
23 CHAIRMAN ANCHO: All right. Moving on.
24 VOICE RECORDING: Muted.
25 CHAIRMAN ANCHO: All right.
26 VOICE RECORDING: Unmuted.
27 CHAIRMAN ANCHO: Okay. Oh, yeah. Go back.
28
29 **5) COUNTY MANAGER: For possible action to approve/disapprove**
30 **the cancellation of the 2020 Fourth of July celebration.**
31
32 CHAIRMAN ANCHO: All right. We're moving back to Number 5.
33 For possible action to approve, disapprove the cancellation
34 of the 2020 Fourth of July celebration.
35 So I'm going to start off with this. I think it should be
36 tabled.
37 I don't -- I think I -- this is a double-edged sword -- one
38 of the --
39 KEITH WESTENGARD: Yes.
40 CHAIRMAN ANCHO: Another double-edged sword. I don't -- we

1 don't know what the governor is going to do. And it's that
2 whole -- once again, the gathering in ten to a group. And we
3 don't know what he's going to do if we --

4 I just think that it -- what -- where I struggle with this
5 is I don't want to cancel this. But I also don't want to get to
6 the last minute and he put a mandate to cancel. And then we
7 have all these vendors who've paid for all this stuff.

8 So I -- we have to kind of figure out a happy medium so we
9 don't have vendors who have decided to come here and not be able
10 to do their thing.

11 COMMISSIONER CLARK: Well, how about if we charge the
12 vendors after the event? Then that way we know that everything
13 was good.

14 They set up and something happens that's out of our
15 control, at least we don't have to pay them back. But if we do
16 go through with it, then they would have to pay.

17 CHAIRMAN ANCHO: Well, we -- I think that the other -- one
18 second -- the other idea is, is we can put it out, yes, we're
19 not canceling at this time. But if it does get canceled, just
20 know, be cautious that you might be out the money that you've
21 invested to come here to do something.

22 I'm just -- just as a precaution to people who do want
23 to -- I mean, and as long as they know and they are aware of it
24 and they want to take that chance there, so that's entirely up
25 to them. So --

26 COMMISSIONER WAITS: Can't --

27 COMMISSIONER CLARK: And --

28 COMMISSIONER WAITS: -- they emo- -- okay --

29 COMMISSIONER ALLAN: This is Judie.

30 CHAIRMAN ANCHO: One second, Judie, please.

31 COMMISSIONER ALLAN: (Indiscernible.)

32 CHAIRMAN ANCHO: One second, please.

33 COMMISSIONER ALLAN: Okay.

34 COMMISSIONER WAITS: I'm -- I'm okay with you deferring it,
35 but I do think we should have a drop-dead date somewhere in June
36 that we do make the decision. Because right now I think for 50
37 or more people, that's the governor's Phase 3, --

38 ELIZABETH BARELA: (Off microphone) Yeah.

39 COMMISSIONER WAITS: -- right?

40 So we should know next -- well, maybe this month -- if

1 we're going into Phase 2 and where he's going to be.
2 But I think we should, like, at least take one of our
3 meetings in June and go, That's it. It's a done. No.
4 COMMISSIONER SPARKS: So I -- I don't think we should
5 cancel.
6 I mean, this is our day of independence, celebrating our
7 patriotism. And it's -- at -- our fireworks. You know, there's
8 generally six or seven guys that light those off. We have the
9 fireworks already paid for.
10 Again, you know, you have this festivity. It doesn't make
11 sense. You go into Home Depot, there's 100 people in there.
12 You can't go to a park and practice social distancing, set up
13 your orange cones, you know. Be sure to get your barriers
14 six-feet apart. You know, if you want to go and shake the hands
15 with your fellow friends, that's your choice to do that.
16 If you don't want to go and partake, stay home. I don't
17 think --
18 Again, like, what message is that? Let's cancel our day of
19 independence.
20 COMMISSIONER WAITS: Well, you don't --
21 COMMISSIONER SPARKS: Our time --
22 COMMISSIONER WAITS: -- have --
23 COMMISSIONER SPARKS: -- to celebrate our -- you know,
24 it's -- it's --
25 COMMISSIONER WAITS: You don't have to cancel the
26 fireworks. We can always have the fireworks because those are
27 all over.
28 KEITH WESTENGARD: If I may clarify, --
29 COMMISSIONER ALLAN: Can I --
30 KEITH WESTENGARD: -- please?
31 COMMISSIONER ALLAN: -- speak now?
32 CHAIRMAN ANCHO: (Off microphone) Wants to go. Go ahead.
33 COMMISSIONER SPARKS: Keith?
34 Yeah.
35 KEITH WESTENGARD: Okay. Thank you.
36 So I --
37 COMMISSIONER ALLAN: Can I --
38 KEITH WESTENGARD: -- put the --
39 COMMISSIONER ALLAN: -- can I -- can I speak now?
40 COMMISSIONER SPARKS: Keith is talking.

1 CHAIRMAN ANCHO: Keith's talking. Just one second, please.
2 KEITH WESTENGARD: So -- so I -- I just to clarify some
3 things.
4 I put this on the agenda. And it's -- I'm not a -- a
5 non-patriot.
6 UNIDENTIFIED PARTICIPANT: (Off microphone) Oh, no.
7 KEITH WESTENGARD: I believe 100 percent in what this
8 commission believes in that there's constitutional rights
9 involved here.
10 Part of my job is to look at liability of the county.
11 Okay. So this wasn't about fireworks. It wasn't about a
12 parade. It was about things in the park. And it has to do with
13 the governor's order. What I -- I don't know if I should say
14 that on the record so I won't.
15 I don't -- I don't want to get into a crosshair with the
16 state or the feds. It has nothing to do with fireworks. It has
17 nothing to do with the parade. I -- I would love that to go on.
18 And I hope it does go on.
19 It has to do with Lander County-owned park and no social
20 distancing. Okay. The state's going around. I -- I was
21 informed recently that the state was looking at some of our
22 cosmetologists. They made an inspection in Battle Mountain
23 yesterday on a cosmetologist business. They went in and they
24 inspected it. So they're driving around, looking at things.
25 My main concern here was the liability to Lander County and
26 our park.
27 I don't want to cancel it. I would love to -- to have
28 everything continue on at a thousand percent and we celebrate
29 the Fourth of July and our independence and our constitutional
30 rights within this county. I would love that to happen.
31 But I also have to look at the liability issues for Lander
32 County and what we have the potential to lose if we violate an
33 order that is not constitutional. That's where I'm coming from
34 on this.
35 SHERIFF RON UNGER: (Off microphone) What kind of a --
36 ELIZABETH BARELA: (Off microphone) Can I add --
37 SHERIFF RON UNGER: -- (indiscernible) down --
38 ELIZABETH BARELA: -- employee --
39 SHERIFF RON UNGER: -- version --
40 COMMISSIONER SPARKS: (Off microphone) You can do your

1 fireworks. You do your parade. And you're just saying, your --
2 your issue is with the park? Assembling --
3 KEITH WESTENGARD: It --
4 COMMISSIONER SPARKS: -- in the park.
5 COMMISSIONER CLARK: That's -- that's where the
6 liability --
7 KEITH WESTENGARD: It -- it's --
8 SHERIFF RON UNGER: (Off microphone) Yes.
9 KEITH WESTENGARD: It -- it's -- it would -- it -- that --
10 are we going to for- -- if we continue, you know. I don't want
11 to -- I don't want to be in the situation to say -- to force
12 employees to be a part of it. You know, if they want to
13 volunteer, that's one thing.
14 And I -- I ju- -- I want it to go on, but I have to look at
15 the potential liability to Lander County.
16 So -- so that's --
17 COMMISSIONER ALLAN: Okay. Can I speak now?
18 CHAIRMAN ANCHO: Yes. You may. Go ahead, Judie.
19 COMMISSIONER ALLAN: Okay. So it is subject to change.
20 I've gotten word that the fireworks will continue. Is the
21 public is, you know, we've -- we've kind of given them a little
22 leeway in -- in social distancing and hope that people know
23 because it's in Nevada and maintain -- is continuous with the
24 pa- -- with the parade.
25 And if certain groups of individuals would like to --
26 without any kind of county support -- to present a Fourth of
27 July celebration, it is, I think, under these times especially,
28 it's necessary, it's needed for these people to be able to
29 celebrate the independence of the United States and -- and the
30 oppression of what's going on now. Is the county can take a
31 stance that we are not going to be funding anything, but we're
32 not going to tell them no. If they want to have something at
33 the park, then we're not going to enforce things and -- and let
34 them go ahead.
35 But to -- to just arbitrarily say, no, we're not doing
36 that.
37 Let the people decide -- let -- let an organization plan
38 it. And -- and who knows?
39 Just back again to free choice. If -- if those people
40 don't want to attend, they don't have to. But the people that

1 want to can. And let them put on the celebration.

2 And maybe if there's a waiver, who knows? But the other --
3 other thing about it is -- and -- and this is, I think, a lot of
4 speculation. I don't know how much facts are behind it. But
5 it's also stated that if the COVID does not survive after a
6 certain temperature, well, typically July is 95 degrees or so.
7 Is, you know, you're in a prime -- prime area to -- to be able
8 to socialize without fear because it's killing the virus.

9 Like I said, I don't know how much facts are behind that,
10 but -- but for us to tell the people of the county that are --
11 are so fed up with it and tired of this and they want their nor-
12 -- li- -- life back to normal is we owe it to them to let them
13 celebrate the independence of the United States because that's
14 where your constitution comes in. Is that's -- that's how it
15 was -- it was created.

16 And to tell them, no, it -- it's just not right because
17 they need that time to celebrate and relax and enjoy some kind
18 of normalcy.

19 CHAIRMAN ANCHO: So what -- where are we at?

20 COMMISSIONER CLARK: (Off microphone) They (indiscernible).

21 ELIZABETH BARELA: So I think what we -- what the intent to
22 this on the -- this wasn't saying anybody -- people couldn't do
23 anything in the park. What this was, is that it wasn't going to
24 be a county function, for the liability.

25 At no time were we trying to say that nobody could hold any
26 events in the park. Absolutely, that was never a thought.

27 COMMISSIONER CLARK: Okay. Let me --

28 COMMISSIONER ALLAN: And that's what I just stated, Liz,
29 is -- is go ahead and -- and let -- let somebody come in and
30 organize it. And just tell -- don't tell them, no, they can't.
31 Is without any kind of community involvement, you know, witho-
32 -- or not community, but without any county involvement.
33 Because I know a lot of times they will request some kind of
34 grants for it. But let the county -- the citizens band together
35 and do what they want.

36 COMMISSIONER CLARK: Let me -- let me try this motion.

37 The July 4th Independence Day celebration will not be --
38 will be -- will be -- let me try again.

39 The Fourth of July Independence Day celebration will be in
40 accordance with the governor's order --

1 I'm not ready. I -- I got to --
2 COMMISSIONER ALLAN: I'll make a motion that we do not
3 disapprove --
4 KEITH WESTENGARD: I believe you're tabling it.
5 CHAIRMAN ANCHO: Okay.
6 All right. We're do- --
7 COMMISSIONER ALLAN: A cancellation --
8 CHAIRMAN ANCHO: We're just --
9 COMMISSIONER ALLAN: -- of the Fourth of --
10 CHAIRMAN ANCHO: I'm sorry. I want -- we -- what we wanted
11 to do at this point -- I don't mean to interrupt you -- but we
12 wanted to table it for now and then look at it again at the last
13 meeting in June.
14 COMMISSIONER CLARK: Well, you wanted to table it. Do the
15 rest of us want to table it?
16 CHAIRMAN ANCHO: Oh. No, my suggestion I would --
17 COMMISSIONER CLARK: That was your --
18 CHAIRMAN ANCHO: -- say that --
19 COMMISSIONER CLARK: -- suggestion --
20 CHAIRMAN ANCHO: -- it was a suggestion.
21 COMMISSIONER ALLAN: But we --
22 COMMISSIONER CLARK: -- to --
23 COMMISSIONER ALLAN: -- need --
24 COMMISSIONER CLARK: -- table this, --
25 COMMISSIONER ALLAN: -- time.
26 COMMISSIONER CLARK: -- Bryan?
27 COMMISSIONER ALLAN: These people need time to -- to
28 organize things.
29 ELIZABETH BARELA: (Off microphone) But they still can.
30 CHAIRMAN ANCHO: But they can -- they still can. They just
31 know -- everybody by now knows what's -- what's on the table.
32 So at this point, they know -- but, like I said, my -- my
33 suggestion was to table it until the last meeting in June, but
34 whatever everybody else wants.
35 COMMISSIONER SPARKS: Well, if we're tabling, it really --
36 COMMISSIONER ALLAN: I'm going to --
37 COMMISSIONER SPARKS: -- doesn't --
38 COMMISSIONER ALLAN: -- make a motion.
39 I'm going to make a motion that we allow the citizens to
40 plan a Fourth of July celebration without county involvement --

1 CHAIRMAN ANCHO: Okay. But --
2 COMMISSIONER ALLAN: -- and not -- not interfere in the
3 inno- -- in celebration plans.
4 CHAIRMAN ANCHO: All right. Is there a second?
5 COMMISSIONER WAITS: I kind of hate to see it go that way.
6 I'd rather just say take the opposite effect and say that the
7 county will not be planning any Fourth of July activities.
8 Period.
9 But I'm still in favor of the fireworks if we can do
10 fireworks. So --
11 COMMISSIONER CLARK: (Off microphone) I don't think the
12 fireworks are even an issue. Huh?
13 ELIZABETH BARELA: (Off microphone) This was a -- yeah.
14 SHERIFF RON UNGER: (Off microphone) Yep. That's not --
15 ELIZABETH BARELA: Fireworks --
16 COMMISSIONER ALLAN: But the --
17 SHERIFF RON UNGER: -- on --
18 COMMISSIONER ALLAN: -- plan --
19 SHERIFF RON UNGER: -- this.
20 COMMISSIONER ALLAN: -- the -- the --
21 SHERIFF RON UNGER: We're going to do a --
22 COMMISSIONER ALLAN: -- county --
23 SHERIFF RON UNGER: -- fireworks.
24 COMMISSIONER ALLAN: -- never plan it. It's an ordin- --
25 it's somebody else that steps up and says, Okay, can we have
26 some money for this and this and this?
27 If we just flat-out tell them, you know, we can't give you
28 any money for it, but go for it.
29 CHAIRMAN ANCHO: We ha- -- the commission has been funding
30 this stuff at the park for the last couple of years because of
31 prior issues with doing that. So it -- that's why the county
32 did all the work -- a lot of work the last two years on that.
33 So we have funded it. And the thing is, is this. We don't
34 fund it, that -- and they -- we let the people do as they choose
35 is that what -- yeah. And let people do as they choose. And
36 we -- this year, it's just not going to be funded. And that's
37 aside from the parade and the fireworks celebration.
38 COMMISSIONER ALLAN: And that's -- that's the point is
39 we -- we won't give them any money, but -- but go ahead and do
40 what you want.

1 COMMISSIONER CLARK: Let me try --
2 COMMISSIONER ALLAN: And -- and -- and if they want to get
3 donations from -- from businesses, who knows? Is let them plan
4 something. Let them do something, whether it's family
5 gatherings and -- and who knows what.
6 But just the county can't give them any money at this
7 point, --
8 COMMISSIONER CLARK: If they --
9 COMMISSIONER ALLAN: -- but --
10 COMMISSIONER CLARK: -- don't --
11 COMMISSIONER ALLAN: -- but --
12 COMMISSIONER CLARK: -- gather --
13 COMMISSIONER ALLAN: -- let them go ahead. If -- if they
14 can get money and other sources, good for them. But we stay out
15 of any kind of liability issues in so many respects by that, by
16 violating the governor's orders. Is if the people want to do
17 it, let them.
18 CHAIRMAN ANCHO: All right. One second, Judie.
19 COMMISSIONER ALLAN: The fireworks will go on. If they
20 want a parade, the parade can go on.
21 CHAIRMAN ANCHO: All right. One second. We have some
22 other comments. Hold on, please.
23 (Off microphone) Go ahead. You had something?
24 COMMISSIONER CLARK: Okay. So --
25 COMMISSIONER WAITS: So what -- what are the thoughts on
26 the fireworks?
27 CHAIRMAN ANCHO: That wasn't a --
28 COMMISSIONER ALLAN: The fireworks, --
29 ELIZABETH BARELA: (Off microphone) The fireworks --
30 COMMISSIONER CLARK: That's not --
31 COMMISSIONER ALLAN: -- as far as --
32 COMMISSIONER CLARK: -- even --
33 COMMISSIONER ALLAN: -- I know --
34 ELIZABETH BARELA: -- (off microphone, indiscernible) --
35 COMMISSIONER CLARK: -- an issue.
36 COMMISSIONER ALLAN: -- are --
37 ELIZABETH BARELA: -- (off microphone, indiscernible) --
38 COMMISSIONER ALLAN: -- going on.
39 ELIZABETH BARELA: -- that's with the fireworks.
40 COMMISSIONER ALLAN: I mean, you talk about social

1 distancing, you have maybe seven people out there working.
2 COMMISSIONER CLARK: Yeah.
3 COMMISSIONER ALLAN: And they're wearing their -- their
4 full turnouts and masks and -- of course, I'm the only one that
5 usually doesn't, but --
6 COMMISSIONER WAITS: I mean, that's -- that's county
7 funded. That's why I wondered if it should be part --
8 COMMISSIONER ALLAN: It's --
9 COMMISSIONER WAITS: -- of the --
10 COMMISSIONER ALLAN: -- not --
11 COMMISSIONER WAITS: -- budget.
12 COMMISSIONER ALLAN: -- county --
13 CHAIRMAN ANCHO: That's not county --
14 COMMISSIONER ALLAN: -- funded.
15 CHAIRMAN ANCHO: -- funded.
16 COMMISSIONER CLARK: No, that's volunteer --
17 CHAIRMAN ANCHO: That's --
18 COMMISSIONER CLARK: -- fire --
19 CHAIRMAN ANCHO: -- volunteer fire department.
20 COMMISSIONER WAITS: Oh, okay.
21 COMMISSIONER ALLAN: It's the volunteer --
22 CHAIRMAN ANCHO: So that's --
23 COMMISSIONER ALLAN: -- fire --
24 CHAIRMAN ANCHO: -- not on --
25 COMMISSIONER WAITS: All right.
26 CHAIRMAN ANCHO: -- the --
27 COMMISSIONER WAITS: Then --
28 COMMISSIONER ALLAN: -- department --
29 CHAIRMAN ANCHO: -- agen- --
30 COMMISSIONER WAITS: -- I'll --
31 -- I'll make a motion. But I'm -- I'm going to do it on --
32 on just the --
33 CHAIRMAN ANCHO: One --
34 COMMISSIONER WAITS: -- county --
35 CHAIRMAN ANCHO: -- second, --
36 COMMISSIONER WAITS: -- side.
37 CHAIRMAN ANCHO: -- one second, please. Hang on one sec.
38 ELIZABETH BARELA: (Off microphone) Did -- did Ju- -- Judie
39 make a motion?
40 COMMISSIONER WAITS: Yeah. But it didn't go anywhere.

1 COMMISSIONER ALLAN: I made --
2 SHERIFF RON UNGER: (Off microphone, indiscernible.)
3 COMMISSIONER ALLAN: -- a motion.
4 CHAIRMAN ANCHO: We have --
5 ELIZABETH BARELA: (Off microphone) So then we need to say
6 that motion died.
7 COMMISSIONER CLARK: I've got a --
8 CHAIRMAN ANCHO: (Off microphone) Art --
9 COMMISSIONER CLARK: -- motion.
10 CHAIRMAN ANCHO: Wait a second. We have a -- hang on. So
11 Judie's motion died. Moving forward.
12 COMMISSIONER CLARK: Okay. Let -- let's try this. July
13 4th, Independence Day will be celebrated in accordance with the
14 governor's -- governor's order and participants practicing their
15 constitutional rights with safety protocols.
16 COMMISSIONER ALLAN: I'll second that.
17 CHAIRMAN ANCHO: Are we good on that?
18 COMMISSIONER WAITS: It still doesn't address the -- the
19 fact that -- that the county --
20 ELIZABETH BARELA: Without county assistance.
21 COMMISSIONER WAITS: Yeah. The --
22 COMMISSIONER CLARK: Okay.
23 COMMISSIONER WAITS: -- county -- the county --
24 CHAIRMAN ANCHO: Okay.
25 COMMISSIONER WAITS: We need to say something about --
26 CHAIRMAN ANCHO: It's not --
27 COMMISSIONER WAITS: -- the --
28 CHAIRMAN ANCHO: -- county --
29 COMMISSIONER WAITS: -- county --
30 CHAIRMAN ANCHO: -- funded.
31 COMMISSIONER WAITS: -- will no- -- will not be funding --
32 ELIZABETH BARELA: Without county --
33 COMMISSIONER WAITS: -- something.
34 CHAIRMAN ANCHO: (Off microphone) Okay. So --
35 COMMISSIONER WAITS: Yeah.
36 CHAIRMAN ANCHO: -- yeah.
37 COMMISSIONER CLARK: Without county assistance.
38 CHAIRMAN ANCHO: All right.
39 COMMISSIONER WAITS: Or --
40 CHAIRMAN ANCHO: So --

1 COMMISSIONER WAITS: -- funding?
2 CHAIRMAN ANCHO: Let --
3 COMMISSIONER CLARK: Assistance is funding.
4 CHAIRMAN ANCHO: Funding.
5 COMMISSIONER WAITS: Not necessarily. Assistance can be
6 just our volunteers that come out with all our employees.
7 CHAIRMAN ANCHO: Okay.
8 DISTRICT ATTORNEY HERRERA: Funding.
9 COMMISSIONER ALLAN: No, we -- we may -- we may need the
10 sheriff's office to block the roads for the parade. But --
11 ELIZABETH BARELA: (Off microphone) Ted is saying
12 "funding."
13 CHAIRMAN ANCHO: Fund.
14 DISTRICT ATTORNEY HERRERA: Commissioners, --
15 CHAIRMAN ANCHO: You have to have funding.
16 DISTRICT ATTORNEY HERRERA: -- the volunteer fire
17 department are considered county employees, hybrid county
18 employees. So I think we should use the word "funding" --
19 COMMISSIONER CLARK: Okay.
20 DISTRICT ATTORNEY HERRERA: -- rather than "assistance."
21 COMMISSIONER CLARK: I'll try it again. July 4th,
22 Independence Day, will be celebrated in accordance with the
23 governor's order and participants --
24
25 (Cell phone ringing.)
26
27 COMMISSIONER CLARK: -- practicing their constitutional
28 rights with safety protocols. The -- the county will not have
29 any involvement with assistance --
30 COMMISSIONER ALLAN: No, no, no, no, no. The funding.
31 COMMISSIONER CLARK: With assistance or funding.
32 COMMISSIONER SPARKS: Okay. Let me ask this question --
33 not to delay this, because I want it to be correct -- but our
34 volunteer fire department is a -- is a department of our county,
35 which taxpayers pay for those.
36 ELIZABETH BARELA: That's why Ted's saying for him to use
37 the word "funding," not "assistance" so that the fire department
38 can --
39 COMMISSIONER CLARK: (Off microphone) Right.
40 ELIZABETH BARELA: -- still go forward because there will

1 be assistance.

2 COMMISSIONER SPARKS: Right. Because the fireworks have
3 already been paid for.

4 ELIZABETH BARELA: Yes.

5 CHAIRMAN ANCHO: (Off microphone) So there's --

6 DISTRICT ATTORNEY HERRERA: Yes.

7 COMMISSIONER ALLAN: And then --

8 DISTRICT ATTORNEY HERRERA: Yes.

9 COMMISSIONER ALLAN: -- then other thing about it is, is --
10 is when you have the sheriff's office that blocks off roads for
11 the parade.

12 DISTRICT ATTORNEY HERRERA: Correct. So -- so just use the
13 word "funding" rather than "assistance."

14 ELIZABETH BARELA: (Off microphone) Okay. Just use your
15 word "funding," --

16 COMMISSIONER WAITS: (Off microphone) "Funding."

17 ELIZABETH BARELA: -- no --

18 COMMISSIONER CLARK: (Off microphone) I did.

19 ELIZABETH BARELA: -- "assistance."

20 COMMISSIONER CLARK: No.
21 (On microphone) Okay.

22 COMMISSIONER ALLAN: You got to take out "assistance."

23 COMMISSIONER CLARK: For the fifth time. July 4,
24 Independence Day, will be celebrated in accordance with the
25 governor's order and participants practicing their
26 constitutional rights using safety protocol.
27 The county will not fund this event.

28 CHAIRMAN ANCHO: Oh, perfect.

29 COMMISSIONER ALLAN: Second.

30 CHAIRMAN ANCHO: All --

31 COMMISSIONER CLARK: Okay.

32 CHAIRMAN ANCHO: -- all in favor?

33 COMMISSIONER CLARK: Aye.

34 COMMISSIONER SPARKS: Aye.

35 CHAIRMAN ANCHO: Aye.

36 COMMISSIONER WAITS: Aye.

37 CHAIRMAN ANCHO: All right.

38 COMMISSIONER ALLAN: Aye.

39 CHAIRMAN ANCHO: Very good. Public comment?

40 ELIZABETH BARELA: (Off microphone) Robert?

1 CHAIRMAN ANCHO: Robert?
2 One moment -- second, please.
3 Redo it. Public comment?
4 (No comment.)
5 CHAIRMAN ANCHO: Hearing none, we're going to move on --
6 Oh -- all right. Very --
7 VOICE RECORDING: Muted.
8 CHAIRMAN ANCHO: We're -- we're going to --
9 VOICE RECORDING: Unmuted.
10 CHAIRMAN ANCHO: -- take a -- we're going to take a
11 five-minute break.

12
13 (Break taken.)

14
15 CHAIRMAN ANCHO: -- back to order. And the -- (Off
16 microphone) Welcome back.

17
18 7) **SHERIFF'S OFFICE: For possible action regarding allowing the**
19 **Battle Mountain High School senior graduating class 2020 to**
20 **hang banners, celebrating the senior class, along the roadway**
21 **in the same manner as the county's holiday decorations are**
22 **hung.**

23
24 CHAIRMAN ANCHO: Go to Number 7. Sheriff's Office.
25 For possible action regarding allowing the Battle Mountain
26 High School senior graduating class of 2020 to hang banners,
27 celebrating the senior class, along the roadway in the same
28 manner as the county holiday decorations are hung.

29 UNDERSHERIFF ROBERT QUICK: Robert Quick. This is --

30 COMMISSIONER ALLAN: This is --

31 UNDERSHERIFF ROBERT QUICK: -- our --

32 COMMISSIONER ALLAN: -- Judie. I have a question.

33 CHAIRMAN ANCHO: Can you hold on one second, please?

34 Robert Quick is speaking.

35 COMMISSIONER ALLAN: Oh, sorry, Robert.

36 UNDERSHERIFF ROBERT QUICK: This was actually put on in
37 behalf of the senior class for the high school. And what
38 they're doing to try and help celebrate some of their seniors
39 this year is they're getting banners. And they would like to
40 hang them in the same style and manner that we hang the

1 Christmas decorations.

2 I have spoke to the Public Works director as well as
3 Convention and Tourism. And they're both on board with whatever
4 help that they need for that.

5 COMMISSIONER ALLAN: So my question being: Do we know how
6 many graduates we have this year?

7 UNDERSHERIFF ROBERT QUICK: My understanding is we have 54
8 seniors. I can't tell you the number of graduates though.

9 COMMISSIONER ALLAN: So I -- I think this is a wonderful
10 idea. Would it be possible on these banners to have the
11 pictures of the -- or photos, whatever -- of -- of the
12 graduates? And do we have enough -- basically, the -- the poles
13 or, you know, light poles and stuff to be putting them down
14 Front Street and possibly Broad Street for everyone?

15 UNDERSHERIFF ROBERT QUICK: The banners themselves were
16 ordered by the senior class. So I'm not sure what they've
17 ordered.

18 And the hardware for it, between the county's hardware,
19 based on the Public Works director and the conversation I had
20 with Paula Tomera yesterday from Convention and Tourism, we'll
21 have plenty of the hangers.

22 And actually the Convention and Tourism are -- sound like
23 they're better hangers anyway.

24 But I'm not sure what they're putting on the banners
25 themselves.

26 COMMISSIONER SPARKS: I'll make a --

27 COMMISSIONER ALLAN: I'll make a motion that we approve the
28 senior class hanging banners.

29 COMMISSIONER SPARKS: I'll second.

30 CHAIRMAN ANCHO: All in favor?

31 COMMISSIONER SPARKS: Aye.

32 CHAIRMAN ANCHO: Aye.

33 COMMISSIONER WAITS: Aye.

34 COMMISSIONER CLARK: Aye.

35 COMMISSIONER ALLAN: Aye.

36 COMMISSIONER CLARK: What else can we do to help these
37 seniors?

38 CHAIRMAN ANCHO: I'm going to real quick, we're going to do
39 a public comment. And then we'll --

40 Okay. Opening it up for public comment.

1 All right. (Off microphone) Go ahead.
2 VOICE RECORDING: Muted. Unmuted.
3 COMMISSIONER CLARK: What else can we do for these seniors?
4 COMMISSIONER WAITS: You could put it on another agenda if
5 you want to. But that isn't what's on the --
6 COMMISSIONER CLARK: Yeah. Let's --
7 COMMISSIONER WAITS: -- agenda --
8 COMMISSIONER CLARK: -- let's get another agenda item and
9 talk about that. Because the -- senior year -- you know, being
10 at the high school as long as I was, senior year is really
11 important but especially the last week of school. Because
12 there's an activity every day. And they're really losing out on
13 this.
14 I'd -- I'd like to come up with something that we could do.
15 CHAIRMAN ANCHO: (Off microphone) Okay.
16 COMMISSIONER CLARK: So --
17 CHAIRMAN ANCHO: We'll put it on the --
18 ELIZABETH BARELA: Art, --
19 COMMISSIONER CLARK: Yeah.
20 ELIZABETH BARELA: -- I do believe that they are getting
21 some sort of a graduation ceremony. They're in the works with
22 the school right now, trying to prepare that.
23 COMMISSIONER CLARK: (Off microphone) Okay.
24 ELIZABETH BARELA: Yeah.
25 COMMISSIONER CLARK: (Off microphone, indiscernible.)
26 CHAIRMAN ANCHO: All right. We're going to go ahead and
27 recess the Board of Lander County commissioners and convene the
28 meeting of the Lander County Liquor Board composed of the Lander
29 County Board of Commission and the Lander County Sheriff.

30
31 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
32 **RECESSED.)**

33
34 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD CONVENED.)**
35
36
37
38
39
40

1 8) **SHERIFF'S OFFICE: For possible action to approve, disapprove**
2 **the Lander County Liquor License for Michelle Rowan, Michael**
3 **Sondermann, and Kelli Sondermann with Overtime Sports Bar and**
4 **Grill, LLC., dba Mountain View Clubhouse.**
5

6 CHAIRMAN ANCHO: So for Number 8, Sheriff's Office.

7 For possible action to approve or disapprove the Lander
8 County license for Michelle Rowan -- Mich- -- Michelle
9 [verbatim] Sondermann and Kelli Sondermann with Overtime Sports
10 Bar and Grill, LLC., dba Mountain View Golf Club -- Golf --
11 excuse me -- golf hou- -- clubhouse. Goodness.

12 SHERIFF RON UNGER: (Off microphone) Very good. I think
13 this is --

14 (On microphone) Ron Unger, for the record.

15 This is a bring-back from last commission meeting because
16 of the paperwork. We've had them fill out all the paperwork.
17 We've done all the background and the research. And we're ready
18 to go on this.

19 COMMISSIONER WAITS: I'll make the motion that we approve
20 the Lander County liquor license for Michelle Rowand, Michael
21 Sondermann, and Keith [verbatim] Sondermann with --

22 CHAIRMAN ANCHO: Kelli.

23 COMMISSIONER WAITS: -- Overtime --

24 COMMISSIONER ALLAN: Kelli.

25 CHAIRMAN ANCHO: Kelli. It's Kelli Sondermann.

26 COMMISSIONER WAITS: Thank you. With Overtime Sports Bar
27 and Grill, LLC., dba for the Mountain View Clubhouse for
28 on-and-off site and authorize the chair to sign.

29 COMMISSIONER CLARK: Second.

30 CHAIRMAN ANCHO: All in --

31 COMMISSIONER ALLAN: Second.

32 CHAIRMAN ANCHO: -- favor.

33 COMMISSIONER SPARKS: (Off microphone) Aye.

34 CHAIRMAN ANCHO: Aye.

35 COMMISSIONER CLARK: Aye.

36 COMMISSIONER WAITS: Aye.

37 COMMISSIONER ALLAN: Aye.

38 CHAIRMAN ANCHO: So are we ready for public --

39 COMMISSIONER ALLAN: Okay.

40 CHAIRMAN ANCHO: One second, --

1 COMMISSIONER ALLAN: I -- I --
2 CHAIRMAN ANCHO: -- please.
3 COMMISSIONER ALLAN: -- have a comment.
4 CHAIRMAN ANCHO: One second, please. Are we ready?
5 All right. We're going to go ahead and go into public
6 comment.
7 Go ahead, Judie.
8 COMMISSIONER ALLAN: Yeah. I should have waited.
9 Brain fart here. Did we vote on the last agenda item? Did
10 I say aye and forget?
11 CHAIRMAN ANCHO: On the Fourth of July?
12 ELIZABETH BARELA: (Off microphone) No, the senior --
13 COMMISSIONER ALLAN: No.
14 CHAIRMAN ANCHO: Oh, on the senior -- oh, did she -- did
15 you get -- did you get her?
16 UNIDENTIFIED PARTICIPANT: Pardon me?
17 CHAIRMAN ANCHO: Did you get Judie voting?
18 UNIDENTIFIED PARTICIPANT: I just put ayes. We don't go --
19 I just put --
20 CHAIRMAN ANCHO: You didn't h- -- couldn't tell if --
21 UNIDENTIFIED PARTICIPANT: Have to re- -- have to relisten
22 anyway.
23 COMMISSIONER ALLAN: You said it was voted on.
24 CHAIRMAN ANCHO: All right. Do we -- would you like me --
25 do -- what do you want to do? Redo that one?
26 ELIZABETH BARELA: Well, we'll have to go back to it.
27 Because you've already --
28 CHAIRMAN ANCHO: After -- yeah. I know. Because we're in
29 this meeting. But that -- my question is -- do we -- let's
30 finish -- let's finish this one. And then we'll open it back up
31 and discuss that one, please.
32 SHERIFF RON UNGER: (Off microphone) You've got to back
33 into the general --
34 CHAIRMAN ANCHO: I know that's what I'm saying. Let us
35 finish this action. So --
36 ELIZABETH BARELA: (Off microphone) So you are open to
37 public comment right now? Kelli is on there. But Kelli is a
38 control of her own. So if she has something she wants to say,
39 she has to unmute herself.
40 CHAIRMAN ANCHO: Okay.

1 ELIZABETH BARELA: (Off microphone) I don't know if she can
2 hear me.

3 CHAIRMAN ANCHO: So, Kelli, if you have something to say,
4 you have to unmute yourself.

5 All right. Nothing --

6 Oh.

7 KELLI SONDERMANN: Thank you.

8 CHAIRMAN ANCHO: I -- we can hear you.

9 KELLI SONDERMANN: Thank you.

10 CHAIRMAN ANCHO: Okay.

11 All right. We're -- now, with -- if there's no more public
12 comment. So --

13 VOICE RECORDING: Muted.

14 CHAIRMAN ANCHO: All right.

15 VOICE RECORDING: Unmuted.

16 CHAIRMAN ANCHO: So we're adjourning the meeting of the
17 Lander County Board -- Lander -- Lander County --

18 SHERIFF RON UNGER: Liquor board.

19 CHAIRMAN ANCHO: -- Liquor Board and reconvening the
20 meeting of the Lander County Board of Commissioners.

21

22 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD ADJOURNED.)**

23

24 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
25 **RECONVENED.)**

26

27 CHAIRMAN ANCHO: So we were going back to the --

28 Which one was that?

29 ELIZABETH BARELA: Number 7.

30 CHAIRMAN ANCHO: Number 7?

31 COMMISSIONER ALLAN: It's seven.

32

33 7) **SHERIFF'S OFFICE: For possible action regarding allowing the**
34 **Battle Mountain High School senior graduating class 2020 to**
35 **hang banners celebrating the senior class along the roadway**
36 **in the same manner as the county's holiday decorations are**
37 **hung.**

38

39 CHAIRMAN ANCHO: Number 7.

40 So -- who --

1 COMMISSIONER WAITS: You're calling for another vote?
2 CHAIRMAN ANCHO: All right. Are -- well, what we can do --
3 can't we just find out who the first and second and then all in
4 favor? Or do we have to -- do you want --
5 COMMISSIONER CLARK: (Off microphone) Yeah.
6 CHAIRMAN ANCHO: So let's who was the first and who was the
7 second?
8 COMMISSIONER CLARK: (Off microphone) Me.
9 CHAIRMAN ANCHO: Okay. You f- --
10 Art first.
11 COMMISSIONER CLARK: I made the motion.
12 CHAIRMAN ANCHO: Who was the second?
13 COMMISSIONER SPARKS: Judie.
14 CHAIRMAN ANCHO: Judie, --
15 COMMISSIONER CLARK: Bryan.
16 CHAIRMAN ANCHO: -- were you -- were the second? So --
17 COMMISSIONER ALLAN: I --
18 CHAIRMAN ANCHO: -- all --
19 COMMISSIONER ALLAN: -- think I may have seconded.
20 CHAIRMAN ANCHO: All right. So then all in favor?
21 COMMISSIONER CLARK: Aye.
22 CHAIRMAN ANCHO: Aye.
23 COMMISSIONER SPARKS: Aye.
24 COMMISSIONER CLARK: Aye.
25 COMMISSIONER ALLAN: Aye.
26 CHAIRMAN ANCHO: None --
27 COMMISSIONER WAITS: Aye.
28 CHAIRMAN ANCHO: -- opposed?
29 All right. Moving on.
30 COMMISSIONER ALLAN: I'm sorry, Kathy. I just don't
31 remember if we --
32 CHAIRMAN ANCHO: You're --
33 COMMISSIONER ALLAN: -- voted.
34 CHAIRMAN ANCHO: -- all right.
35 COMMISSIONER ALLAN: So --
36 CHAIRMAN ANCHO: No, it's fine. It's fine. Not a problem.
37 We'll -- better to be safe than sorry.
38
39
40

1 9) COMMISSIONERS: For possible action to approve/disapprove the
2 FY 2020-2021 contract between the Board of Trustees of the
3 Elko County Library and the Lander County Board of
4 Commissioners for library services, and authorize the chair
5 to sign.
6

7 CHAIRMAN ANCHO: So we're going on to Number 9.

8 For possible action to approve or disapprove the FY
9 2020-2021 contract within the Board of Trustees of Elko County
10 Library and Lander County Board of Commissioners of --
11 Commissioners for library services and authorize the chair to
12 sign.

13 So --

14 COMMISSIONER SPARKS: Okay. I have to add a person here.
15 How -- so I do it in my normal way? Or how do I add? Just push
16 add and dial the number?

17 ELIZABETH BARELA: (Off microphone) Do you want me to add
18 them to the bridge?

19 COMMISSIONER SPARKS: Yes. That would -- please. Thank
20 you.

21 I do something wrong and I drop them all.

22 CHAIRMAN ANCHO: Yeah.

23 That's --
24

25 (Contacting the representatives of the Elko County
26 Library.)
27

28 MELISSA SPENCE: Hello.

29 ELIZABETH BARELA: (Off microphone) Hi, Melissa. This is
30 Liz with the county commissioner meeting. I'm going to transfer
31 you to the bridge line. Okay?

32 MELISSA SPENCE: Okay.

33 Sorry.

34 CHAIRMAN ANCHO: Is she on --

35 ELIZABETH BARELA: (Off microphone) Okay.

36 CHAIRMAN ANCHO: -- there, Bryan?

37 ELIZABETH BARELA: (Off microphone) She should be there.

38 COMMISSIONER SPARKS: Uh-huh.

39 CHAIRMAN ANCHO: All right. Very good.

40 So all right. We're going to go ahead and move forward.

1 So discussion?
2 Do we have some discussion?
3 COMMISSIONER SPARKS: Yeah. I wanted to know what the
4 other post-employment benefits for \$12,000 was.
5 COMMISSIONER CLARK: (Off microphone) Yeah. Me too.
6 CHAIRMAN ANCHO: Yeah.
7 ELIZABETH BARELA: Did you read this in?
8 UNIDENTIFIED PARTICIPANT: (Off microphone, indiscernible.)
9 CHAIRMAN ANCHO: Oh.
10 Huh?
11 COMMISSIONER SPARKS: Item 9.
12 CHAIRMAN ANCHO: So which part am I reading in?
13 ELIZABETH BARELA: (Off microphone) No, the item --
14 COMMISSIONER SPARKS: The agenda item.
15 CHAIRMAN ANCHO: No. I know I'm 9. But am I reading this,
16 the co- --
17 COMMISSIONER SPARKS: No, just --
18 ELIZABETH BARELA: No, did you --
19 COMMISSIONER SPARKS: -- the -- just the --
20 ELIZABETH BARELA: -- read --
21 COMMISSIONER SPARKS: -- agenda item.
22 ELIZABETH BARELA: -- the item in? That's all right.
23 CHAIRMAN ANCHO: Yeah. I did.
24 COMMISSIONER SPARKS: Oh.
25 UNIDENTIFIED PARTICIPANT: I don't think --
26 COMMISSIONER ALLAN: Bryan, before you ask a question, one
27 other question, reading through here, did we -- because this was
28 on the agenda last time for -- was it the -- the internet?
29 Because there was --
30 COMMISSIONER SPARKS: So --
31 COMMISSIONER ALLAN: -- an item on last agenda.
32 KEITH WESTENGARD: So what we're going to do with that is
33 when we get into discussion on the contract, we will bring up
34 the e-rate. Kyla is in here to present numbers to you. And
35 then we can put it in the budget workshop meeting next Tues- --
36 or it is in the budget workshop meeting for next weekend -- or
37 next week.
38 But you guys can discuss it and approve it here. And then
39 we can incorporate it into the final --
40 ELIZABETH BARELA: Budget.

1 KEITH WESTENGARD: -- budget.
2 So it will be added. It'll be discussed. If you want to
3 go with the e-rate, it will be part of this contract in addition
4 to the fifty -- to the total amount that -- that \$104,091.
5 So when we -- when -- after the discussion of the contract,
6 Kyla will come up and discuss e-rate. And she'll give you the
7 numbers that we have to see -- to add it to this contracted
8 amount. That's why there's no --
9 ELIZABETH BARELA: Figure.
10 KEITH WESTENGARD: -- figure in Item 9 is because we need
11 to add -- discuss adding that e-rate.
12 CHAIRMAN ANCHO: (Off microphone) All right. So go ahead.
13 COMMISSIONER SPARKS: So, yeah, my -- my question was the
14 same as the first time was the \$12,000, other post-employment
15 benefits. What was -- what -- what are they? What are we
16 paying for there?
17 ELIZABETH BARELA: (Off microphone) That's for Melissa.
18 CHAIRMAN ANCHO: We had the questions.
19 COMMISSIONER SPARKS: Melissa, are you there?
20 MELISSA SPENCE: Yes. Kassie Antonucci and Melissa Spence
21 are both here.
22 So the \$12,000, that benefit is actually for insurance for
23 retired employees.
24 She retired back when the county's policy was you could
25 retire with full benefits. And we're still paying on that.
26 CHAIRMAN ANCHO: So was that back when, like, Jane Ripley
27 and all those guys had to retire because --
28 Robert, you'd know about -- more about that. Remember when
29 they said, by this date people have to retire?
30 Were -- it -- was the county still re- -- paying that? Or
31 was that part of the state? I didn't realize the county was
32 paying for those employees.
33 COMMISSIONER CLARK: (Off microphone) No, that's not --
34 UNDERSHERIFF ROBERT QUICK: Robert Quick.
35 I can't tell you fiscally what -- who's responsible for
36 paying that. But, yeah, that's back in the Jane Ripley days,
37 Sandra Carson days. When you retired, you had full medical
38 benefits for life.
39 And my understanding was we do have something in the budget
40 for long-term retirement benefits. But I don't know if that's

1 what they're talking about.

2 COMMISSIONER ALLAN: Were these full-time repo- -- re- --
3 employees?

4 MELISSA SPENCE: At the time, yes, they were full-time,
5 receiving benefits.

6 ELIZABETH BARELA: (To Keith) For Lander County? Or --

7 COMMISSIONER ALLAN: And had we been paying into PERS on
8 these?

9 ELIZABETH BARELA: They are --

10 MELISSA SPENCE: I don't have that information. That's
11 before my time.

12 And this is -- this is just for one employee. The 12,000
13 is for the Elko County's Insurance Policy.

14 COMMISSIONER SPARKS: Melissa, were they -- were they
15 Lander County employees or Elko County employees?

16 MELISSA SPENCE: So the way it works is it's a Lander
17 County librarian. But through the contract, they're considered
18 an Elko County employee.

19 COMMISSIONER CLARK: (Off microphone) I'd -- I'd like some
20 research into this.

21 MELISSA SPENCE: So they're -- they're under Lander County
22 as staff, but they fall under Elko County policies.

23 KEITH WESTENGARD: So they worked in the Lander County --

24 CHAIRMAN ANCHO: Yes.

25 KEITH WESTENGARD: -- Library.

26 ELIZABETH BARELA: Yes.

27 KEITH WESTENGARD: But because of the contract, they
28 were -- they were paid from Elko County? Is that -- that's
29 correct -- right, Melissa?

30 Melissa?

31 MELISSA SPENCE: Yes.

32 CHAIRMAN ANCHO: So, Melissa, this is Kathy Ancho.

33 Well, I -- under the im- -- because the state was the one
34 who mandated that retirement at that age to get that benefit.

35 I did not remember that we -- the county was paying a
36 portion of that. Because the co- -- the -- the -- the coun- --
37 the state mandated it. And then the benefits, as I was told
38 from a retiree's -- had been cut down significantly since then.

39 But I didn't realize -- I'd never heard or seen that Lander
40 County was paying a portion of that since it was mandated from

1 the state for that specific date for retirement.

2 COMMISSIONER CLARK: Yeah. This is a little confusing for
3 me. When I retired, I retired because at that time, I could get
4 a \$400 stipend from the state on my insurance.

5 And I -- I agree with Commissioner Ancho that this is --
6 should be state funded, not county funded.

7 I don't know any county employee that's ever had their
8 insurance paid for by an employee after they've retired. It
9 just doesn't seem right.

10 And I'd -- I'd ask for some research into this before we
11 make a decision.

12 COMMISSIONER SPARKS: I got one other thing if we're going
13 to be researching. Why don't we research to see what it'd take
14 to run our own library --

15 COMMISSIONER CLARK: (Off microphone) Amen.

16 COMMISSIONER SPARKS: -- and get out of the contract.

17 KEITH WESTENGARD: I can do that if that's -- that's the
18 direction.

19 CHAIRMAN ANCHO: (Off microphone) So it's -- where do we
20 go?

21 COMMISSIONER ALLAN: So let's --

22 UNIDENTIFIED PARTICIPANT: (Off microphone) You can table
23 it.

24 CHAIRMAN ANCHO: Okay.

25 COMMISSIONER ALLAN: Let's table this and -- and let Keith
26 do some research and -- and bring it back.

27 CHAIRMAN ANCHO: All right.

28 KEITH WESTENGARD: The -- the one thing -- Commissioner --
29 excuse me real quick -- the one thing we do need to discuss is
30 the e-rate. That is a time-sensitive issue and so we do need to
31 talk about e-rate and how -- and the funding, the different
32 funding amounts.

33 COMMISSIONER SPARKS: This is a broadband service --

34 KEITH WESTENGARD: This is --

35 COMMISSIONER SPARKS: -- we're --

36 KEITH WESTENGARD: -- the broadband --

37 COMMISSIONER SPARKS: -- discussing?

38 KEITH WESTENGARD: -- service. It has to go through our
39 library system. So we have to talk about that.

40 CHAIRMAN ANCHO: All right.

1 KEITH WESTENGARD: Or -- or that -- there has to be an
2 approval or -- or disapproval on that.
3 But we've already done a lot of the work -- groundwork, the
4 RFPs and so forth.
5 CHAIRMAN ANCHO: All right.
6 KEITH WESTENGARD: So --
7 COMMISSIONER CLARK: (Off microphone) Can we do this --
8 COMMISSIONER ALLAN: So when you're talking e-rate, is
9 that -- would that be under the network acc- -- access
10 integrated library system? Or is it something different?
11 KEITH WESTENGARD: Yes, that --
12 CHAIRMAN ANCHO: I have a question.
13 KEITH WESTENGARD: That's what it's under, Judie? Yes.
14 CHAIRMAN ANCHO: So within the way this is written, are
15 we -- is that included in here? Because it's not --
16 KEITH WESTENGARD: (Off microphone) No, it's not.
17 CHAIRMAN ANCHO: So -- so then --
18 KEITH WESTENGARD: (On microphone) No.
19 CHAIRMAN ANCHO: -- what? Do we have to reagentize it? Or
20 what do we have to do? Because it -- even though it's
21 time-sensitive, which I understand, it's not part of it -- isn't
22 mentioned.
23 KEITH WESTENGARD: Well, so -- so that's why there's no
24 dollar amount on the -- on the actual Number 9 item is so that
25 you can discuss the contract. But we can also discuss the
26 e-rate.
27 Because there's different numbers, different amounts. So
28 you can table the contract, but you can talk about e-rate. And
29 we can include that e-rate amount that the commission decides we
30 want to do.
31 CHAIRMAN ANCHO: Except --
32 ELIZABETH BARELA: Because the e-rate is for the library.
33 KEITH WESTENGARD: Because the e-rate is for the library.
34 It's only for the library.
35 CHAIRMAN ANCHO: Well, and I understand that, but the way
36 this is written is for the --
37 COMMISSIONER CLARK: (Off microphone) Contract.
38 CHAIRMAN ANCHO: -- contract.
39 COMMISSIONER CLARK: (Off microphone) Not for the --
40 ELIZABETH BARELA: Which the e-rate would have to go in the

1 contract.

2 COMMISSIONER WAITS: This is part --

3 KEITH WESTENGARD: Because --

4 COMMISSIONER WAITS: -- of the contract.

5 KEITH WESTENGARD: -- it's library services.

6 COMMISSIONER WAITS: Yeah.

7 CHAIRMAN ANCHO: Okay.

8 KEITH WESTENGARD: It falls under library --

9 CHAIRMAN ANCHO: Okay.

10 KEITH WESTENGARD: -- services.

11 CHAIRMAN ANCHO: Okay. All right.

12 KEITH WESTENGARD: And -- and -- and we got a --

13 CHAIRMAN ANCHO: Okay.

14 KEITH WESTENGARD: -- pretty lengthy discussion about it.

15 CHAIRMAN ANCHO: Okay. Very good.

16 KEITH WESTENGARD: Okay.

17 CHAIRMAN ANCHO: All right.

18 COMMISSIONER ALLAN: So with that, then, it -- with that,

19 it's saying the network access integrated library system with a

20 total of \$5,005. Is that what we're talking about?

21 CHAIRMAN ANCHO: No. We're going to let Kyla explain the

22 pricing for us.

23 KYLA SHARP: Judie, I don't -- I'm not sure where in the

24 contract it is. But, no, it's not \$5,005.

25 I came to you guys a couple -- the last commission just to

26 let you know that there'd be additional monies to be added into

27 the budget.

28 There was Sky Fiber. I originally told you it was a --

29 it's about 121,000. I have since then found out that -- through

30 discussions with -- with these ladies that are on the phone that

31 that will actually be discounted up front. So it brings it down

32 to \$17,132.80 with Sky Fiber. Sky Fiber --

33 And then the Westnet was 8,300.

34 You guys seem to be leaning towards Sky Fiber because --

35 COMMISSIONER SPARKS: (Off microphone) There was --

36 KYLA SHARP: -- they were --

37 COMMISSIONER SPARKS: -- (indiscernible) --

38 KYLA SHARP: -- a more reputable company.

39 Uh-huh.

40 So that's pretty much all I needed to say is give you those

1 numbers, the breakdown.
2 So if anybody on the library side has anything to say about
3 it...
4 CHAIRMAN ANCHO: Do we --
5 COMMISSIONER ALLAN: Kyla?
6 I'm sorry, Kathy.
7 CHAIRMAN ANCHO: Go ahead.
8 COMMISSIONER ALLAN: Okay. I'm sorry. I'm still stuck on
9 this network access.
10 Don't we have internet already at the library?
11 KYLA SHARP: You do. This is not just internet though. I
12 mean, this is a fiber connection. This is going to give them a
13 hundred -- hundred megs of service there.
14 So you'll be doing a lot more than just searching the
15 internet. You'll be able to do video calls, conferences, things
16 of that sort, online learning, much more than what we have now.
17 It's -- it's a -- it's an actual broadband connection.
18 CHAIRMAN ANCHO: And not only that, we discussed months ago
19 in the past doing this project.
20 COMMISSIONER CLARK: (Off microphone) Right.
21 KYLA SHARP: Uh-huh.
22 CHAIRMAN ANCHO: So this project and all of its -- all the
23 mannerisms that go with it has already been approved. Now we're
24 at the very end of the stage of it, deciding which -- which
25 company we want to go with.
26 COMMISSIONER SPARKS: (Off microphone) Also on -- on --
27 COMMISSIONER ALLAN: So I -- I supported. I'm just kind of
28 curious from the employees at the library: Is do we have enough
29 equipment for people to use that? And how much use do they
30 actually think that they would get?
31 CHAIRMAN ANCHO: The project is part of the equipment that
32 goes with that at the -- and -- within the contract as well,
33 Judie.
34 KYLA SHARP: Not only that, Judie, but it also gives us a
35 couple broadband hotspots here in the community that we can then
36 extend out to our businesses and local residents.
37 KEITH WESTENGARD: The hub --
38 KYLA SHARP: This is --
39 KEITH WESTENGARD: -- has --
40 KYLA SHARP: -- this is the same thing we've discussed over

1 the last six months.
2 KEITH WESTENGARD: But the hub has to be at the library.
3 COMMISSIONER SPARKS: (Off microphone) Right.
4 KEITH WESTENGARD: And this is --
5 KYLA SHARP: Yes.
6 KEITH WESTENGARD: -- north and south.
7 CHAIRMAN ANCHO: Uh-huh.
8 KEITH WESTENGARD: This is Elko and --
9 CHAIRMAN ANCHO: Yes.
10 KEITH WESTENGARD: -- Austin as --
11 CHAIRMAN ANCHO: Yes.
12 KYLA SHARP: This is --
13 KEITH WESTENGARD: -- as well.
14 KYLA SHARP: -- because of the e-rate discount. It has to
15 be at a school or at a library or hospital. This is what it's
16 specifically for.
17 COMMISSIONER CLARK: We can't have it here in the county
18 building?
19 COMMISSIONER SPARKS: No.
20 KYLA SHARP: Not for the e-rate discount, no. And the
21 state match.
22 COMMISSIONER SPARKS: Oh, --
23 KYLA SHARP: And --
24 COMMISSIONER SPARKS: -- in terms --
25 KYLA SHARP: -- the FCC --
26 COMMISSIONER SPARKS: -- of the contract, Commissioner
27 Clark pointed out, Item 3, it says that Lander herewith agrees
28 to pay open kind of sum of \$104,091 in quarterly installments?
29 Is that correct?
30 KEITH WESTENGARD: Yes. That is correct that --
31 COMMISSIONER SPARKS: So \$400,000 is what that contract
32 costs --
33 KEITH WESTENGARD: Oh.
34 COMMISSIONER SPARKS: -- us?
35 KEITH WESTENGARD: No, it's -- it's the 104,091 divided by
36 four.
37 COMMISSIONER SPARKS: In the sum of a hundred --
38 COMMISSIONER CLARK: (Off microphone) That's not what --
39 COMMISSIONER SPARKS: -- and quarter --
40 COMMISSIONER CLARK: -- it --

1 COMMISSIONER SPARKS: That's not --
2 COMMISSIONER CLARK: -- says.
3 COMMISSIONER SPARKS: -- what it says.
4 COMMISSIONER CLARK: No.
5 MELISSA SPENCE: Yeah. I think that needs to be changed --
6 COMMISSIONER CLARK: And that language --
7 MELISSA SPENCE: -- to what the quarterly amount would
8 actually --
9 KEITH WESTENGARD: I didn't --
10 MELISSA SPENCE: -- be.
11 KEITH WESTENGARD: -- write it. I didn't write it.
12 COMMISSIONER CLARK: You have to -- have to get that
13 language corrected. That's --
14 COMMISSIONER SPARKS: It'd be \$104,091 total paid --
15 COMMISSIONER WAITS: To be paid in quarterly --
16 CHAIRMAN ANCHO: (Off microphone) Being paid --
17 COMMISSIONER WAITS: -- installments.
18 COMMISSIONER SPARKS: Installments. Yeah. Or something
19 like that.
20 But, anyway, I'm still -- I still would like to see what it
21 would cost or the idea of us running our own, you know, --
22 COMMISSIONER CLARK: I'll second --
23 COMMISSIONER SPARKS: -- library.
24 COMMISSIONER CLARK: -- that idea.
25 COMMISSIONER SPARKS: And then I -- I do like the idea of
26 Sky Fiber since they are -- they're the reputable, you know --
27 it's a little bit more --
28 COMMISSIONER ALLAN: I like the idea of Sky Fiber.
29 My question being is for the county to pro- -- to provide
30 internet, you know, whatever the radius is for -- for personal
31 use. Is, I mean, I -- I don't want to have the county pay for
32 the internet and, you know, somebody a couple of blocks away can
33 log in and save -- save that -- that broadband fee that they'd
34 be paying some outside business.
35 I mean, if it was strictly used for county purposes, and, I
36 mean, if they can tie into the broadband to get their own
37 account --
38 KYLA SHARP: They -- Judie, that -- that --
39 Robert? Do you have a --
40 CHAIRMAN ANCHO: Hold on one second. We're going to

1 have --
2 KYLA SHARP: Can you --
3 CHAIRMAN ANCHO: -- have Robert --
4 KYLA SHARP: You're a little --
5 CHAIRMAN ANCHO: -- do some explanation.
6 KYLA SHARP: -- better at explaining the -- the broadband
7 and how it works.
8 Do you mind letting Judie know? She was just asking that
9 if we, as a county, paid to get that to the library that other
10 people could use it. But that's not the point of it. They
11 would have to get their own account.
12 So I -- could you say that in better words than I could?
13 UNDERSHERIFF ROBERT QUICK: Well, Robert Quick.
14 So that's -- that's the gist of it. It -- it should have
15 some sort of a security on it for the hotspots that's controlled
16 by the county and or library system.
17 So it's just not going to be an open network. Typ- --
18 similar to what the county -- this county building has, they
19 have an open public Wi-fi that anybody can just walk up and
20 connect to. So that could be used for that. But that's the
21 determination by, I would assume, the board who's controlling
22 that, whether they're going to allow that at some portion of it
23 like they do the counties.
24 COMMISSIONER SPARKS: Let -- let me ask this question. So
25 if we have that service, can our local internet providers use
26 that?
27 Can they bounce off that, then, to sell service to other
28 residents that --
29 KYLA SHARP: That --
30 COMMISSIONER SPARKS: -- would help speeds or not?
31 KYLA SHARP: That would actually be what we're going to
32 bring back in the future as far as if we want to move forward.
33 But that's --
34 COMMISSIONER SPARKS: Heck, yeah, man. That's where
35 we're --
36 COMMISSIONER ALLAN: So here's an example. Is if the
37 county uses PC Computing and they've got towers and whatnot on
38 top of the county building, as -- I have PC Computing. It's --
39 it's aimed at the county building, but I pay my own service.
40 And that's basically the principle of this?

1 KYLA SHARP: Yes. Yes. Judie, yes. Nobody's going to be
2 able to use it for free. They're going to have to get their --
3 COMMISSIONER ALLAN: That's --
4 KYLA SHARP: -- own. This -- they'll have to make their
5 own contract with the service provider of the broadband.
6 COMMISSIONER ALLAN: Okay. Thank you.
7 CHAIRMAN ANCHO: (Off microphone) Art, go ahead.
8 KEITH WESTENGARD: For Commissioner Allen, I -- correct me
9 if I'm wrong when you're asking about the \$5,005. You're asking
10 if -- if we go with Sky Fiber or Westnet or whatever that you
11 guys decide to go for -- the board decides to go for, are we
12 still going to pay that \$5,005 as part of our internet services?
13 Is that correct?
14 COMMISSIONER ALLAN: Well, actually, if you break it up
15 it's a nice -- it's a -- it's a good point.
16 But I've kind of forgotten about that Skynet \$17,000. So
17 that's what I was thinking was this was the internet access.
18 But good point. Is if we do go with the Sky Fiber, do we
19 eliminate that \$5,005?
20 KEITH WESTENGARD: And -- and that would be a -- a Melissa
21 question if you're still there, Melissa.
22 KASSIE ANTONUCCI: Commissioners, this is Kassie Antonucci,
23 for the record.
24 That 5,005 is -- it covers more than just internet. That
25 actually is Lander County's portion of our cost for our
26 integrated library system, which is our software that we use to
27 catalog items and enter patrons.
28 So that -- that would actually still remain.
29 COMMISSIONER ALLAN: Well, I -- unless anybody has any
30 other questions, I think the consensus is that we'd like to go
31 with the Sky Fiber, but I also think we'd maybe like to
32 investigate separating the Lander County Library System from --
33 from Elko. Is that correct?
34 Further discussion for that?
35 COMMISSIONER SPARKS: (Off microphone) I can't understand
36 her.
37 CHAIRMAN ANCHO: (Off microphone) Oh.
38 KEITH WESTENGARD: She -- she's asking -- Com- --
39 Commissioner Allan is -- is -- is asking if the commission is
40 interested in the Sky Fiber. And if so, that -- to proceed with

1 that or vote on it as well as is the commission interested in
2 seeking running our own library?
3 COMMISSIONER SPARKS: Yeah. On both counts.
4 KEITH WESTENGARD: Correct, Commissioner Allen?
5 COMMISSIONER ALLAN: Yes. Thank you.
6 CHAIRMAN ANCHO: (Off microphone) So as far as the motion,
7 are we just voting on the Sky Fiber at this time?
8 All right. So can I ask what (indiscernible)?
9 COMMISSIONER WAITS: And then it would be part of the
10 contract so that we can put it in for our budget. That's the
11 key, what we need to do now.
12 CHAIRMAN ANCHO: (Off microphone) Okay. So are you --
13 ELIZABETH BARELA: (Off microphone) So are we going to put
14 it in the budget anyways, --
15 CHAIRMAN ANCHO: (Off microphone) Who does?
16 ELIZABETH BARELA: -- right?
17 KEITH WESTENGARD: Yes.
18 COMMISSIONER CLARK: But just for the fiber, not the
19 contract.
20 CHAIRMAN ANCHO: (Off microphone) Yeah, we're just --
21 COMMISSIONER SPARKS: Yeah, because --
22 CHAIRMAN ANCHO: Right?
23 COMMISSIONER SPARKS: -- we're just -- we're just -- we're
24 -- there's a chance --
25 COMMISSIONER WAITS: Yeah. Because --
26 COMMISSIONER SPARKS: -- we might --
27 COMMISSIONER WAITS: -- we're holding up on the whole --
28 CHAIRMAN ANCHO: Yeah.
29 COMMISSIONER WAITS: -- contract.
30 CHAIRMAN ANCHO: Yes. All right.
31 COMMISSIONER SPARKS: Right.
32 COMMISSIONER WAITS: But we're -- but the motion should
33 include -- should be that we include the -- the e-rate for
34 whatever --
35 CHAIRMAN ANCHO: So are you --
36 COMMISSIONER WAITS: -- to be part --
37 CHAIRMAN ANCHO: -- going --
38 COMMISSIONER WAITS: -- of this --
39 CHAIRMAN ANCHO: -- to make the motion?
40 COMMISSIONER WAITS: -- contract.

1 CHAIRMAN ANCHO: Are -- do -- would you like --
2 COMMISSIONER CLARK: (Off microphone) Make --
3 CHAIRMAN ANCHO: -- to make that --
4 COMMISSIONER CLARK: -- the motion.
5 CHAIRMAN ANCHO: -- motion?
6 COMMISSIONER WAITS: Okay.
7 I'll make a motion that we in- -- include the e-rate on the
8 Elko Library contract.
9 KEITH WESTENGARD: But I believe you're going to table the
10 contract --
11 COMMISSIONER WAITS: Right.
12 KEITH WESTENGARD: -- at this point, --
13 COMMISSIONER WAITS: Right.
14 KEITH WESTENGARD: -- and you're going to go ahead with Sky
15 Fiber. So you -- I want -- I would -- I would request --
16 COMMISSIONER ALLAN: Can I change -- can I make that
17 motion?
18 COMMISSIONER CLARK: (Off microphone) It's already --
19 CHAIRMAN ANCHO: Patsy --
20 COMMISSIONER CLARK: -- been made.
21 CHAIRMAN ANCHO: -- Patsy's making it. So hold -- hold on.
22 COMMISSIONER CLARK: We're trying to --
23 COMMISSIONER ALLAN: Yes.
24 COMMISSIONER CLARK: -- formulate.
25 ELIZABETH BARELA: Do you want her to just make the --
26 COMMISSIONER CLARK: (Off microphone) Go ahead, Patsy.
27 ELIZABETH BARELA: He wants you to just make the motion for
28 the Sky Fiber amount to be budgeted for.
29 KEITH WESTENGARD: And then table the contract --
30 ELIZABETH BARELA: Then table --
31 KEITH WESTENGARD: -- at this --
32 ELIZABETH BARELA: -- the --
33 KEITH WESTENGARD: -- time --
34 ELIZABETH BARELA: -- contract.
35 KEITH WESTENGARD: And -- and -- and direct me to look into
36 a --
37 COMMISSIONER WAITS: Okay. Because my --
38 KEITH WESTENGARD: -- county --
39 COMMISSIONER WAITS: -- motion was that we included the
40 e-rate with Sky Fiber as part of the Elko contract so it can be

1 budgeted.

2 I'm not saying anything about tabling --

3 COMMISSIONER ALLAN: So --

4 COMMISSIONER WAITS: -- right now. I just --

5 COMMISSIONER ALLAN: Can I --

6 COMMISSIONER WAITS: I'm not approving --

7 COMMISSIONER ALLAN: Can I --

8 COMMISSIONER WAITS: -- it --

9 COMMISSIONER ALLAN: -- make --

10 COMMISSIONER WAITS: -- either.

11 COMMISSIONER ALLAN: -- a comment?

12 COMMISSIONER WAITS: I'm just saying that we include it.

13 CHAIRMAN ANCHO: One second. We're just -- we're trying to

14 get something figured out. So hold on, pretty please. You

15 absolutely can.

16 COMMISSIONER ALLAN: Well, yeah. But this is -- this is

17 kind of going along with that motion, a -- a comment for the

18 motion.

19 CHAIRMAN ANCHO: All right. Go ahead.

20 COMMISSIONER ALLAN: Is that we make a motion to approve

21 Sky Fiber in the library system and to -- to include the grand

22 total.

23 So basically, the grand total of the contract would be up

24 to, we'll say, 122,000 for budgeting purposes and bring the

25 contract back for the Elko -- or -- or not bring -- not bring it

26 back, but -- but to discuss the possibility of our own library

27 system. So basically saying that we will approve up to 122,000

28 for high -- for our --

29 COMMISSIONER SPARKS: I thought --

30 COMMISSIONER ALLAN: -- library --

31 COMMISSIONER WAITS: It's in --

32 COMMISSIONER ALLAN: -- to --

33 COMMISSIONER WAITS: -- here, --

34 COMMISSIONER ALLAN: -- improve --

35 COMMISSIONER SPARKS: -- your --

36 CHAIRMAN ANCHO: (Off microphone) Whoa. Whoa.

37 COMMISSIONER ALLAN: -- Sky Fiber.

38 CHAIRMAN ANCHO: (On microphone) Okay. Hang on a second.

39 Hold on --

40 COMMISSIONER WAITS: You're kind of --

1 CHAIRMAN ANCHO: -- one second.
2 COMMISSIONER WAITS: -- convoluting a little bit here. I'm
3 -- I'm --
4 ELIZABETH BARELA: Can I make a suggestion?
5 COMMISSIONER WAITS: Yes.
6 ELIZABETH BARELA: What I would say is I see where Judie's
7 going with it so that we have the whole funding for the entire
8 library.
9 So instead of calling it the Elko County contract, I could
10 see what she's saying is to fund up to \$122,000 and put it in
11 the budget for purposes of lib- -- of the library.
12 CHAIRMAN ANCHO: Oh, okay.
13 COMMISSIONER SPARKS: Okay.
14 ELIZABETH BARELA: So that --
15 CHAIRMAN ANCHO: I see.
16 ELIZABETH BARELA: -- we have the --
17 CHAIRMAN ANCHO: Okay.
18 ELIZABETH BARELA: -- funds --
19 COMMISSIONER ALLAN: Thank you, Liz.
20 ELIZABETH BARELA: -- for all --
21 CHAIRMAN ANCHO: Okay.
22 ELIZABETH BARELA: -- of it.
23 CHAIRMAN ANCHO: All right.
24 COMMISSIONER SPARKS: Because -- because I still have
25 questions on the 12,000. If we --
26 ELIZABETH BARELA: Yeah. She --
27 COMMISSIONER SPARKS: -- elect not to -- you know what I'm
28 saying?
29 CHAIRMAN ANCHO: Yeah.
30 COMMISSIONER SPARKS: Yeah. I mean, --
31 ELIZABETH BARELA: She's just saying not to exceed --
32 CHAIRMAN ANCHO: Exceed.
33 ELIZABETH BARELA: Up to 122- --
34 COMMISSIONER SPARKS: Yeah.
35 ELIZABETH BARELA: -- so that we have the purposes of the
36 budget -- the funding in the --
37 COMMISSIONER CLARK: (Off microphone) Right.
38 ELIZABETH BARELA: -- budget.
39 COMMISSIONER SPARKS: Yeah. I'm fine with that.
40 COMMISSIONER CLARK: (Off microphone) Cover.

1 CHAIRMAN ANCHO: Okay. So do you want to amend it in the
2 verbiage that -- how Liz did so it's under -- so we all
3 understand, please?

4 COMMISSIONER ALLAN: You want to do that, Patsy? Or do you
5 want me to?

6 COMMISSIONER WAITS: No, go ahead, Judie.

7
8 (Cell phone ringing.)
9

10 COMMISSIONER ALLAN: Okay. So I will make a motion that we
11 approve up to \$122,000 for -- in the budget for the Lander
12 County Library System, not to exceed \$122,000 for the Lander
13 County highway sys- -- library system and bring it back for
14 future discussion.

15 CHAIRMAN ANCHO: Are we good with that?

16 All right. Do we have a second?

17 COMMISSIONER SPARKS: I'll second.

18 CHAIRMAN ANCHO: All in favor?

19 COMMISSIONER SPARKS: Aye.

20 COMMISSIONER CLARK: Aye.

21 CHAIRMAN ANCHO: Aye.

22 COMMISSIONER WAITS: Aye.

23 CHAIRMAN ANCHO: So --

24 COMMISSIONER ALLAN: Aye.

25 CHAIRMAN ANCHO: One second for public discussion.

26 Okay. So public comment?

27 Do we have any?

28 (No comment.)

29 CHAIRMAN ANCHO: All right. Moving on --

30 VOICE RECORDING: Muted. Unmuted.
31

32 **10) CORRESPONDENCE: Correspondence, reports, future agenda**
33 **items.**
34

35 CHAIRMAN ANCHO: So moving on to Number 10.

36 For correspondence, reports, future agenda items.

37 KEITH WESTENGARD: So I -- I would just like to remind the
38 commissioners next Tuesday, we're -- we have, I believe, 15
39 items that we need to -- to catch up on or clarify, vote on for
40 our final budget, which will be presented to you Thursday.

1 CHAIRMAN ANCHO: That's it?

2 KEITH WESTENGARD: I -- and I don't have anything unless
3 you have anything for the following a week from today's regular
4 commission meeting.

5 COMMISSIONER SPARKS: So we have a meeting Tuesday and then
6 Thursday's this next week?

7 KEITH WESTENGARD: Yes.

8 COMMISSIONER CLARK: You're going to -- you're going to
9 need a little bit of time to research this \$12,000 in the
10 contract. How long will it take you to get back on the --

11 KEITH WESTENGARD: I -- I -- I think -- I believe the --
12 the 12,000 will be pretty easy to track down. I -- I don't know
13 what it's going to take to look at -- I'll have to get with Elko
14 and see what it takes.

15 COMMISSIONER WAITS: I have a real good idea. And I'll be
16 happy to talk with --

17 KEITH WESTENGARD: Okay.

18 COMMISSIONER WAITS: -- you on it.

19 KEITH WESTENGARD: Thank you.

20 COMMISSIONER CLARK: Yeah.

21 COMMISSIONER WAITS: One of the things I do want on, I -- I
22 think we should address our fire restrictions, like I said,
23 especially with the people that are camping up Kingston Canyon
24 and such.

25 I have a real concern. And -- and I know the Forest
26 Service has had a concern. And they -- they put fire
27 restrictions on early because of the COVID and such. And
28 they're saying people are out. And we think we need to -- to
29 curtail this on what they're allowed to do.

30 ELIZABETH BARELA: (Off microphone) So we'll need to add --

31 COMMISSIONER WAITS: And if --

32 ELIZABETH BARELA: -- our --

33 COMMISSIONER WAITS: -- we don't --

34 ELIZABETH BARELA: -- (indiscernible) in.

35 COMMISSIONER WAITS: -- get it on ASAP, we could be asking
36 for some additional things that may be happening.
37 So that's one.

38 And my other concern was on the NDOT meeting, whether we
39 were going to do one by telephone or they were going to send us
40 something or that just kind of disappeared?

1 KEITH WESTENGARD: I haven't heard anything from -- from
2 Lee Bonner from NDOT.
3 COMMISSIONER WAITS: Okay. You might want to --
4 KEITH WESTENGARD: I will --
5 COMMISSIONER WAITS: -- check and see if we can get it on
6 the --
7 KEITH WESTENGARD: I will follow up.
8 COMMISSIONER WAITS: -- the following agenda.
9 COMMISSIONER CLARK: Patsy, don't we usually --
10 traditionally, we've gone along with the BLM. When they put
11 their fire restrictions, we put our --
12 COMMISSIONER WAITS: Sometimes.
13 COMMISSIONER CLARK: -- fire --
14 COMMISSIONER WAITS: But I don't -- I haven't seen anything
15 on BLM, only the Forest Service. So I didn't --
16 COMMISSIONER CLARK: Okay.
17 COMMISSIONER WAITS: I think he was in touch with them.
18 But regardless, I still think we should address it --
19 COMMISSIONER CLARK: Yeah.
20 COMMISSIONER WAITS: -- and -- and get it on there.
21 COMMISSIONER CLARK: Well, we can put the recommendation.
22 COMMISSIONER ALLAN: I agree with --
23 COMMISSIONER CLARK: We can put the recommendation out
24 there. We don't have an ordinance.
25 COMMISSIONER WAITS: Right.
26 CHAIRMAN ANCHO: All right.
27 COMMISSIONER ALLAN: I agree with Patsy. And I think that
28 this year we're looking at a potentially bad fire year. I know
29 there was a -- a fire already by Ely.
30 And I guess the other question, maybe we want to consider,
31 is creating an ordinance so that we can enforce it.
32 CHAIRMAN ANCHO: Okay.
33 Are we good to go on to -- are we reading in public
34 comment?
35
36 **PUBLIC COMMENT**
37
38 CHAIRMAN ANCHO: All right.
39 All right. So reading it for public comment for
40 nonagendized items only.

1 Persons are invited to submit comments in writing and/or
2 attend and make comments on any nonagendized items at the board
3 meeting, if any, di- -- and discussions of those comments at the
4 discretion of the board. All public comments may be limited to
5 three minutes per person, again at the discretion of the board.
6 Reasonable restrictions may be placed on public comments based
7 on time, place, and manner, but public comment based on
8 viewpoint may not be restricted.

9 Do we have any public comment?

10 Oh, go ahead.

11 KYLA SHARP: This is Kyla Sharp, for the record.

12 I just wanted to remind you guys that our Fourth -- I know
13 it's already over, but I missed public comment on that one.
14 Sorry. Our Fourth of July celebration was also supposed to be
15 our 150th year big bash.

16 So I'd just like to maybe suggest if we do have a little
17 bit of money in the budget that further -- further -- a little
18 further in the year that we can celebrate that before --

19 CHAIRMAN ANCHO: Oh, no. I agree.

20 KYLA SHARP: -- 2020 is --

21 CHAIRMAN ANCHO: And I think --

22 KYLA SHARP: -- over.

23 CHAIRMAN ANCHO: -- that when restrictions -- I think as a
24 whole, as a community, we're going to celebrate. So we'll just
25 include it all into one big bash --

26 KYLA SHARP: Okay.

27 CHAIRMAN ANCHO: -- for everyone.

28 KYLA SHARP: Right. I --

29 CHAIRMAN ANCHO: So yeah.

30 KYLA SHARP: -- just knew that --

31 CHAIRMAN ANCHO: Absolutely.

32 KYLA SHARP: -- that was budgeted and all that. So --

33 CHAIRMAN ANCHO: I agree. I agree.

34 KYLA SHARP: Okay. Thank you.

35 CHAIRMAN ANCHO: I think everybody else in the community
36 would -- as up here, would too.

37 ANNA PENOLA: Anna Penola with the Building Department.

38 I just forwarded Keith, this morning, official letter from
39 the ISO that we got our rating

40 And we were at an eight for both commercial and

1 residential. And we dropped to a four for residential and to a
2 three for commercial.

3 COMMISSIONER SPARKS: Nice.

4 ANNA PENOLA: So that should be a good benefit for
5 businesses in Lander County.

6 CHAIRMAN ANCHO: Nice. Very nice. And thank you for --

7 ANNA PENOLA: And --

8 CHAIRMAN ANCHO: -- all the hard --

9 ANNA PENOLA: -- also --

10 CHAIRMAN ANCHO: -- work --

11 ANNA PENOLA: -- I just want --

12 CHAIRMAN ANCHO: -- with that.

13 ANNA PENOLA: -- to give a quick update. We had the
14 STANLEY Security come yesterday, do a walk-through. And we're
15 going to go hard at it Monday.

16 CHAIRMAN ANCHO: Very good.

17 ANNA PENOLA: So about two-and-a-half, three weeks should
18 be completed for cameras and security.

19 CHAIRMAN ANCHO: Very good. Thank you for all your work.
20 Go ahead.

21 ELIZABETH BARELA: (Off microphone, indiscernible.) I
22 don't know where he went. Need to give him a heads up.

23 ANNA PENOLA: Part of the discussion with security
24 yesterday is we're going to have to take the whole system down
25 for two to three days and you'll have to use your hard keys.

26 COMMISSIONER SPARKS: Oh.

27 ANNA PENOLA: When we're -- every -- almost everybody's is
28 broken or expired anyway so --

29 CHAIRMAN ANCHO: Okay.

30 ANNA PENOLA: -- just FYI. And I will put out a mass email
31 to let everybody know when and how long for --

32 CHAIRMAN ANCHO: Okay.
33 Very good. Thank you.

34 COMMISSIONER ALLAN: Kathy, this is Judie.

35 CHAIRMAN ANCHO: Yes?

36 COMMISSIONER ALLAN: I know we can't discuss it, but Kyla
37 brought up a very good point that we had actually already funded
38 the -- the Fourth of July parade or Fourth of July activities to
39 the 150 year celebration.

40 CHAIRMAN ANCHO: I can't hear her. La- -- do you

1 understand what she's saying. I can't hear.
2 KEITH WESTENGARD: She said that it's already been funded
3 because of the 150 year celebration, that the county's already
4 put funds in place.
5 CHAIRMAN ANCHO: And that's fine. We can -- if it's -- how
6 we have to roll over something. Can't we just roll it over?
7 KEITH WESTENGARD: Yes, we can.
8 CHAIRMAN ANCHO: Okay. We'll --
9 COMMISSIONER ALLAN: So that might need to be added to the
10 budget.
11 CHAIRMAN ANCHO: Pardon? Oh, that sounds -- on what she's
12 saying is for the budget. It needs to be added in to roll it
13 over.
14 KEITH WESTENGARD: Yeah.
15 CHAIRMAN ANCHO: All right. Very good. Yes.
16 UNIDENTIFIED PARTICIPANT: Rollover.
17 CHAIRMAN ANCHO: Thank you.
18 KEITH WESTENGARD: Two things I missed -- and I
19 apologize -- in my update. I'll make this real quick.
20 Number one is we are working on an agreement, myself and
21 Public Works, are working on an agreement with BLM to do the
22 roadside hazard reduction. We've talked about it a little bit.
23 And we will bring that forward once we -- we get things in place
24 to work with the BLM -- local BLM to do roadside hazard
25 reduction.
26 The other thing I wanted to bring up is with the golf
27 course. So currently, the golf course, we were able to open it.
28 And what I've done right now is I -- I -- there's no fees in
29 place due to the fact that if something happens and we have
30 to -- to close down again, then we're going to have to look at a
31 whole bunch of -- of reimbursements or adjustments.
32 So at this time, the gol- -- golf course is open, but we're
33 not -- we're not charging.
34 And we may not even be -- be charging for the year at all,
35 just because of who knows what's going to happen.
36 COMMISSIONER CLARK: (Off microphone) Well, that might be a
37 good thing because if we charge, then we would be responsible.
38 If they're exercising their constitutional right, it's -- it's
39 beyond us. All we're doing is watering and cutting.
40 KEITH WESTENGARD: Yes.

1 COMMISSIONER CLARK: Maintaining.
2 KEITH WESTENGARD: Yes.
3 COMMISSIONER CLARK: So that we're --
4 COMMISSIONER ALLAN: Art, you have to turn your mic on.
5 KEITH WESTENGARD: I wasn't even -- I wasn't even charging
6 for the rent -- or cart storage fees, anything. Because I just
7 don't know what's going to happen. So I wanted to make the
8 commission aware of that.
9 Thank you.
10 CHAIRMAN ANCHO: All right. Very good.
11 Are we --
12 COMMISSIONER WAITS: And just to let you all know --
13 COMMISSIONER ALLAN: Keith?
14 COMMISSIONER WAITS: -- that -- that they did have their
15 construction meeting. I think, Bert was down there this week
16 for that. And they're starting on Highway 50, should be next
17 week.
18 COMMISSIONER CLARK: Oh, good.
19 CHAIRMAN ANCHO: Very nice.
20 COMMISSIONER CLARK: We were worried about that.
21 COMMISSIONER ALLAN: Keith, I have a question.
22 KEITH WESTENGARD: Yes.
23 COMMISSIONER ALLAN: So did you get -- get an MOU from the
24 BLM on that?
25 COMMISSIONER CLARK: What?
26 KEITH WESTENGARD: I --
27 COMMISSIONER ALLAN: Roadside fuel break?
28 KEITH WESTENGARD: With Brock Uhlig. With the roadside
29 stuff?
30 COMMISSIONER ALLAN: Yes.
31 KEITH WESTENGARD: Yes. I -- I had a discussion with
32 Brock. We were going to meet earlier this week. And we -- we
33 had to can- -- or last week. I can't remember. We had to
34 cancel.
35 I just did get another email from him. We'll set up a
36 meeting and get things going here shortly.
37 COMMISSIONER ALLAN: Great. Thank you.
38 KEITH WESTENGARD: You're welcome.
39 CHAIRMAN ANCHO: All right. Are we ready for adjournment?
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ADJOURNMENT

COMMISSIONER SPARKS: (Off microphone) Motion to adjourn.
COMMISSIONER CLARK: Second.
CHAIRMAN ANCHO: Second?
All in favor?
COMMISSIONER SPARKS: Aye.
CHAIRMAN ANCHO: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER ALLAN: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN ANCHO: Very good. Thank you.

(Meeting adjourned.)



**CHAIRMAN OR VICE 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.

1 STATE OF UTAH)
2) ss.
3 COUNTY OF DAVIS)
4
5
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"
10
11 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE
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13 THE 14TH DAY OF MAY, 2020, AND SAID RECORDING AND INFORMATION
14
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.
20

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22 DATED AT _____
23 THIS _____ DAY OF _____
24

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26 _____
27 TIFFANY ELKINGTON, CCR #930
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<p>ANNA PENOLA: [10] 77/37 78/4 78/7 78/9 78/11 78/13 78/17 78/23 78/27 78/30 CHAIRMAN ANCHO: [406] 1/24 1/36 2/1 2/10 2/14 2/17 2/19 2/22 2/40 3/6 5/11 5/13 5/17 5/19 5/21 5/23 5/26 6/2 6/7 6/9 6/26 6/31 7/3 7/21 7/26 7/29 7/31 7/33 7/35 7/37 7/39 8/3 8/6 8/9 8/11 8/13 8/15 8/17 8/23 8/30 8/32 8/36 9/1 9/3 9/6 9/15 9/28 9/30 9/32 10/10 10/12 10/14 10/16 10/37 11/3 11/9 11/14 11/17 11/19 12/13 13/3 13/17 13/24 13/31 13/33 13/35 13/37 13/39 15/11 16/7 17/6 18/5 18/28 18/34 19/2 19/5 19/7 19/12 19/15 19/20 19/22 19/24 19/36 19/38 19/40 20/25 20/27 20/31 20/34 20/38 20/40 21/4 21/7 21/15 21/17 21/19 21/33 22/16 22/38 22/40 23/12 23/21 23/24 23/28 23/31 23/33 24/21 24/23 24/27 24/29 24/33 25/1 25/3 25/8 25/10 25/15 25/17 25/23 25/30 25/32 25/34 25/37 25/39 26/6 26/22 26/31 27/8 27/36 28/5 28/32 29/22 30/4 31/2 31/5 31/9 32/4 32/29 32/31 32/33 32/37 33/2 33/7 33/14 33/17 33/25 33/33 33/38 34/1 34/3 34/5 34/9 34/13 34/40 35/3 35/6 35/8 35/10 35/15 36/13 36/15 36/17 36/19 36/22 36/30 36/40 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69/37 70/6 70/12 70/15 70/20 70/22 70/28 70/30 70/35 70/37 70/39 71/1 71/3 71/5 71/19 71/21 72/13 72/19 72/36 72/38 73/1 73/12 73/15 73/17 73/21 73/23 73/29 73/32 74/1 74/15 74/18 74/21 74/23 74/25 74/29 74/35 75/1 76/26 76/32 76/38 77/19 77/21 77/23 77/27 77/29 77/31 77/33 77/35 78/6 78/8 78/10 78/12 78/16 78/19 78/29 78/32 78/35 78/40 79/5 79/8 79/11 79/15 79/17 80/10 80/19 80/39 81/5 81/8 81/12 COMMISSIONER ALLAN: [197] 2/13 5/9 5/12 5/16 5/18 5/20 5/22 5/24 5/33 5/36 5/39 7/34 7/38 9/5 9/36 9/38 9/40 10/3 10/5 10/7 16/3 16/33 18/10 18/15 18/27 18/36 19/6 19/13 19/16 19/18 19/21 19/23 19/27 19/34 19/37 19/39 20/3 20/13 20/15 20/17 20/19 20/33 21/1 21/16 21/18 21/20 21/23 21/25 23/10 23/27 23/32 23/34 24/15 24/26 24/32 24/35 25/5 25/16 25/24 25/26 25/31 25/35 30/6 30/8 30/10 32/30 32/35 33/37 35/9 38/6 38/8 39/29 39/31 39/33 40/29 40/31 40/37 40/39 42/17 42/19 43/28 44/2 44/7 44/9 44/21 44/23 44/25 44/27 44/36 44/38 45/2 45/16 45/18 45/20 45/22 45/24 45/38 46/2 46/9 46/11 46/13 46/19 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