

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 June 25, 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 **BRYAN SPARKS, COMMISSIONER**
10 **KATHLEEN ANCHO, COMMISSIONER**
11 **KEITH WESTENGARD, COUNTY MANAGER**
12 **SADIE SULLIVAN, COUNTY CLERK**
13 **THEODORE HERRERA, DISTRICT ATTORNEY**
14

15
16 (Let the record reflect the presence of a quorum of four
17 commissioners. Let the record reflect the presence of Austin
18 via teleconference.)
19

20 CHAIRMAN ANCHO: -- for June 25, 2020. We're also going to
21 be doing this via teleconference.

22 So, Bryan, do you want to go ahead and lead us in the --

23 COMMISSIONER SPARKS: (Off microphone) Yep.

24 CHAIRMAN ANCHO: -- Pledge of Allegiance, please.
25

26 (Pledge of Allegiance)
27

28 CHAIRMAN ANCHO: Okay. We're going to go ahead and have a
29 moment of silence.
30

31 (Moment of silence)
32

33 CHAIRMAN ANCHO: All right. Moving on.

34 Lander County Commissioners -- Commissioners may break for
35 lunch from 12:00 p.m. to 1:15 p.m. Any agenda item may be taken
36 out of order, may be com- -- combined, considered by the public
37 body and items may be pulled or removed from the agenda at any
38 time.
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1 **COMMISSIONER REPORTS**

2
3 CHAIRMAN ANCHO: Commissioners' reports on meeting,
4 conferences, and seminars attended.

5 Patsy?

6 COMMISSIONER WAITS: Thank you.

7 I did attend the Kingston Town Board virtually. It was a
8 GoToMeeting on the -- June 18. I think you've all been notified
9 that they are canceling their firefighters' fundraiser, which is
10 always kind of sad. That is their biggest one. But they were
11 pretty sure that we weren't going to be into Phase 3 at the
12 time. And 50 people just isn't going to swing it. We do
13 hundreds.

14 And so to keep up with that, Round Mountain Gold actually
15 gave them a nice donation. I think it was close to \$3,000 that
16 they usually do for food. And they gave it to them to buy
17 raffle prizes and things like that.

18 So they are doing a raffle. And the raffle tickets will be
19 sold until September. And then at one of the firefighters'
20 meetings in September, they will do the actual drawing. And
21 there's some really nice prizes. And then they will just notify
22 the people and get the prizes to them at that time. Because
23 they're just doing some big prizes, not a lot of little ones.
24 So they aren't expecting people there for the raffle. So that
25 will be their actual fundraiser.

26 On the 23rd, we did have our quarterly Pony Express
27 Territory meeting. Of course that's on Zoom. And we've been
28 doing meetings before that and actually in between.

29 But Travel Nevada, of course, had everybody virtual,
30 working from home. They've laid off so many of their people.

31 But they did bring back some. They have a skeleton crew
32 that came back on June 1st, but they're not open to the public.
33 So there are just a few that are trying to put everything
34 together and continue on. We aren't available for grants or
35 anything like that yet, but they still are planning a Rural
36 Roundup that has not been canceled for the fall. And our
37 territory decided to go ahead and start advertising.

38 It's amazing the people that are coming through. And, of
39 course, we're not doing groups. They're just individual people
40 that are traveling, that are out and about. And -- and they

1 opened Nevada. We certainly are that. They aren't close to
2 anyone. So we're going to start advertising on July 12. And
3 that will be in your own backyard type of thing. And so we
4 might as well see if we can get people coming through if they're
5 going to be out and about somewhere where they might as well be
6 traveling and -- and handling some of our -- our businesses in
7 our beautiful areas.

8 The Chamber of Commerce did cancel their wine walk, which was
9 for September also. And they really were hesitant on that. They
10 weren't sure what would be happening in September. But with
11 Highway 50 all torn up -- and when we checked with the road crew,
12 they said the first of September, they're going to start in big
13 time with the whole road. And right now it's kind of easy with
14 just a pilot car and -- and one side of the road and the other.

15 But they would have open holes and everything, they were
16 afraid. And we thought, no, especially people drinking and
17 wine. We didn't want any of that type of liability so -- so we
18 canceled that also.

19 Thank you.

20 CHAIRMAN ANCHO: Very good.

21 Art?

22 COMMISSIONER CLARK: I've -- I've had no meetings, but I
23 will be leaving at lunch time. I've got a medical procedure. I
24 need to check in this afternoon.

25 CHAIRMAN ANCHO: All right. Thank you.

26 Judie, are you on the line?

27 (No response.)

28 CHAIRMAN ANCHO: All right. The only meeting I attended
29 was the Convention & Tourism. And it was just generalized
30 business, nothing to note on that.

31 Bryan?

32 COMMISSIONER SPARKS: Nothing to report.

33 CHAIRMAN ANCHO: All right.

34
35 **STAFF REPORTS**

36
37 CHAIRMAN ANCHO: So going on to staff reports, meetings,
38 conferences attend- --

39 KEITH WESTENGARD: (Off microphone) So I -- I think
40 everybody's pretty well aware. We have a total of 34 positive

1 cases. We're starting to climb up in the county. A lot of that
2 is due to more aggressive testing in the community. Helping
3 with Brandy. We expect more. We're somewhat -- we are prepared
4 for (indiscernible). We are prepared for that.

5 We're -- we're looking at bringing in some additional
6 equipment. We -- like I say, we've -- and protective gear. We'll
7 be -- we should be getting that additional money through --
8 through the state and the federal government, that million dollars
9 that we're going to be looking at some additional -- well, I don't
10 see us getting anywhere near as spending that much money. But
11 that gives us the opportunity to -- to buy in bulk as we- -- and
12 to be prepared for -- for the future.

13 So we cont- -- I continue to monitor that real closely.
14 And we work with Brandy.

15 Our last new ambulance is scheduled to be delivered next
16 week. Well, it's been delivered. It's -- it's being marked up
17 right now. So we have that got under (indiscernible) next week.
18 And it will be go to Austin. And then they're going to take one
19 of their other ones and send it to Battle Mountain. So that will
20 complete the -- the fleet will be new. All -- the oldest -- the
21 oldest one in the fleet will be a 2014 ambulance. And then after
22 that, they're all '16s and -- and above. So we've got a real good
23 EMS fleet.

24 We con- -- I continue to work on our airport projects with
25 J-U-B. I brought Bert in on a lot of stuff as far as our grants
26 are going.

27 FAA's been notified that he will be in contact after July
28 10. So -- as well as many of the other entities that -- that
29 the -- the manager's office works with.

30 So they're -- they're well aware of that. NACo, POOL/PACT,
31 like I say, the FAA and -- and other ones. I have been working
32 pretty diligently with Bert to make the transfer -- or the
33 transition put in place so that he is ready to jump in with both
34 feet.

35 I'm sure everybody heard the governor's speech last night
36 or is pretty well aware of -- of his new directives or
37 directive. And we'll be going over that a little later today.

38 I'm going to get with Bert and go over it a little later
39 today. But -- and see if Ron's available. We can sit and talk
40 about it, and Brandy, see what we need to do if anything.

1 And I think that's all I have. Thank you.

2 CHAIRMAN ANCHO: Okay. And that was going to be one of my
3 questions as far as we as a county, what are we -- we have to do
4 with our employees and as far as following under that directive?
5 And --

6 KEITH WESTENGARD: (Off microphone) So one of the things
7 that, you know, I had our -- our -- our shade open or our -- our
8 slide open. We've -- we've closed that.

9 Short of that I -- I don't -- I -- I don't see any real
10 changes.

11 But, like I say, I wanted to get with Ron and -- and Brandy
12 and Bert and we'll all sit down and talk about it, to see if
13 there's anything further we need to go.

14 CHAIRMAN ANCHO: No, I didn't watch it.

15 KEITH WESTENGARD: (Off microphone) Oh.

16 CHAIRMAN ANCHO: So --

17 It -- our -- is part of it, like, when they -- people are out
18 in public, like out in parks and stuff like, and if they're in a
19 group, do they have to wear them as well, then?

20 KEITH WESTENGARD: (Off microphone) So --

21 CHAIRMAN ANCHO: I mean, --

22 KEITH WESTENGARD: (Off microphone) Yeah.

23 CHAIRMAN ANCHO: -- I mean --

24 KEITH WESTENGARD: (Off microphone) That's the way I
25 understand it. And the way he's -- the way I read it -- and,
26 Liz, you can correct me if I'm wrong on this -- but the way I
27 read it, the pressure's not really on the individual. It's more
28 on the business because you can't mandate a person, an
29 individual to wear a mask. But he can tell a business, you need
30 to -- to require a mask. So I -- and we're going to do a little
31 more research into it. That's why I want to get with -- with --
32 with, like I say, the people that are involved in it, see which
33 way we need to go.

34 CHAIRMAN ANCHO: Okay.

35 KEITH WESTENGARD: (Off microphone) Okay.

36 CHAIRMAN ANCHO: All right. Thanks.

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1 **PUBLIC COMMENT**

2
3 CHAIRMAN ANCHO: All right. Moving on for public comment
4 for nonagendized items only.

5 Persons are invited to submit comments in writing and/or
6 attend and make comments on any nonagendized items at the -- the
7 board meeting if any and discussion of these comments at the
8 discretion of the board. All public comment may be limited to
9 three minutes per person again at the discretion of the board.
10 Reasonable restrictions may be placed on public comment based
11 upon time, place, and manner, but public comment based upon
12 viewpoint may be restricted.

13 So do we have any public comment?

14 SHERIFF RON UNGER: Ron Unger, Lander County sheriff.

15 And this is just more of an FYI for you folks.

16 I've had a lot of telephone calls from citizens and VFW
17 about a parade. I have told them that at this point I don't
18 believe there's going to be a parade because the state, number
19 one, will not sign a parade permit. So -- the DOT. So I
20 believe what they -- they're planning on doing, just so you
21 folks know, I think they're going to try to do a flag raising
22 ceremony at the park. I don't know what time, but I did tell
23 them that I would inform you folks of -- of what was -- what
24 possibly they're going to plan on doing.

25 CHAIRMAN ANCHO: Okay.

26 SHERIFF RON UNGER: And that was for the VFW.

27 CHAIRMAN ANCHO: So, Keith, this is a question for you,
28 maybe. And if we did a parade that didn't have to do with Front
29 Street or Broad Street, that went down different streets so they
30 would -- and I'm just throwing this out there. That covered a
31 different -- you know, we did a different route --

32 KEITH WESTENGARD: (Off microphone) Can't just -- just
33 non-state routes?

34 CHAIRMAN ANCHO: The non-state --

35 COMMISSIONER SPARKS: (Off microphone) Right.

36 CHAIRMAN ANCHO: -- routes. So we could have that and not
37 be dictated by the state? Is that something that we --

38 KEITH WESTENGARD: Well, --

39 CHAIRMAN ANCHO: -- can do?

40 KEITH WESTENGARD: -- my personal opinion is, yes, we can

1 do it. But I think that would be a legal question.
2 ELIZABETH BARELA: Legal's on the phone.
3 CHAIRMAN ANCHO: Okay.
4 KEITH WESTENGARD: On Ted.
5 CHAIRMAN ANCHO: So, Ted?
6 DISTRICT ATTORNEY HERRERA: Yes.
7 CHAIRMAN ANCHO: So yes, we can?
8 DISTRICT ATTORNEY HERRERA: Yes.
9 Well, yes. Technically we can because we don't need
10 permission from the state on -- on non-state roads.
11 CHAIRMAN ANCHO: Okay. So, I mean, is that -- I think the
12 community would be for that if we could figure out -- maybe the
13 VFW would work with Keith to figure that route out and then make
14 sure everybody knows. I mean, Facebook, get it out there.
15 I don't know -- that one issue would be as long as all the
16 homeowners on that -- those streets. But you would think that
17 they would be okay with that. But I can't, you know, speak for
18 that. But at least that we would not be dictated, once again,
19 by what the state's telling us we can and can't do. And so I
20 don't know how everybody else feels about that.
21 COMMISSIONER CLARK: Ted?
22 UNIDENTIFIED PARTICIPANT: He kind of smirked and did this.
23 UNIDENTIFIED PARTICIPANT: Okay.
24 UNIDENTIFIED PARTICIPANT: So this is what it's going to
25 be.
26 SHERIFF RON UNGER: Somebody else --
27 DISTRICT ATTORNEY HERRERA: What?
28 SHERIFF RON UNGER: -- is talking.
29 CHAIRMAN ANCHO: Oh, we've got somebody else on the line
30 that's -- we're hearing your conversation.
31 COMMISSIONER CLARK: Ted?
32 DISTRICT ATTORNEY HERRERA: Yes.
33 COMMISSIONER CLARK: Now I forgot my question.
34 SHERIFF RON UNGER: (Off microphone) Great.
35 COMMISSIONER CLARK: Hey, as long as we don't cross Front
36 Street or Broad Street, we would be okay, right?
37 DISTRICT ATTORNEY HERRERA: Yes. The -- the question was:
38 Can we have a parade on our own -- on our own street without
39 permission from the state? Yes, unless we cross or use state
40 highways.

1 COMMISSIONER CLARK: Yeah. That's going to be a little
2 tricky.

3 CHAIRMAN ANCHO: Hm. Just food for thought. I mean, if
4 that's something that they want to work out, just so we're --
5 that option's there. If they choose not to do it, that's fine.
6 But at least we have that option.

7 SHERIFF RON UNGER: I will --

8 COMMISSIONER WAITS: Madam Chair?

9 SHERIFF RON UNGER: -- I'll let the VFW know.

10 I told them I'd call them after this meeting. And I'll
11 have -- Steve Burkhart, I believe's the one, in charge of the
12 VFW -- get with Keith and see what they can do.

13 CHAIRMAN ANCHO: (Off microphone) Okay.

14 COMMISSIONER WAITS: It isn't anything that can come before
15 the board for us to approve the county streets, though, because
16 we don't have another meeting.

17 CHAIRMAN ANCHO: Well, and that --

18 COMMISSIONER WAITS: So --

19 CHAIRMAN ANCHO: -- was --

20 COMMISSIONER WAITS: -- it would just be off the cuff for
21 anyone that decides to do it, right?

22 COMMISSIONER CLARK: Like -- like the --

23 KEITH WESTENGARD: (Off microphone) If we could --

24 COMMISSIONER CLARK: -- cruises?

25 CHAIRMAN ANCHO: (Off microphone) Yeah.

26 COMMISSIONER CLARK: Informal.

27 CHAIRMAN ANCHO: (Off microphone) Oh, informal like the --

28 SHERIFF RON UNGER: Call it a --

29 CHAIRMAN ANCHO: -- cruises --

30 SHERIFF RON UNGER: -- cruise.

31 CHAIRMAN ANCHO: -- that they have.

32 KEITH WESTENGARD: (Off microphone) Okay.

33 CHAIRMAN ANCHO: Okay.

34 SHERIFF RON UNGER: Okay.

35 CHAIRMAN ANCHO: (Off microphone) We'll let them --

36 SHERIFF RON UNGER: And the second issue I have is just an
37 FYI again is the county did purchase two new fire trucks for
38 Lander County Fire Department. We took -- in January,
39 whatever -- they're ready to go into service. So when you see
40 them two big ones, they belong to us.

1 Okay?
2 Thank you.
3 CHAIRMAN ANCHO: Do we have any more public comment?
4 LESLEY BUNCH: Hi, everyone. This is Lesley Bunch, for the
5 record. Lander County recorder.
6 This is just an FYI.
7 Marla Sam is retiring. And she's not going to be here
8 pretty much of the next couple of weeks. And I thought that
9 maybe you'd like to drop by and tell her thanks for her 26 years
10 of service and maybe --
11 KEITH WESTENGARD: (Off microphone) Who?
12 LESLEY BUNCH: -- give her an attagirl.
13 Marla Sam.
14 KEITH WESTENGARD: (Off microphone) Oh, okay.
15 LESLEY BUNCH: Okay. Just thought I'd mention.
16 CHAIRMAN ANCHO: (Off microphone) Oh, very good.
17 LESLEY BUNCH: Thank --
18 CHAIRMAN ANCHO: (Off microphone) Thank --
19 LESLEY BUNCH: -- you.
20 CHAIRMAN ANCHO: (Off microphone) -- you.
21 LESLEY BUNCH: Do you want me to turn this off?
22 CHAIRMAN ANCHO: Any more public comment?
23 All right.
24 We'll go ahead and --
25 VOICE RECORDING: Muted. Unmuted.

26
27
28 **CONSENT AGENDA**

29
30 CHAIRMAN ANCHO: All right. Consent -- all matters listed
31 in the consent -- con- -- considered routine and may be acted
32 upon by the Board of Commissions -- Commissioners with one
33 action, without extensive discussion. Any member of the board
34 or any citizen may request that an item be taken out of consent
35 agenda, discussed, and acted upon separately during this
36 meeting. Consent agen- -- agenda materials are available at the
37 Lander County Clerk's Office for viewing and copies are
38 available for a nominal charge.
39 Number 1, approval of June 25, 2020, agenda notice; Number
40 2, approval of January 23, 2020, agenda -- meeting minutes --

1 excuse me -- Number 3, approval of February 27, 2020, meeting
2 minutes; Number 4, approval of May 7, 2020, special budget
3 workshop meeting minutes; Number 5, approval of May 14, 2020,
4 meeting minutes; Number 6, approval of May 19, 2020, special
5 budget workshop meeting minutes; Number 7, approval of May 21,
6 2020, meeting minutes; Number 8, approval of May 28, 2020,
7 special meeting minutes; nine, approval of June 11, 2020,
8 meeting minutes; Number 10, approval of payroll change requests.

9 COMMISSIONER WAITS: I didn't receive any minutes. Did any
10 of you?

11 CHAIRMAN ANCHO: I have not.

12 COMMISSIONER WAITS: Okay. With that, I will make a motion
13 that we approve Number 1, the agenda notice and Number 10, the
14 payroll change requests.

15 COMMISSIONER SPARKS: I'll second.

16 CHAIRMAN ANCHO: All right. Any public comment?

17 (No comment.)

18 CHAIRMAN ANCHO: All right. All in favor?

19 COMMISSIONER SPARKS: Aye.

20 CHAIRMAN ANCHO: Aye.

21 COMMISSIONER WAITS: Aye.

22 COMMISSIONER CLARK: Aye.

23 CHAIRMAN ANCHO: And opposed?

24 (No comment.)

25 CHAIRMAN ANCHO: All right. Moving on.

26 So we were -- are going to -- if -- we've been requested to
27 take an item out of order. So we're going to go ahead and take
28 Number 14 first, please.

29
30 **14) LIVESTOCK EVENTS CENTER BOARD: For possible action to**
31 **approve/disapprove the funding of the Coed Ranch Rodeo in the**
32 **amount not to exceed \$10,000 and for the chair or vice chair**
33 **to sign the commitment letter.**
34

35 CHAIRMAN ANCHO: All right. Number 14. Livestock Events
36 Center Board.

37 For possible action to approve, disapprove funding of Coed
38 Ranch Rodeo in the amount not to exceed 10,000 and for the chair
39 or vice chair to sign the commitment letter.

40 MONTE PRICE: Okay. I'm Monte Price, for --

1 CHAIRMAN ANCHO: Uh-huh.
2 MONTE PRICE: -- the record.
3 DEBORAH PIAZZA: Deb Piazza, for the record.
4 COMMISSIONER SPARKS: Good morning, guys.
5 DEBORAH PIAZZA: Good morning.
6 MONTE PRICE: Good morning.
7 And we just putting in a request, which I believe is
8 standard procedures for funding of this upcoming rodeo.
9 The guy's coming in. And he will supply the -- everything,
10 I mean, as far as the rodeo itself.
11 The board at this time is retaining the options we want to
12 hold out our concessions for a local, hopefully, youth
13 organization to do the concessions and the -- the gate
14 admissions.
15 And the other guy coming in will supply -- he will come in
16 and put on the whole rodeo, supplying all the stock and the help
17 and the timers and all that stuff.
18 So we had some other requests come in where people wanted
19 20- to \$25,000 to do this. This guy comes in at 10-. It is a
20 very family -- family oriented. It's a coed rodeo so it's a
21 family deal. And we would just like to ask for the funding to
22 set this up and get it going.
23 CHAIRMAN ANCHO: So -- however, I -- I think this is a
24 great idea as. Far as the county goes for funding these types
25 of projects at this time, we were unable to fund the Fourth of
26 July because of the issues going on with COVID. I would -- my
27 opinion is that this would fall, unfortunately, under the same
28 category as that.
29 Also, that on these types of things, I think that when we
30 have these that they come before the board as the grants early
31 on when we're doing the budget -- our budget workshops.
32 And I know you don't always know that. But that's, you
33 know, when we are giving these kind of fundings. Because if we
34 do it, we ha- -- we give you the money, then the ones who
35 weren't funded that we deducted and weren't funded, it causes a
36 little bit of stir within the county of how we are funding this.
37 But this, we took this much away from this person or this much
38 away from that person.
39 So -- but with that being said, we def- -- we defunded our
40 Fourth of July. And this isn't, you know, so much further down

1 the road, and we don't know what the governor's going to do and
2 the amount of gatherings and what's going on with that. So
3 that's strictly my opinion. And so I'd like to see what
4 everybody else thinks.

5 MONTE PRICE: I -- I got -- the only input I have on that
6 is we couldn't set this up earlier because of the COVID thing.
7 And then when the governor did approve for -- the state high
8 school rodeo finals was held two weeks ago with probably
9 thousands and thousands of people there. And that's when you
10 guys approved us to have it here.

11 If it is not approved as of today, it's -- the event center
12 will be shut down for the summer. I mean, we can't -- unless we
13 get approval to do something, we're just -- it's just going to sit
14 there void for the whole year. So that's -- yeah, we're asking
15 that you -- it's -- it's our request that you fund us so we can
16 get something going.

17 And our --

18 COMMISSIONER CLARK: Hy?

19 MONTE PRICE: -- our goal is to try to -- you know, it's a
20 two-day deal so we're trying to bring people into town and --

21 COMMISSIONER CLARK: Hy? Ted? Do you have an opinion on
22 this?

23 DISTRICT ATTORNEY HERRERA: This is Ted.

24 My opinion on it is if we fund them \$10,000, it will be a
25 Lander County rodeo. Otherwise we couldn't do it.

26 What we usually do -- and the common practice has been --
27 that a 501(c)(3) organization would request money. We'd give
28 that organization the money and -- by way of a grant. And
29 that's how they proceed.

30 Since the committee -- the board is an advisory board, they
31 don't have actual powers of their own vested by ordinance.

32 If we give the board the \$10,000, it would be -- it
33 would -- it would be like you giving these people \$10,000
34 directly. So it would be county funded.

35 COMMISSIONER SPARKS: (Off microphone) Right. I --

36 DISTRICT ATTORNEY HERRERA: And we -- we need to understand
37 that. Whether you do it or not, it -- it would have to be a
38 county funded --

39 CHAIRMAN ANCHO: He's said --

40 DISTRICT ATTORNEY HERRERA: -- because --

1 CHAIRMAN ANCHO: -- it's going to be --
2 DISTRICT ATTORNEY HERRERA: -- there's no --
3 CHAIRMAN ANCHO: -- a county --
4 DISTRICT ATTORNEY HERRERA: -- 501(c)(3).
5 CHAIRMAN ANCHO: -- funded --
6 COMMISSIONER SPARKS: (Off microphone) What did -- what did
7 Ted say?
8 KEITH WESTENGARD: He's --
9 ELIZABETH BARELA: He's --
10 KEITH WESTENGARD: Go ahead.
11 ELIZABETH BARELA: Go ahead.
12 KEITH WESTENGARD: No, go ahead. That's fine.
13 ELIZABETH BARELA: He's basically saying it would be a
14 county event. So the county would be funding it. So you would
15 be liable as the event, just like you would be the Fourth of
16 July. And they don't have a 501(c)(3) so we can't grant them
17 the money because they don't have a 501(c)(3).
18 DISTRICT ATTORNEY HERRERA: That's correct.
19 DEBORAH PIAZZA: How do we get a 501 --
20 MONTE PRICE: (3)(c).
21 DEBORAH PIAZZA: -- (3)(c)?
22 COMMISSIONER CLARK: Keith can set you up with Madonna.
23 KEITH WESTENGARD: Yep. Uh-huh.
24 COMMISSIONER WAITS: The 501(c)(3) -- or the 501(c)
25 anything is actually -- you obtain that through the IRS. And
26 they're for nonprofits.
27 DEBORAH PIAZZA: Okay.
28 COMMISSIONER WAITS: It -- it takes a while to get. But
29 that's the whole point of how they operate. And that's how we
30 do our funding.
31 DEBORAH PIAZZA: All right.
32 MONTE PRICE: Keith, a question? Does any of the other
33 boards -- advisory boards -- does any board have a 301 --
34 501(3)(c) or whatever? Or are we not just -- we're working
35 under the county.
36 COMMISSIONER CLARK: The -- the -- yeah.
37 DISTRICT ATTORNEY HERRERA: Okay.
38 COMMISSIONER CLARK: And --
39 DISTRICT ATTORNEY HERRERA: This is --
40 COMMISSIONER CLARK: -- because --

1 DISTRICT ATTORNEY HERRERA: -- Ted Herrera --
2 COMMISSIONER CLARK: -- you're working --
3 DISTRICT ATTORNEY HERRERA: -- again.
4 COMMISSIONER CLARK: -- under --
5 DISTRICT ATTORNEY HERRERA: If I can address that question.
6 CHAIRMAN ANCHO: Please.
7 DISTRICT ATTORNEY HERRERA: The -- the board would not get
8 a 501(c)(3).
9 The board would be the middle person between somebody else's
10 501(c)(3) and the county.
11 Now it doesn't mean members of the board can't be on the
12 501(c)(3), but the county can't -- if the board gets a
13 501(c)(3), then it'd be like the county getting one.
14 These are an extension of the county.
15 BERT RAMOS: Bert Ramos, for the record.
16 So they're a -- just an advisory board to the county. They
17 aren't an actual organization. They would have to start, like,
18 a roping club or something else to get their 501(c)(3). So I
19 think is what Monte's asking for is for the county to sponsor
20 this and take the responsibility of it while they do all the
21 groundwork to get this event going for the community.
22 DISTRICT ATTORNEY HERRERA: Correct.
23 COMMISSIONER CLARK: And -- and I have no problem. I think
24 it's a great idea. I would -- I would make the motion for it.
25 But if we -- if we wind up being liable for the event and a
26 lot of people get sick, then it's going to fall back on the
27 county.
28 COMMISSIONER SPARKS: Let me ask you a question. If we
29 went -- because I'm -- I'm also in favor of doing it. But if we
30 had all the participants, spectators, if they all signed as they
31 come through the gate they sign a -- a --
32 COMMISSIONER CLARK: (Off microphone) A waiver?
33 COMMISSIONER SPARKS: -- a waiver. Right.
34 COMMISSIONER CLARK: They did that for the Trump --
35 COMMISSIONER SPARKS: Would that -- I guess that's a
36 question for you, Ted.
37 DISTRICT ATTORNEY HERRERA: Well, waivers will always help.
38 So if -- if you took that -- if you took that road, you would
39 have to make sure that everyone followed the dictates of the
40 sitting governor during these trying times.

1 CHAIRMAN ANCHO: So, once again, how is this any different
2 than -- if we're funding this, then we defunded the Fourth of
3 July.
4 COMMISSIONER SPARKS: I was in favor of doing the Fourth of
5 July, --
6 CHAIRMAN ANCHO: I mean --
7 COMMISSIONER SPARKS: -- but --
8 CHAIRMAN ANCHO: So --
9 SHERIFF RON UNGER: Ron Unger, for the record.
10 Monte made a mention about the Nevada State High School
11 Rodeo State Finals, which we did hold two weeks ago -- well,
12 actually three, but it lasted a week -- down in Alamo.
13 And we was the first sporting event, I guess, in the state
14 of Nevada to -- that the governor allowed us to do, thanks to
15 J.J. Goicoechea.
16 And only thing we had to do is every one of the
17 contestants, when they checked in, they had to sign a waiver,
18 number one, like you were talking.
19 And number 2, what we did is we had to do a temperature
20 check on them. And if anybody was over a certain degree they
21 had to be -- we had to notify the county and take the
22 precautions necessary.
23 We did require them that -- or asked them to wear face masks
24 and do the social distancing in the grandstands, which they
25 complied.
26 So that's what we had to do to put on our state finals rodeo.
27 And that was all approved by the governor and by Lincoln County.
28 So --
29 COMMISSIONER CLARK: Can we have E- --
30 SHERIFF RON UNGER: And we had no issues.
31 COMMISSIONER CLARK: Can we have EMS there to supervise
32 this?
33 SHERIFF RON UNGER: On the --
34 COMMISSIONER CLARK: If --
35 SHERIFF RON UNGER: -- state --
36 COMMISSIONER CLARK: -- if --
37 SHERIFF RON UNGER: -- side for the high school rodeo, it's
38 mandatory that we have a -- either first aid there --
39 COMMISSIONER CLARK: Yeah.
40 SHERIFF RON UNGER: -- or be within several minutes of a

1 hospital, reasonable distance --
2 COMMISSIONER CLARK: Okay. So we could have --
3 SHERIFF RON UNGER: -- for first --
4 COMMISSIONER CLARK: -- EMS --
5 SHERIFF RON UNGER: -- aid.
6 COMMISSIONER CLARK: -- here checking temperatures as
7 people come in, whatever.
8 SHERIFF RON UNGER: Well, we did it as -- we did it
9 ourselves, a check-in, because every one of them had to check in
10 with us, you know, because of the entries and stuff.
11 So that's where -- on the check-in, we did the temperature
12 checks. We also did the waivers.
13 Here it --
14 DISTRICT ATTORNEY HERRERA: This is --
15 SHERIFF RON UNGER: -- could be the --
16 DISTRICT ATTORNEY HERRERA: -- Ted Herrera --
17 SHERIFF RON UNGER: -- same --
18 DISTRICT ATTORNEY HERRERA: -- again.
19 SHERIFF RON UNGER: -- thing.
20 DISTRICT ATTORNEY HERRERA: If -- if you --
21 SHERIFF RON UNGER: And that was just --
22 DISTRICT ATTORNEY HERRERA: -- go through --
23 SHERIFF RON UNGER: -- for your --
24 DISTRICT ATTORNEY HERRERA: -- with this, --
25 SHERIFF RON UNGER: -- information.
26 DISTRICT ATTORNEY HERRERA: -- just like the sheriff says,
27 the county would have to be doing that. So it's not like we
28 could do it. We would have to do it. It would be a
29 county-backed rodeo.
30 COMMISSIONER SPARKS: Yeah. I mean, it's --
31 DISTRICT ATTORNEY HERRERA: Which is fine. But we just
32 have -- the county would have to take them to (indiscernible)
33 and make sure everybody's wearing a mask and following all the
34 right procedures. That's all I'm saying.
35 COMMISSIONER SPARKS: Yeah. I mean, I'm in favor for it.
36 I mean, it's like obviously this whole thing has displaced us
37 all and changed our operating, how we operate. And it's like, I
38 think we can go forward. It's a give-and-take. And we have to
39 watch our precaution, watch our liability, make sure people are
40 safe, but I don't see why we can't have the event.

1 MONTE PRICE: Yeah. And -- and --
2 COMMISSIONER CLARK: Well, the money's the issue.
3 That's -- that's the issue. The money.
4 MONTE PRICE: Yeah.
5 COMMISSIONER CLARK: You don't get the ten grand, we don't
6 have rodeos. We don't use the event center this year.
7 I'm going to make a motion that -- what's your
8 organization?
9 DEBORAH PIAZZA: Battle Mountain Livestock Advisory Event
10 Center Board.
11 MONTE PRICE: Yeah. The event --
12 COMMISSIONER CLARK: Okay.
13 MONTE PRICE: -- Battle Mountain --
14 COMMISSIONER CLARK: Okay.
15 MONTE PRICE: -- Event Center Board.
16 COMMISSIONER CLARK: I'm going to make a motion to give the
17 event center board \$10,000 so that we can get this rodeo stuff
18 going. And I'm going to add, please keep your receipts -- okay
19 -- and turn them in so --
20 DEBORAH PIAZZA: Oh.
21 COMMISSIONER CLARK: -- that we know.
22 DEBORAH PIAZZA: No problem.
23 COMMISSIONER CLARK: That's been -- six years it's been an
24 issue. And we just want to know where the money's going.
25 DEBORAH PIAZZA: Oh, no. You'll know.
26 COMMISSIONER SPARKS: Should we --
27 DISTRICT ATTORNEY HERRERA: Art -- Art -- excuse me -- you
28 will have to appoint somebody from the county to actually do
29 that because the advisory board doesn't have the authority to do
30 that stuff on their own.
31 COMMISSIONER CLARK: (Indiscernible)?
32 KEITH WESTENGARD: No, Bert.
33 COMMISSIONER CLARK: Bert.
34 COMMISSIONER WAITS: So my question is: The -- the group
35 that's coming in -- because you charge. And does that go for
36 some of your -- your prizes or award money too? Or what happens
37 to that?
38 MONTE PRICE: When we -- we will only have one expense. It
39 will be \$10,000 we pay to this guy putting on a rodeo. He will
40 supply everything, the stock. The rodeo put it on. He will

1 supply all of the prizes, moneys, the trophies, the awards. He
2 supplies all that himself, included in that money we give him.
3 COMMISSIONER WAITS: Okay. So you're paying somebody
4 \$10,000 to come in and do this event for you?
5 MONTE PRICE: Yes.
6 COMMISSIONER WAITS: Okay. Did you understand that?
7 COMMISSIONER SPARKS: Uh-huh.
8 COMMISSIONER WAITS: Okay.
9 MONTE PRICE: Yeah. And then what -- what we are
10 retaining, the -- this advisory board wants to retain the right
11 to delegate out the concession stands, which we would hope to
12 get the 4-H kids, the high school FFA group, or --
13 COMMISSIONER WAITS: What you normally do? Yeah.
14 MONTE PRICE: Yeah. A -- a youth --
15 COMMISSIONER WAITS: Okay.
16 MONTE PRICE: -- organization in town and let them handle
17 the concessions.
18 DISTRICT ATTORNEY HERRERA: And that's what you have to get
19 permission from the board to allow you to do that.
20 MONTE PRICE: Okay. We have to get permission from the
21 board? Is that what you said, Ted?
22 DISTRICT ATTORNEY HERRERA: Yes.
23 MONTE PRICE: Okay.
24 DISTRICT ATTORNEY HERRERA: Yes. You don't -- you don't --
25 the advisory boards don't have any -- any authority on their
26 own. They're using the authority of the county commission.
27 COMMISSIONER CLARK: So come back next time for that.
28 COMMISSIONER WAITS: So, --
29 MONTE PRICE: It'd be --
30 COMMISSIONER WAITS: -- Art, where are you taking the
31 10,000 from? Where -- what budget?
32 COMMISSIONER CLARK: Commissioners' money.
33 DISTRICT ATTORNEY HERRERA: You can include that in this --
34 in this --
35 COMMISSIONER CLARK: Where do we have the 10,000?
36 KEITH WESTENGARD: We'll -- we have it either in the town
37 fund. We'll -- we have -- we'll find it.
38 COMMISSIONER CLARK: Okay.
39 COMMISSIONER SPARKS: Do we need --
40 KEITH WESTENGARD: I've got --

1 COMMISSIONER SPARKS: -- to make part of the motion that we
2 follow all the safety guidelines set by the state? And --
3 COMMISSIONER CLARK: Yeah.
4 COMMISSIONER SPARKS: -- we'll make --
5 COMMISSIONER CLARK: Yeah.
6 COMMISSIONER SPARKS: -- sure that's all --
7 COMMISSIONER CLARK: I'll restate my -- my motion. We're
8 going to have Bert be the county representative for the event
9 center board. We're going to give them \$10,000 so that we can
10 get the rodeo stuff going. The rodeo people will follow all the
11 state guidelines and test people coming in, make sure they don't
12 have fever, keep the receipts so that we have documentation.
13 Anything else?
14 ELIZABETH BARELA: (Off microphone) Add the concession
15 stands? Add the concession stands?
16 COMMISSIONER CLARK: Oh. And the concession stands use
17 will be determined by the board.
18 CHAIRMAN ANCHO: All right. Do you have --
19 COMMISSIONER SPARKS: I'll --
20 CHAIRMAN ANCHO: -- a second?
21 COMMISSIONER SPARKS: -- I'll second the motion.
22 CHAIRMAN ANCHO: All right.
23 So any public comment?
24 KEITH WESTENGARD: I -- I have a public request.
25 Is there going to be any type of -- of relief or something
26 that -- that in the future that if the county shut down again
27 will businesses be allowed to come and will commissioners be
28 able to help them? And I know that's a future agenda item. Is
29 that something we can put on a future agenda?
30 COMMISSIONER SPARKS: Ask the question again.
31 KEITH WESTENGARD: If there's a shutdown again and
32 businesses are put -- are closed, will there be an outlet for
33 them to come to the commission and ask for some type of relief?
34 COMMISSIONER CLARK: In other words, are we going to
35 override the governor?
36 COMMISSIONER SPARKS: Well, the -- well, that -- I was just
37 having that conversation. I think the way they'll enforce that
38 is -- because we're -- obviously, I don't believe it's going to
39 be enforced on a county level. It'll be an OSHA --
40 UNIDENTIFIED PARTICIPANT: (Off microphone) Oh.

1 COMMISSIONER SPARKS: -- thing. OSHA will come in and no
2 different than: Are you following this procedure? This safety
3 guideline? If you're not, they're going to cite the individual
4 business owner.

5 So I think it would be up to the business owner whether
6 they want to -- to comply with this new OSHA ru- -- law,
7 whatever you want to call it.

8 KEITH WESTENGARD: (Off microphone) Or -- or --

9 CHAIRMAN ANCHO: But --

10 KEITH WESTENGARD: -- or how about monetarily? Will there
11 be an outlet?

12 CHAIRMAN ANCHO: That -- I think that's what the question
13 is, say, for an example, if the governor was to step back and
14 close down businesses again -- if I'm understanding -- make sure
15 I'm understanding the -- and, say, for the hair salons, can a
16 hair salon come in and say, Hey, we're set back. Can you -- the
17 county give us \$10,000 because our businesses are now shut down?

18 Is --

19 COMMISSIONER SPARKS: We --

20 CHAIRMAN ANCHO: -- that what it's asking?

21 KEITH WESTENGARD: Yes.

22 CHAIRMAN ANCHO: Okay.

23 COMMISSIONER SPARKS: We can't set that precedent.

24 COMMISSIONER CLARK: No.

25 CHAIRMAN ANCHO: I know that, but that's --

26 KEITH WESTENGARD: And that'll --

27 CHAIRMAN ANCHO: -- what that --

28 KEITH WESTENGARD: -- that'll be --

29 CHAIRMAN ANCHO: -- person --

30 KEITH WESTENGARD: -- a --

31 CHAIRMAN ANCHO: -- what they're asking is --

32 KEITH WESTENGARD: -- a future agenda --

33 CHAIRMAN ANCHO: -- because --

34 KEITH WESTENGARD: -- item.

35 CHAIRMAN ANCHO: Yes. So okay.

36 COMMISSIONER CLARK: That's the big difference between a
37 private business and -- and a public entity. You can't give
38 money to a public business.

39 KEITH WESTENGARD: All right.

40 CHAIRMAN ANCHO: So --

1 KEITH WESTENGARD: It was -- it was a question that was --
2 COMMISSIONER CLARK: Yeah.
3 KEITH WESTENGARD: -- for public comment.
4 CHAIRMAN ANCHO: So --
5 COMMISSIONER CLARK: Hopefully it --
6 CHAIRMAN ANCHO: So --
7 COMMISSIONER CLARK: -- passes.
8 CHAIRMAN ANCHO: -- with all that, are we done with -- any
9 more public comment?
10 All right. So all right.
11 VOICE RECORDING: Muted.
12 CHAIRMAN ANCHO: All right. All in --
13 VOICE RECORDING: Unmuted.
14 CHAIRMAN ANCHO: -- favor?
15 COMMISSIONER SPARKS: Aye.
16 COMMISSIONER CLARK: Aye.
17 CHAIRMAN ANCHO: O- -- opposed?
18 Aye.
19 COMMISSIONER WAITS: I'm opposed.
20 CHAIRMAN ANCHO: You need to put in there to sign the
21 commitment letter too in your motion.
22 So now what --
23 ELIZABETH BARELA: Are you opposed? Or are --
24 CHAIRMAN ANCHO: I'm --
25 ELIZABETH BARELA: -- you --
26 CHAIRMAN ANCHO: -- opposed.
27 ELIZABETH BARELA: -- aye.
28 CHAIRMAN ANCHO: I'm opposed.
29 COMMISSIONER SPARKS: So we have a -- we have a stand-off.
30 KEITH WESTENGARD: Oh. Okay. Well --
31 COMMISSIONER SPARKS: Can I ask you guys why you are
32 opposed?
33 CHAIRMAN ANCHO: I'm -- I just -- because of the standard
34 we set, the precedent we set with the Fourth of July and with
35 our community and that encompasses our entire community, we said
36 no to that.
37 And so for -- I'm not against their organization at all.
38 And I'm torn. You know, I would love to do that. But we've
39 already told this community no. And so then I think by doing
40 this -- personally think it's kind of almost like a slap in the

1 face to the community when we allow something to go on like
2 this. Not that I'm against it. And I'm not against it. And
3 I'm torn. I would love to say, absolutely say yes. And under
4 different circumstances I would be right on board. But we've
5 already told our community no.

6 COMMISSIONER SPARKS: Whe- -- wh- --

7 CHAIRMAN ANCHO: And so that's -- where I s- -- I'm sorry.

8 COMMISSIONER SPARKS: When we -- when voted on the Fourth
9 of July, though, it was -- we weren't into our second or third
10 phase. We were on, like, a complete shutdown. Things have
11 changed since then. With certain protocol being met, we're able
12 to do these things. So --

13 COMMISSIONER CLARK: And I think we're doing pretty much
14 the same thing we do every year for Fourth of July. We're just
15 not taking any vendor money for the park.

16 CHAIRMAN ANCHO: Oh, no. We --

17 MONTE PRICE: (Indiscernible.)

18 CHAIRMAN ANCHO: -- we have in the last handful of years
19 put out quite a bit of money for the vendors. Now is that
20 something -- I don't -- I mean, I don't know what to do. I'm
21 sorry. I'm torn on that. I just --

22 COMMISSIONER CLARK: No.

23 CHAIRMAN ANCHO: -- really am.

24 COMMISSIONER CLARK: Explain. Explain, because we all --

25 CHAIRMAN ANCHO: Am I --

26 COMMISSIONER CLARK: -- want --

27 CHAIRMAN ANCHO: -- am I explaining -- my expla- --
28 explanation is that we've told this whole entire community no,
29 that we would not support the Fourth of July. Yes, they can go
30 and do it. But we have done things in the park and brought
31 families in and had the blow up things and all the stuff to get
32 this community back together. Because prior to this, the county
33 doing that, we had absolutely nothing going on in the park. And
34 I -- you know, I think that it's brought this community
35 together. They absolutely love it. And it was dictated just
36 like the parade. Dictated by this -- unfortunately by the
37 state. We can't go on the state roads so we're trying to do
38 something different. And one of my suggestions on -- with the
39 Fourth of July thing, is that something that we can bring back?
40 And if we get into a different phase, can we fund it? Can we --

1 could we fund it and do something and help? Then I -- I -- so
2 that's where I am. It's the double-edged sword. And I'm sorry,
3 but we're telling our whole community no, and then a group yes.
4 And I'm sor- -- I'm --

5 COMMISSIONER SPARKS: But we're not telling them no. We're
6 having fireworks. We're -- we're trying to solve the issue of
7 how we can have the parade. We're -- we are trying to --

8 COMMISSIONER CLARK: Comply with --

9 COMMISSIONER SPARKS: When we made that decision, that's
10 right, we made it back then everything was on total lockdown.
11 Things have changed since then. And had it been at -- at -- had
12 we been at this stage of the game back then, we might have made
13 a different decision. But --

14 COMMISSIONER CLARK: We could --

15 COMMISSIONER SPARKS: -- we've made --

16 COMMISSIONER CLARK: -- have funded --

17 COMMISSIONER SPARKS: -- the decision.

18 COMMISSIONER CLARK: -- it.

19 COMMISSIONER SPARKS: That's right. But we're still having
20 fireworks. We're still rerouting this parade -- peoples can
21 still gather at the park.

22 I just -- I -- I don't see that, necessarily. That's --

23 COMMISSIONER CLARK: And I don't see it that way either,
24 Bryan.

25 COMMISSIONER SPARKS: That's all.

26 MONTE PRICE: I got just a little input.

27 CHAIRMAN ANCHO: Okay. Go ahead, please.

28

29 (Cell phone ringing)

30

31 MONTE PRICE: The -- the reason that -- you know, we are --
32 we're still talking 45 days down the road for this event. And
33 the reason we are, we were talking 30 days down the road. But
34 this -- these guys putting on these rodeos, they're -- they're
35 booking up other places around northern Nevada. And they're
36 having rodeos. We were late at ever getting back to them. So
37 they're -- they're still going on in other places. They've been
38 in Fernley. They've been in Lovelock. They've been in
39 Winnemucca. They're putting all those rodeos on. We keep
40 losing our spot because these other places are approving them.

1 I'm not saying that to pressure you guys to say, "Well,
2 they're doing it. Why aren't we doing it?" Because everybody
3 needs to make up their own county deal.

4 But they are going on other places, everywhere, all the
5 time.

6 CHAIRMAN ANCHO: Oh. Okay.

7 MONTE PRICE: And --

8 CHAIRMAN ANCHO: So -- okay. And I -- I understand that.

9 So my question is -- and I know this is a -- off-the-wall
10 thing. And -- but I'm trying to meet in the middle.

11 Is there a way if -- since we are in this part of the --
12 we're in Stage 2, is there a way that we can have a meeting to
13 where we have one agenda item and we do something at least small
14 for our community for the Fourth of July? That we fund
15 something, even if it's not big like it was. It was -- it's
16 something. And is that something we can bring back? We have
17 one item. Everybody can call in if they want to call in. And
18 we vote on that one item next week when we can get the notice
19 out so we can do something small for our community? Is that
20 something that can be done?

21 KEITH WESTENGARD: So just to back up a little bit.

22 The way I understood it and remember the discussion is the
23 county was not going to fund the Fourth of July, but they were
24 going to take that money that they may have -- that they would
25 have funded the Fourth of July event with, and they are going to
26 move it to the fall festival. We were going to move -- everything
27 was going to be moved back for the celebration of the county -- of
28 Battle Mountain.

29 So you're -- it's not the Fourth of July, but you're ac- --
30 you are going to move it into the -- into the -- in toward the end
31 of the year a little bit more when things will be a little bit
32 more loosened up, hopefully. So --

33 But to answer that question, I mean --

34 CHAIRMAN ANCHO: Do we have enough time? I mean, I don't
35 want to push you guys up against the wall. Even if it's
36 something small, you know, that we've done something.

37 KEITH WESTENGARD: We -- we could do a special meeting, if
38 you would like. July 1 would be -- if we -- if we got it out
39 tomorrow because it'd be by 9:00 o'clock tomorrow. We would
40 post the special one. Two, three. So we could do it July 1 at

1 9:00 o'clock and -- and go from there.
2 CHAIRMAN ANCHO: Bert?
3 Will you come here for a second, please.
4 COMMISSIONER WAITS: I have a comment back --
5 CHAIRMAN ANCHO: Okay.
6 COMMISSIONER WAITS: -- back on this part because along
7 with what everybody's saying, I'm still having a problem paying
8 someone else to come in and -- an event planner and just do
9 everything.
10 If you decide to have the rodeo and the rodeo goes on,
11 perhaps we could do some prizes for it or something like that.
12 But just to pay somebody to come in and do everything, I don't
13 think, you -- is -- is the thing to do right now.
14 Bert, you had something?
15 CHAIRMAN ANCHO: I --
16 BERT RAMOS: I do.
17 CHAIRMAN ANCHO: -- I have -- my question was to him.
18 This short of deadline -- and what is your opinion on this short
19 of deadline of just getting something -- if we got something
20 small going on and just --
21 BERT RAMOS: Well, I guess my -- my thing is it's not on
22 the agenda so we're getting off topic of what --
23 But it could probably be something that could be added to
24 the end of the meeting. But it's --
25 COMMISSIONER CLARK: (Off microphone) Yeah.
26 BERT RAMOS: -- not on.
27 CHAIRMAN ANCHO: Okay.
28 BERT RAMOS: That -- that's --
29 CHAIRMAN ANCHO: Okay.
30 BERT RAMOS: -- just --
31 CHAIRMAN ANCHO: All right.
32 BERT RAMOS: I --
33 CHAIRMAN ANCHO: No.
34 BERT RAMOS: -- I just --
35 CHAIRMAN ANCHO: And you're --
36 BERT RAMOS: -- think --
37 CHAIRMAN ANCHO: -- right.
38 BERT RAMOS: -- it's off --
39 CHAIRMAN ANCHO: You're --
40 BERT RAMOS: -- off topic.

1 CHAIRMAN ANCHO: -- absolutely right.

2 BERT RAMOS: But to address Patsy's concern, I believe that
3 they are giving prizes out. The -- if -- the county, it -- it's
4 no different than if we hired a contractor to come in and put a
5 water line in for us. We have our own water department, but we
6 hire somebody to come put a water line in for us.

7 COMMISSIONER WAITS: No. I understand the subcontractors.
8 But I'm saying for an event, for one of our advisory
9 boards, is a little bit different when we hadn't put it, you
10 know, on -- on any of our budgets or anything.

11 So I thought if they needed something more -- if we
12 didn't -- if you didn't have that event planner, so to speak,
13 not all rodeos have those, do they? And with -- don't they --

14 MONTE PRICE: If --
15 COMMISSIONER WAITS: -- put them --
16 MONTE PRICE: Can I --
17 COMMISSIONER WAITS: -- together --
18 MONTE PRICE: -- can I --
19 COMMISSIONER WAITS: -- yourselves?
20 MONTE PRICE: -- interject here?

21 I -- I -- we have put on rodeos in the past. I did one
22 here -- it's been 13, 14 years ago. And if -- we went out then.
23 We hired -- which the county does not own bucking bulls. We do
24 not own bucking horses. We do not own roping steers. We went
25 around last time and we found this guy. And we rented or hired
26 him to bring his bucking horses. We hired this guy over here to
27 bring in that stiff. And then we put on a rodeo. It cost a lot
28 more than 10,000.

29 If you find -- these guys have a package deal. They can
30 just show up. They already own their own -- their trucks. They
31 have to truck all their livestock in. They have to bring their
32 own hay in. They have to bring all that.

33 And this -- this is a package deal. And it --
34 COMMISSIONER WAITS: Okay. It's a lot --
35 MONTE PRICE: -- it's --
36 COMMISSIONER WAITS: -- more elaborate than -- I may not
37 have -- I was thinking, --
38 MONTE PRICE: Yeah.
39 COMMISSIONER WAITS: -- you know, barrels and poles and,
40 you know, the -- the smaller roping and things like that.

1 MONTE PRICE: Right.
2 COMMISSIONER WAITS: I mean, you're --
3 MONTE PRICE: Yeah.
4 COMMISSIONER WAITS: -- you're -- you're talking how many
5 people do you expect to --
6 MONTE PRICE: They --
7 COMMISSIONER WAITS: -- bring --
8 MONTE PRICE: -- they --
9 COMMISSIONER WAITS: -- again?
10 MONTE PRICE: They have set right now. They limited it.
11 It's a ranch rodeo. And they are teams, four-person teams.
12 They limited it to 30 teams. So it'll take 30 times four.
13 That's going to be --
14 COMMISSIONER WAITS: Okay.
15 MONTE PRICE: -- your --
16 COMMISSIONER WAITS: Now they --
17 MONTE PRICE: -- contestants.
18 COMMISSIONER WAITS: -- all --
19 DEBORAH PIAZZA: They're doing --
20 COMMISSIONER WAITS: -- pay --
21 DEBORAH PIAZZA: -- some.
22 COMMISSIONER WAITS: -- money. What happens to that money?
23 That goes to the event planner too?
24 MONTE PRICE: The -- the -- the --
25 COMMISSIONER WAITS: So it's a profit-making.
26 MONTE PRICE: The -- the entry fees goes to them. And
27 that's what they use to pay for their fuel, their hay --
28 COMMISSIONER WAITS: Okay. So you give them 10,000, and
29 they -- they walk away with everything except the concession
30 stand.
31 MONTE PRICE: We -- we get the concession stands and the
32 admissions at the gate.
33 And they -- they furnish all the prizes, which, again,
34 you're buying belt buckles and trophies, which are -- you
35 know --
36 COMMISSIONER WAITS: Okay.
37 MONTE PRICE: -- anywhere from \$50 apiece to \$250 apiece.
38 So, yes, --
39 COMMISSIONER WAITS: And I --
40 MONTE PRICE: -- that's it.

1 COMMISSIONER WAITS: -- guess -- I guess I do have kind of
2 a -- a tough time with it with everything that's going on.
3 And -- and --
4 MONTE PRICE: If -- if you guys look back, I was told by a
5 county official -- and I'm not guaranteeing it's correct. They
6 said the last rodeo you guys put on a few years ago cost 47,000
7 to have them come in and put it on.
8 CHAIRMAN ANCHO: Did we pay for that, Bert?
9 BERT RAMOS: Yeah. The county did pay for that. I don't
10 know the exact number. But I don't believe it was 47,000. I
11 thought it was 12- or --
12 ELIZABETH BARELA: Yeah.
13 BERT RAMOS: I believe --
14 ELIZABETH BARELA: It was --
15 BERT RAMOS: -- it was --
16 ELIZABETH BARELA: -- 12.
17 BERT RAMOS: -- twelve --
18 CHAIRMAN ANCHO: Oh, okay.
19 BERT RAMOS: -- thousand that the --
20 MONTE PRICE: Oh, it was --
21 BERT RAMOS: -- county --
22 MONTE PRICE: -- 12-?
23 BERT RAMOS: Yes.
24 MONTE PRICE: Okay.
25 BERT RAMOS: But the other thing that we need to take into
26 consideration here is since I've been down here, we haven't had
27 a -- an advisory board that has accomplished anything with the
28 rodeo grounds, so to speak, or brought people to town.
29 And we finally have an advisory board that's taken a good
30 step forward in a positive direction for the community. It's
31 unfortunate that it's right now with the COVID going on. But I
32 hate to see that disassemble because of something like this,
33 the -- and lack of better words, big government's killing. I
34 don't want to see it kill a small community. You know, that --
35 it's just something to consider.
36 CHAIRMAN ANCHO: Okay. Well, and so with that being said
37 as far as money being put into the fall festival and if we are
38 able to get something on the agenda, I know that's going off
39 topic. But with that being said, because I would like to do it
40 all, truly, you know, for this community.

1 Hopefully we can get that accomplished.
2 Did you have something to say, --
3 KEITH WESTENGARD: Well, --
4 CHAIRMAN ANCHO: -- Keith?
5 KEITH WESTENGARD: -- it's --
6 We'll -- at the end, we -- I -- we can go over some of the
7 things in public comment like bounce houses and things for
8 the --
9 CHAIRMAN ANCHO: Okay.
10 KEITH WESTENGARD: -- Fourth of July event.
11 CHAIRMAN ANCHO: Okay.
12 KEITH WESTENGARD: We own those. The county owns --
13 CHAIRMAN ANCHO: Oh.
14 KEITH WESTENGARD: -- those.
15 CHAIRMAN ANCHO: Oh, okay.
16 KEITH WESTENGARD: And I don't want to get away, --
17 CHAIRMAN ANCHO: Okay.
18 KEITH WESTENGARD: -- off topic.
19 CHAIRMAN ANCHO: We don't get off topic. So that makes --
20 still -- that makes it better too. So --
21 So now how do we do this with --
22 COMMISSIONER SPARKS: You're -- do you want to change your
23 vote?
24 CHAIRMAN ANCHO: I will -- I will go a- --
25 DISTRICT ATTORNEY HERRERA: Madam --
26 CHAIRMAN ANCHO: As long as we --
27 DISTRICT ATTORNEY HERRERA: -- chair.
28 CHAIRMAN ANCHO: -- do something -- huh?
29 DISTRICT ATTORNEY HERRERA: You -- you're going to have to
30 ask for another motion.
31 CHAIRMAN ANCHO: Okay. We'll ask for another motion. Art,
32 do you want to redo your motion, please?
33 COMMISSIONER WAITS: I -- I have another --
34 CHAIRMAN ANCHO: Okay.
35 COMMISSIONER WAITS: -- question.
36 CHAIRMAN ANCHO: Wait. When -- let's --
37 COMMISSIONER WAITS: Okay.
38 CHAIRMAN ANCHO: -- see.
39 COMMISSIONER WAITS: So this company that comes in also has
40 insurance?

1 MONTE PRICE: Yes. I believe they do. Deb?
2 DEBORAH PIAZZA: I'm pretty --
3 COMMISSIONER WAITS: So we --
4 COMMISSIONER CLARK: They'd --
5 DEBORAH PIAZZA: -- sure --
6 COMMISSIONER WAITS: -- would --
7 COMMISSIONER CLARK: -- have --
8 DEBORAH PIAZZA: -- they --
9 COMMISSIONER WAITS: -- be --
10 COMMISSIONER CLARK: -- to have --
11 COMMISSIONER WAITS: -- named --
12 DEBORAH PIAZZA: -- do.
13 COMMISSIONER CLARK: -- your own --
14 MONTE PRICE: Yeah.
15 COMMISSIONER CLARK: -- insurance.
16 COMMISSIONER WAITS: We would be named as an additional
17 insured?
18 ELIZABETH BARELA: (Off microphone) He needs to --
19 MONTE PRICE: Uh-huh.
20 ELIZABETH BARELA: -- put that in his motion.
21 CHAIRMAN ANCHO: Yep. For your motion.
22 COMMISSIONER CLARK: Okay. I'm going to make a motion to
23 give the \$10,000 to the event center board so that they can
24 start the rodeo season and to follow all of the safety
25 regulations for the COVID. Keep the receipts and have a good
26 time.
27 CHAIRMAN ANCHO: And the --
28 DISTRICT ATTORNEY HERRERA: And --
29 CHAIRMAN ANCHO: -- insurance.
30 DISTRICT ATTORNEY HERRERA: -- Bert.
31 COMMISSIONER CLARK: And what?
32 DISTRICT ATTORNEY HERRERA: You have to appoint Bert --
33 COMMISSIONER CLARK: Oh, and --
34 DISTRICT ATTORNEY HERRERA: -- as --
35 COMMISSIONER CLARK: -- appoint Bert --
36 DISTRICT ATTORNEY HERRERA: -- the contact person.
37 COMMISSIONER CLARK: -- as your contact person.
38 ELIZABETH BARELA: (Off microphone) And approve concession
39 stands?
40 COMMISSIONER CLARK: And concession stands will be -- use

1 will be decided by the board.
2 ELIZABETH BARELA: (Off microphone) And they need to name
3 the county on their insurance plan.
4 COMMISSIONER CLARK: And they have to have their own
5 insurance.
6 COMMISSIONER WAITS: No, name the --
7 COMMISSIONER SPARKS: Name the --
8 COMMISSIONER WAITS: -- county --
9 COMMISSIONER SPARKS: -- county.
10 ELIZABETH BARELA: (Off microphone) Name the county.
11 COMMISSIONER WAITS: -- as an additional insured on their
12 policy.
13 ELIZABETH BARELA: (Off microphone) Insurance.
14 COMMISSIONER CLARK: Name the county as an additional --
15 COMMISSIONER SPARKS: Additional insured.
16 COMMISSIONER CLARK: -- insure?
17 COMMISSIONER SPARKS: Uh-huh.
18 DEBORAH PIAZZA: Yes.
19 CHAIRMAN ANCHO: Yes.
20 COMMISSIONER CLARK: Okay.
21 CHAIRMAN ANCHO: Okay.
22 COMMISSIONER CLARK: And have a --
23 CHAIRMAN ANCHO: (Indiscernible.)
24 COMMISSIONER CLARK: -- good time.
25 ELIZABETH BARELA: (Off microphone) And sign --
26 CHAIRMAN ANCHO: All right.
27 ELIZABETH BARELA: -- the letter.
28 COMMISSIONER CLARK: And --
29 KEITH WESTENGARD: Commitment --
30 ELIZABETH BARELA: (Off microphone) Sorry.
31 KEITH WESTENGARD: -- letter.
32 COMMISSIONER CLARK: And sign -- and signed by the chair or
33 the vice chair.
34 CHAIRMAN ANCHO: All --
35 COMMISSIONER SPARKS: I'll -- I'll second it.
36 CHAIRMAN ANCHO: -- all right.
37 KEITH WESTENGARD: Wow.
38 CHAIRMAN ANCHO: Any more -- any more public comment?
39 (No comment.)
40 CHAIRMAN ANCHO: All in favor?

1 COMMISSIONER CLARK: Aye.
2 COMMISSIONER SPARKS: Aye.
3 CHAIRMAN ANCHO: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER CLARK: Ta-da.
6 MONTE PRICE: Thank --
7 DEBORAH PIAZZA: Thank you.
8 MONTE PRICE: -- thank you very much.
9 DEBORAH PIAZZA: Thank you very --
10 MONTE PRICE: And --
11 DEBORAH PIAZZA: -- much.
12 MONTE PRICE: -- we do just -- just a quick comment -- we
13 do have more people coming, wanting to do more things like the
14 barrel racings and pole bendings that are coming to our next
15 meeting. So we will have to continue coming to you each time.
16 CHAIRMAN ANCHO: And are you guys going to be selling
17 alcohol in your concessions? Because if you do, you have to
18 apply for a liquor license.
19 MONTE PRICE: Okay.
20 CHAIRMAN ANCHO: Correct?
21 MONTE PRICE: Yeah. Now in --
22 CHAIRMAN ANCHO: Yes.
23 MONTE PRICE: -- our -- our plan on that was to have
24 concession stand, a separate alcohol thing, which we would try
25 to run through one of the local businesses --
26 CHAIRMAN ANCHO: Okay. Yeah.
27 MONTE PRICE: -- to do that.
28 CHAIRMAN ANCHO: We have that's --
29 COMMISSIONER CLARK: Way to --
30 CHAIRMAN ANCHO: -- that's --
31 COMMISSIONER CLARK: -- go.
32 CHAIRMAN ANCHO: -- that fees --
33 DEBORAH PIAZZA: Yeah.
34 CHAIRMAN ANCHO: -- as --
35 DEBORAH PIAZZA: We want to --
36 CHAIRMAN ANCHO: -- well.
37 DEBORAH PIAZZA: -- try and keep everything local. And --
38 CHAIRMAN ANCHO: Okay.
39 DEBORAH PIAZZA: -- get the whole community involved in --
40 in this and --

1 COMMISSIONER CLARK: We need --
2 DEBORAH PIAZZA: -- bring it --
3 COMMISSIONER CLARK: -- we need to get back to the business
4 of living in Lander County. That's what we --
5 DEBORAH PIAZZA: Yes.
6 COMMISSIONER CLARK: -- need to get back in the business
7 of.
8 DEBORAH PIAZZA: Yes. Thank you very --
9 MONTE PRICE: Thank --
10 DEBORAH PIAZZA: -- much.
11 MONTE PRICE: -- you --
12 CHAIRMAN ANCHO: All right.
13 MONTE PRICE: -- all very --
14 CHAIRMAN ANCHO: Thank you.
15 MONTE PRICE: -- much.
16 COMMISSIONER SPARKS: Thanks, guys.
17 COMMISSIONER CLARK: You're welcome.
18 CHAIRMAN ANCHO: Thank you, --
19 DEBORAH PIAZZA: Thank you.
20 CHAIRMAN ANCHO: -- guys.
21 MONTE PRICE: And we'll see you at our next event -- the
22 way it gets -- thank you.
23 DEBORAH PIAZZA: Yes.
24 CHAIRMAN ANCHO: All right. Thank you.
25 COMMISSIONER CLARK: See you around, Monte.
26 MONTE PRICE: Yeah. (Indiscernible.)
27 CHAIRMAN ANCHO: All right.

28
29 **1) COMMISSIONERS: For possible action to approve/disapprove the**
30 **payment of bills.**
31

32 CHAIRMAN ANCHO: So we're going to go ahead and move on to
33 Number 1 for the --

34 UNIDENTIFIED PARTICIPANT: (Off microphone, indiscernible)

35 CHAIRMAN ANCHO: -- Commissioners.

36 For possible action to approve, disapprove the payment of
37 bills.

38 COMMISSIONER WAITS: I make a motion that we approve the
39 payment of bills minus Check #208083.

40 Any other?

1 COMMISSIONER SPARKS: Nope. Just that one.
2 COMMISSIONER CLARK: Second.
3 CHAIRMAN ANCHO: All right.
4 Any public comment?
5 (No comment.)
6 CHAIRMAN ANCHO: All in favor?
7 COMMISSIONER WAITS: Aye.
8 COMMISSIONER CLARK: Aye.
9 CHAIRMAN ANCHO: Aye.
10 COMMISSIONER SPARKS: I'm in favor of all the bills except
11 208083 because it's made to my employer. I abstain from that.
12 CHAIRMAN ANCHO: Okay.
13 COMMISSIONER WAITS: No. You don't abstain on this one.
14 CHAIRMAN ANCHO: We're going to come back to that --
15 COMMISSIONER WAITS: This is --
16 CHAIRMAN ANCHO: -- one.
17 COMMISSIONER WAITS: -- for all the bills.
18 CHAIRMAN ANCHO: This is --
19 VOICE RECORDING: Muted.
20 CHAIRMAN ANCHO: -- all, except --
21 COMMISSIONER SPARKS: Oh (indiscernible).
22 CHAIRMAN ANCHO: -- that one.
23 VOICE RECORDING: Unmuted.
24 COMMISSIONER SPARKS: Oh.
25 COMMISSIONER CLARK: This is --
26 COMMISSIONER SPARKS: All of --
27 Okay.
28 CHAIRMAN ANCHO: Okay. All of them. All right.
29 So all --
30 COMMISSIONER WAITS: Okay.
31 CHAIRMAN ANCHO: -- in --
32 COMMISSIONER SPARKS: I'm in favor of that.
33 CHAIRMAN ANCHO: Oh, okay.
34 COMMISSIONER WAITS: Okay.
35 Now I'll make a motion that we pay Check #208083.
36 COMMISSIONER CLARK: Second.
37 CHAIRMAN ANCHO: All in favor?
38 Aye.
39 COMMISSIONER CLARK: Aye.
40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER SPARKS: I abstain.
2 CHAIRMAN ANCHO: Abstain. Okay.
3 So all right. Moving on.
4

5 **2) For possible action to approve/disapprove the Termination**
6 **Agreement and Covenant Not to Sue between Lander County**
7 **Commissioners and Keith Westengard.**
8

9 CHAIRMAN ANCHO: For possible action to approve,
10 disapprove --

11 SADIE SULLIVAN: Kathy, can you give me --

12 CHAIRMAN ANCHO: Oh.

13 SADIE SULLIVAN: -- a second?

14 CHAIRMAN ANCHO: Uh-huh. Absolutely.
15

16 (Attempting to contact Deputy District Attorney Hy
17 Forgeron.)
18

19 COMMISSIONER SPARKS: Will he show up on the bridge?

20 CHAIRMAN ANCHO: We're waiting for Hy.

21 UNIDENTIFIED PARTICIPANT: (Off microphone) Yeah. She'll
22 transfer it over.

23 DEPUTY DISTRICT ATTORNEY FORGERON: Hello.

24 UNIDENTIFIED PARTICIPANT: (Off microphone) Good morning.
25 I'm going to transfer you.

26 DEPUTY DISTRICT ATTORNEY FORGERON: Thank you.

27 CHAIRMAN ANCHO: Okay. We ready?

28 UNIDENTIFIED PARTICIPANT: (Off microphone) Go.

29 CHAIRMAN ANCHO: All right.

30 COMMISSIONER SPARKS: 5876?

31 SADIE SULLIVAN: Yes.

32 CHAIRMAN ANCHO: All right. Very good.

33 For possible action to approve, disapprove the Termination
34 Agreement of Covenant Not to Exceed between Lander County
35 Commission -- Commissioners and Keith Westengard.

36 COMMISSIONER WAITS: Madam Chair?

37 CHAIRMAN ANCHO: Yes.

38 COMMISSIONER WAITS: I would be amiss if I didn't at least
39 bring this up. Because this -- this is a concern. And I --
40 I'm --

1 CHAIRMAN ANCHO: Will you -- one of you --
2 COMMISSIONER WAITS: -- I'm really --
3 CHAIRMAN ANCHO: -- guys mute, please.
4 COMMISSIONER WAITS: I'm concerned that -- that the part
5 where we continue to pay Keith biweekly and keep him on our
6 payroll, so to speak, is not the best thing for the county.
7 And I truly would like to see us approve his -- his -- his
8 30-day notice to us and that we pay him in full and that would
9 be the end.
10 We could do a separate contract for his consulting services.
11 And I think that's important because I think it's something we
12 would -- we still wanted to continue to do.
13 But I -- I would like to know if there's a way that -- that
14 we can just buy you out and that's the end of all of our payroll
15 back and forth and our -- our PERS. And -- and if the health
16 insurance is a -- a real concern, we can address that too. But
17 I'm going, what would it take to just buy you out? Boom.
18 KEITH WESTENGARD: You have the agreement in front of you.
19 CHAIRMAN ANCHO: (Off microphone) Yes.
20 KEITH WESTENGARD: That's what we agreed on.
21 CHAIRMAN ANCHO: (Off microphone) Uh-huh.
22 KEITH WESTENGARD: And if that's not going to happen, then
23 we'll go -- I'll go a separate route. That -- that's what I --
24 CHAIRMAN ANCHO: All right.
25 KEITH WESTENGARD: -- choose.
26 CHAIRMAN ANCHO: Okay. So --
27 COMMISSIONER CLARK: (Clapping.)
28 CHAIRMAN ANCHO: Okay. Hy, would you like to comment on
29 that, please?
30 DEPUTY DISTRICT ATTORNEY FORGERON: I don't have any
31 comment on that. This is a negotiation between the commission
32 and the county manager. I can answer your legal questions.
33 CHAIRMAN ANCHO: Well, I -- I see it as that was something
34 that was agreed on. And that's why we're here at this moment on
35 this issue.
36 COMMISSIONER WAITS: Okay. For -- for a legal question,
37 then, Hy -- and I -- I know that's something we looked at.
38 But this is what we're determining today. And -- and is it
39 still legal for us to negotiate today, such as asking for a
40 complete buyout? Is that out of line? Or is that legal for us

1 to do?

2 DEPUTY DISTRICT ATTORNEY FORGERON: Oh, no. I think it's
3 certainly legal for you to continue negotiations.

4 My recollection from the last meeting was that these items
5 were approved in general, but they were subject to the written
6 agreement, which would have to come before the board again
7 today.

8 The board has the legal right to make changes or back out
9 of it, however they want. And Mr. Westengard has the right to
10 retain his ability to sue the county.

11 So it's -- you -- both sides have the right to negotiate
12 this.

13 COMMISSIONER WAITS: Thank you.

14 CHAIRMAN ANCHO: So with that being said, do we have a
15 motion?

16 COMMISSIONER SPARKS: I'll make a motion that we approve
17 the agreement as written and presented.

18 CHAIRMAN ANCHO: Uh-huh. Do I have a second?

19 COMMISSIONER CLARK: And, again, reluctantly, I'm going to
20 second this.

21 CHAIRMAN ANCHO: All right. Any public comment?

22 COMMISSIONER WAITS: I do have a --

23 TELEPHONE VOICE: (Indiscernible.)

24 COMMISSIONER WAITS: -- question on it.

25 DEPUTY DISTRICT ATTORNEY FORGERON: (To person on phone)

26 No.

27 TELEPHONE VOICE: No. It's -- it's not very far out.

28 DEPUTY DISTRICT ATTORNEY FORGERON: (To person on phone)

29 Oh. Okay.

30 TELEPHONE VOICE: It's one of the options.

31 CHAIRMAN ANCHO: You -- can you guys put your -- hello.

32 Will you guys put your phones on mute? Because we can hear your
33 conversations.

34 Thank you.

35 Go ahead, please.

36 COMMISSIONER WAITS: Yes. On -- on the part -- on the
37 consulting part, I do have some questions. And I don't know
38 whether it's anything that we can just put on the record

39 or whether we have to have it in the contract. But I'm

40 concerned with -- if we have any time frame. I thought we were

1 looking at a time frame for the consulting. And I would like to
2 know if we can set any parameters such as most of it can be done
3 by telephone, hopefully.

4 I mean, do we expect him to come in every single day of the
5 week to be here? Or is it going to be on-call because our new
6 county manager wants that? Or -- I mean, I have several
7 concerns how that is going to work. Yes.

8 COMMISSIONER SPARKS: Yeah. I understand your concerns.
9 But I think that would be up to your interim county manager and
10 what he feels his needs are.

11 COMMISSIONER WAITS: Well, that's what I'm asking.

12 COMMISSIONER SPARKS: Yeah.

13 COMMISSIONER WAITS: Are we saying that the -- the interim
14 manager is the one who's going to determine how many days and --
15 and how many phone calls or -- I mean, we aren't going to set
16 anything in it?

17 COMMISSIONER SPARKS: Well, how can you set something?

18 COMMISSIONER WAITS: Well, I mean, --

19 COMMISSIONER SPARKS: Yeah.

20 COMMISSIONER WAITS: -- if I was county manager, personally
21 I'd say, I want you here for the next six months. What do you
22 think?

23 CHAIRMAN ANCHO: Well, that's --

24 COMMISSIONER SPARKS: Well, why --

25 CHAIRMAN ANCHO: -- not what was --

26 COMMISSIONER SPARKS: -- would do that if you didn't need
27 him for six months? Why would you put that there? Then you're
28 committed to that contract for sure.

29 COMMISSIONER WAITS: Because I'm sure it's going to take a
30 long time. We have had people that have been working in our --
31 our fiscal department that have been understudies for a year.

32 I mean, it takes a long time to learn and to feel
33 comfortable and to do that.

34 And I'm going, is the board going to have any kind of
35 parameters? That's all I'm asking.

36 CHAIRMAN ANCHO: Well, it was -- just one second. We
37 had -- that had already been a discussion in the meeting at the
38 length of that. So that has already been discussed.

39 Bert, do you have something to say on the -- or Keith?

40 KEITH WESTENGARD: I'll -- I'll let Bert talk.

1 CHAIRMAN ANCHO: Okay.

2 KEITH WESTENGARD: We talked about this extensively.

3 CHAIRMAN ANCHO: Okay.

4 BERT RAMOS: Had to finish my donut. Sorry.

5 Bert, for the record.

6 Me and Keith have spoke about this.

7 I think that if I -- to make it short. If I wanted to stay

8 a county manager, I probably wouldn't hire Keith back full-time.

9 You don't buy somebody out to keep them around.

10 Obviously, there'll probably be some things that come up from

11 time to time I got to make a phone call here and there. And

12 that's going to be part of it. But I think me and Keith are both

13 very clear on where we stand with -- with him coming in and how

14 much he's going to work. And, you know, he -- he's been more than

15 helpful when it comes to saying, "Whatever you need, I'm here for

16 you." And -- and I appreciate that on -- on Keith's behalf.

17 It's good to have him there. But I don't think it's

18 something that's going to be abused. I'll be back in front of

19 you guys in six months asking to be here full-time. I -- I

20 don't know if Keith wants to add anything to that.

21 CHAIRMAN ANCHO: And I --

22 KEITH WESTENGARD: No. I -- I think it's -- you covered it

23 very well. We've been banging on it pretty hard since the last

24 meeting, things that need to be done, notifications that need to

25 be made.

26 And like I -- like I told Bert, you know, if he needs

27 something, he can call me. If he needs me to come in --

28 There are pending litigations that really there won't be a

29 whole lot -- I'll have to be there for some of those. So there

30 will be some time. But that's on a whole separate matter.

31 But if he needs me, I'm there. If not, I'm not. And, like

32 Bert said, where -- it's not going to be abused on either side.

33 CHAIRMAN ANCHO: So we have a second?

34 Do we have -- are there any other public comment?

35 (No comment.)

36 CHAIRMAN ANCHO: All right.

37 All right. All in --

38 COMMISSIONER SPARKS: I made -- I made the motion. Did

39 somebody second?

40 CHAIRMAN ANCHO: I --

1 ELIZABETH BARELA: Art.
2 CHAIRMAN ANCHO: He's -- Art did. So we're going to go all
3 in favor?
4 COMMISSIONER SPARKS: Aye.
5 CHAIRMAN ANCHO: Aye.
6 COMMISSIONER WAITS: Aye.
7 COMMISSIONER CLARK: Reluctantly, aye.
8 CHAIRMAN ANCHO: All right.
9 KEITH WESTENGARD: We're going to need somebody to sign it
10 too.
11 CHAIRMAN ANCHO: Okay.
12 KEITH WESTENGARD: So --
13 VOICE RECORDING: Muted. Unmuted.
14 CHAIRMAN ANCHO: What- -- whatever needs to be done. So
15 are we good with that item?
16 COMMISSIONER CLARK: Take a break if we can.
17 CHAIRMAN ANCHO: All right.
18 So we're going to go ahead and take a ten-minute break,
19 please.
20
21 (Break taken between 9:55 a.m. and 10:03 a.m.)
22
23 CHAIRMAN ANCHO: All right. So we're going to go ahead and
24 get back.
25 All right.
26
27 3) **For possible action to approve/disapprove an agreement for**
28 **services provided by Marquis Aurbach Coffing to pursue legal**
29 **action related to construction defects.**
30
31 CHAIRMAN ANCHO: For possible action to approve, disapprove
32 the agreement for services provided Marqu- -- Marquis and
33 Aurbach and Coffing for -- to pursue legal actions relating to
34 the construction defects.
35 So we're --
36 COMMISSIONER WAITS: Actually, I think we had a nice
37 discussion on this and felt we did want to go forward.
38 I'm assuming that our -- our legal has had a chance to
39 review this. So I need their okay.
40 But I do have a question on -- on the actual contract. And

1 that's on the signature by the client, it says, by whom and then
2 social security number. And since it's a county, I'm assuming
3 we don't have to fill any of that in.

4 But if there's somebody from the law firm that can verify
5 that for me?

6 CODY MOUNTEER: Yes. Madam Chair and commission, this
7 is Cody Munteer on behalf of Marquis Aurbach Coffing.

8 That's just a standard signature form. There would be no
9 Social Security because we would be retained by the municipality
10 itself.

11 COMMISSIONER WAITS: Good. I wanted to verify that. Thank
12 you very much.

13 And then, Ted, you've had a chance to review this for us?

14 DISTRICT ATTORNEY HERRERA: Yes. I've rev- -- I've
15 reviewed both of them, but you have to pick which one you want
16 to go with.

17 COMMISSIONER SPARKS: We have to decide if --

18 DISTRICT ATTORNEY HERRERA: So --

19 COMMISSIONER SPARKS: -- you want --

20 DISTRICT ATTORNEY HERRERA: -- I'm glad --

21 COMMISSIONER SPARKS: -- hit on --

22 DISTRICT ATTORNEY HERRERA: -- the --

23 ELIZABETH BARELA: There's --

24 COMMISSIONER SPARKS: -- a --

25 ELIZABETH BARELA: -- two --

26 DISTRICT ATTORNEY HERRERA: -- representative --

27 ELIZABETH BARELA: -- contracts.

28 COMMISSIONER SPARKS: -- tentative fee --

29 DISTRICT ATTORNEY HERRERA: -- is here --

30 COMMISSIONER SPARKS: -- or an --

31 DISTRICT ATTORNEY HERRERA: -- from the law firm.

32 COMMISSIONER WAITS: Right.

33 DISTRICT ATTORNEY HERRERA: He can answer any questions you
34 may have along those lines.

35 COMMISSIONER WAITS: Right. And do you have a
36 recommendation?

37 DISTRICT ATTORNEY HERRERA: No. I -- I first would need
38 to -- to know what the law firm believes our chances are and how
39 much they expect us to receive. And based on that, we could
40 make recommendations.

1 But with- -- without that, you're just, like, blindly
2 picking an avenue.

3 You -- you need -- we need more information from the firm.

4 COMMISSIONER SPARKS: Well, one thing we could look at, I
5 mean, we know the total amount of the claim.

6 If we took the 20 percent, because that's what they're
7 contingency is, you could divide that out by their hourly wage
8 to see -- that's how many hours you would get and say, is that
9 realistic, you know, to -- in -- in something of this nature?
10 You know. That's one way to look at it. And that's what we
11 could do.

12 DISTRICT ATTORNEY HERRERA: Right. And -- and you could
13 also ask him about any past cases he had that were similar to
14 this and -- and see what the outcome was on those.

15 ELIZABETH BARELA: That's a question for Cody.

16 Cody, did you hear that?

17 CODY MOUNTEER: I did. Thank you.

18 COMMISSIONER CLARK: (Off microphone) It would be around a
19 million.

20 CODY MOUNTEER: The claims are more certain here because
21 the work that was done prior from Mr. Hardy.

22 And I would assume that the commission, you know, is if
23 they're considering the hybrid, a safe number would be to take
24 the total amount that was identified in the report and deduct
25 the 20 percent off of that as far as a -- a take.

26 I can tell the commission that these types of cases
27 typically do not settle very early. There might be insurance
28 involved. In fact, the complaint's going to be drafted in a way
29 to where, you know, tendering from CORE Construction to its
30 carrier will be a must.

31 There'll be some time for the carrier to determine if
32 there's covered claims.

33 And there will be, you know, issues with regard to having
34 that carrier retaining an expert, having viewed all three of the
35 properties that are, you know, subject to the complaint. And
36 then that expert will provide some form of opinion back to the
37 carrier.

38 So I don't think this is something where if the case is
39 going to be filed and we're going to see settlement in the first
40 two, three, four months. There will have to be some groundwork

1 laid.

2 The beauty of it is the county has already pretty much
3 everything done -- and rarely do we have complaints where a full
4 entire investigation's been completed.

5 So as far as cost to the county, a lot of that has already
6 been incurred and won't be something that's hanging out, you
7 know, at this stage.

8 But as far as being able to give an exact number or
9 recommendation on, you know, the values, I do see this case
10 settling, to be honest with you. I don't see it going to trial.

11 And settlements typically happen between, you know, 80 to
12 60 percent of the stated value, just depending on how the case
13 plays out.

14 And here, a settlement would have to come after the
15 commission would weigh all options. And we would see, you know,
16 where the money's coming from. There's very -- a varying
17 difference between what would be considered. And that would
18 have to be -- that decision would have to be made at that time.

19 Hope that makes sense.

20 CHAIRMAN ANCHO: This is Kathy Ancho. When you do on the
21 contingency, was -- does it make a difference as far as the --
22 how fast this moves forward, just because you guys also have a
23 little bit of skin in the game on -- on that? Or does it --
24 regardless of which contract we go, it's going to move at the
25 same rate?

26 CODY MOUNTEER: We push our cases forward, you know, as
27 quickly as we can on behalf of all of our clients. So to be
28 honest with you, I don't think because we have skin in the game
29 it's going to make a huge difference in timing because we're
30 pretty, you know, fervent on pushing our cases, making sure
31 we're on time and everything else.

32 But that's always in the background, to be honest with you.
33 I mean, that is a consideration of -- of keeping things moving.

34 We advise our clients the same regardless of whether it's a
35 full fee or a hybrid.

36 COMMISSIONER SPARKS: (Off microphone) So if we did --
37 correct me if I'm wrong. I mean, what --

38 CHAIRMAN ANCHO: Turn the (indiscernible).

39 COMMISSIONER SPARKS: (On microphone) I like the
40 contingency because we know what we're going -- we know what

1 we're -- we know what we're handed. But then on that same
2 token, on a contingency, it's going to be about a million bucks
3 if I figured correctly.

4 But that -- that is also recoverable, is it not? We can
5 also recover that?

6 CODY MOUNTEER: Well, there's -- in Nevada, that -- that's
7 something that I still probably need to look a little more into
8 to advise the commission on because the construction contract, I
9 believe, calls for some recovery of fees and costs.

10 Now, courts don't typically give a hundred percent of fees
11 and costs in those scenarios.

12 So I don't want the commission to think that a hundred
13 percent would be recoverable if we have that contractual clause.

14 Typically, you've probably heard -- the commission's
15 probably heard that construction defect actions, plaintiffs are
16 able to recover their attorney's fees and costs. That statute
17 was repealed. That's no longer the case. And it deals primary
18 with residential. Where here we're dealing with commercial
19 properties so we fall under a different section of the statute.
20 And unless there's a contractual remedy to recover fees and
21 costs, it will not be recoverable.

22 COMMISSIONER CLARK: It'd only be about a million dollars
23 if -- if they settled on the total amount.

24 COMMISSIONER SPARKS: Right.

25 COMMISSIONER CLARK: If they --

26 COMMISSIONER SPARKS: Exactly.

27 COMMISSIONER CLARK: It could be three -- it could be
28 3 million. It could -- you know, whatever we decide. But it
29 could be less.

30 But if they -- on, like, five, seven is the total?

31 COMMISSIONER SPARKS: Yeah. It's like --

32 COMMISSIONER CLARK: So it'd be --

33 COMMISSIONER SPARKS: -- I mean, my thing is why
34 would --

35 COMMISSIONER CLARK: -- 20 --

36 COMMISSIONER SPARKS: -- you --

37 COMMISSIONER CLARK: -- percent would be right there.

38 COMMISSIONER SPARKS: You know. I feel like a major
39 disservice has been done to our taxpayers. And why would we
40 settle for less than what they cost taxpayers for it?

1 COMMISSIONER CLARK: (Off microphone) And I agree. We
2 should be reimbursed. (On microphone) We should be reimbursed
3 on our -- on our attorney costs. But that's --

4 COMMISSIONER SPARKS: Right.

5 COMMISSIONER CLARK: You've got to throw the dice.

6 COMMISSIONER WAITS: That --

7 COMMISSIONER CLARK: That's up to the --

8 COMMISSIONER WAITS: -- that isn't --

9 COMMISSIONER CLARK: -- judge.

10 COMMISSIONER WAITS: -- always real easy to do, though,
11 in -- in all the lawsuits. It's very, very difficult to plan
12 on.

13 If we hadn't done all of the investigation that's already
14 been done, my instinct would go immediately with the -- the full
15 retainer and -- and percentage. But there's a lot of time and
16 effort. And you saw when he was here before us, I mean, I have
17 no idea the amount of money, but big time that POOL/PACT has
18 spent already. It hasn't cost us anything to start this
19 investigation.

20 So I'm -- I'm really leaning towards the -- the hourly
21 and -- and contingent, the hybrid agreement.

22 CHAIRMAN ANCHO: So do we have a motion?

23 COMMISSIONER CLARK: I don't care how we pay for it just as
24 long as we get it going and we get some money back and we can
25 make a report on the whole issue to the community one- -- once
26 it's settled.

27 DISTRICT ATTORNEY HERRERA: And, Commissioners, this is Ted
28 Herrera. I -- I believe -- I would agree with Patsy. I believe
29 that -- my recommendation would be the hybrid contract.

30 COMMISSIONER SPARKS: Thanks, Ted.

31 CHAIRMAN ANCHO: Thank you.

32 COMMISSIONER SPARKS: Motion?

33 COMMISSIONER WAITS: Okay. I'll make a motion that we
34 employ the law firm of Marquis Aurbach and Coffing attorney to
35 do the attorney fee agreement, the hybrid agreement, which is
36 hourly and contingency for the lawsuit related to the
37 construction defects.

38 COMMISSIONER SPARKS: I'll second the motion.

39 CHAIRMAN ANCHO: All right. Do we have --

40 ELIZABETH BARELA: Authorize the chair to sign.

1 COMMISSIONER WAITS: I'm sorry?
2 ELIZABETH BARELA: Authorize the chair to sign.
3 COMMISSIONER WAITS: Oh. We authorize the chair to sign.
4 CHAIRMAN ANCHO: All right.
5 COMMISSIONER SPARKS: I'll second that as well.
6 COMMISSIONER CLARK: Now, I --
7 CHAIRMAN ANCHO: So --
8 COMMISSIONER CLARK: -- I would --
9 COMMISSIONER WAITS: With no --
10 COMMISSIONER CLARK: -- ask --
11 COMMISSIONER WAITS: -- social.
12 COMMISSIONER CLARK: I'm going to ask that we get updates
13 once a month from the firm, just an email or something, to let
14 us know where we're at.
15 CHAIRMAN ANCHO: So, Co- --
16 COMMISSIONER SPARKS: And that --
17 CHAIRMAN ANCHO: -- Cody, is that --
18 CODY MOUNTEER: Yes.
19 CHAIRMAN ANCHO: Yes? So we --
20 CODY MOUNTEER: This --
21 CHAIRMAN ANCHO: -- get -- continuously get updates,
22 please.
23 CODY MOUNTEER: Yes. Madam Chair and members of the
24 commission, this is Cody, again.
25 We will absolutely be updating the Commission. And I
26 believe there -- there should be someone -- I've worked with
27 counties in the past or cities in the past, but usually it's the
28 county manager or someone that's designated on behalf of the
29 commission that I can communicate with. And I usually send it
30 through them.
31 CHAIRMAN ANCHO: Okay.
32 COMMISSIONER SPARKS: I mean, would it be something that
33 they would update our county manager and then he would
34 present --
35 COMMISSIONER CLARK: Yeah.
36 COMMISSIONER SPARKS: -- the --
37 CHAIRMAN ANCHO: Uh-huh.
38 COMMISSIONER SPARKS: -- as in staff --
39 COMMISSIONER CLARK: Yeah.
40 COMMISSIONER SPARKS: -- reports or --

1 COMMISSIONER CLARK: Just one --
2 COMMISSIONER SPARKS: -- something?
3 COMMISSIONER CLARK: And then --
4 CHAIRMAN ANCHO: Uh-huh.
5 COMMISSIONER CLARK: -- on reports, the county manager can
6 say, okay --
7 COMMISSIONER SPARKS: This is where --
8 COMMISSIONER CLARK: -- the firm --
9 COMMISSIONER SPARKS: -- we're at.
10 COMMISSIONER CLARK: -- has reported --
11 COMMISSIONER SPARKS: Yeah.
12 COMMISSIONER CLARK: -- this. Because these are top shelf
13 attorneys. This firm -- I checked them out -- they're one of
14 the best.
15 CHAIRMAN ANCHO: So that we had a second?
16 COMMISSIONER SPARKS: Yeah. Seconded.
17 CHAIRMAN ANCHO: So do we have any public comment?
18 (No comment.)
19 CHAIRMAN ANCHO: Do we -- all right. Hearing none. All in
20 favor?
21 COMMISSIONER SPARKS: Aye.
22 COMMISSIONER CLARK: Aye.
23 CHAIRMAN ANCHO: Oh. Aye.
24 COMMISSIONER WAITS: Aye.
25 CHAIRMAN ANCHO: And opposed?
26 VOICE RECORDING: Muted.
27 CHAIRMAN ANCHO: All right.
28 VOICE RECORDING: Unmuted.
29 COMMISSIONER WAITS: Thank you.
30 CHAIRMAN ANCHO: All right. Moving on.

31

32 4) **For possible action to permanently revoke Commissioner Judie**
33 **Allan's county credit card for violation of county policy**
34 **2.16.3, number 7 and number 9 on two occasions.**
35

36 CHAIRMAN ANCHO: So for possible action to permanently
37 revoke Commission Judie Allan -- Commissioner Julie Allan's
38 county credit card for a violation of the county policy 2.16.3,
39 number 7 and number 9, on two occasions.

40 KEITH WESTENGARD: Okay. So what -- what has happened here

1 is last night Ms. Allan returned her credit card with most of
2 the backup for her pre- -- past charges. We were about \$2700 in
3 undocumented or unbacked, un- -- no charges -- or charges with
4 no backup.

5 Currently, we have \$1171.90 that has no backup that staff
6 is working on -- or it's -- going to work, call Judie, and ask
7 her to get that -- that backup to them.

8 This -- this is -- is part of our new credit card policy.
9 It applies to all county credit card holders.

10 So my concern was this happened last year. I worked with
11 Ms. Allan to get things put back in shape. Everything was
12 eventually turned in or submitted and reconciled in the Finance
13 Department.

14 It did happen one other time for a brief time. It was
15 about a month, which I -- I just left off. So there actually
16 was three.

17 And then this time, which like I said, was around 26- or
18 \$2700.

19 So this is -- doesn't happen -- doesn't happen in -- with
20 any of the other county credit cardholders.

21 And let me see here. Backup documentation was requested
22 several times. And so it came to this.

23 But most all of -- of it was put in. About half of it was
24 put in. So --

25 CHAIRMAN ANCHO: What would you like to do?

26 KEITH WESTENGARD: I -- I would like to ask that the credit
27 card be -- remain in suspension status. That's where I'm at
28 with it right now. That'll turn over to Bert in two weeks. And
29 then it can be his decision if he wants to do something else.

30 I would -- I'd ask my staff to work -- work with her to try
31 to get the -- the balance of the \$1171.90 in.

32 And hopefully we'll have that in the next week or two. If
33 not, I will have it on the 11th or -- I'm sorry -- the 9th
34 agenda again. And we'll have to see where we can go with this.
35 But if this was an -- an hourly or a salaried employee, this
36 commission would be all over it.

37 And I feel that, you know, what's good for the goose is
38 good for the gander. So --

39 COMMISSIONER SPARKS: Well, bottom line is that we have our
40 policy on it. And that's what we need to stick to.

1 KEITH WESTENGARD: You --

2 COMMISSIONER SPARKS: And I think it's -- it's -- it's --

3 if it's not and it can be, then that individual, whomever it is,

4 that holds the credit card is responsible for the charges.

5 COMMISSIONER CLARK: Yeah.

6 KEITH WESTENGARD: Yeah. And that -- it does say that in

7 the policy. If we don't collect something soon, I -- it'll a--

8 -- it'll probably have to come back after I'm gone. But that's

9 where it comes down where the individual has to pay out of their

10 pocket.

11 COMMISSIONER SPARKS: Yeah. Well, hopefully we can get it

12 worked down. And she can present her backup and then be all

13 done. So --

14 KEITH WESTENGARD: Yes.

15 COMMISSIONER WAITS: So Judie did sign the credit card

16 agreement; is that correct?

17 ELIZABETH BARELA: The new credit card agreement that you

18 guys approved, she did not sign it.

19 CHAIRMAN ANCHO: She didn't sign it?

20 ELIZABETH BARELA: No, but it -- the -- it is also in the

21 county policy, which she did not sign those documents either.

22 She did get the policies, but she did not give me the documents

23 back.

24 KEITH WESTENGARD: (Off microphone) I don't think we have

25 them.

26 JEANNE FALZONE: And we know --

27 COMMISSIONER CLARK: Wow.

28 KEITH WESTENGARD: Did -- did you -- but you guys did get

29 the policy?

30 COMMISSIONER CLARK: Yeah.

31 COMMISSIONER SPARKS: But, yeah, like we have it. Yeah.

32 CHAIRMAN ANCHO: So regardless, in that when we voted one

33 this policy, she voted -- did she --

34 UNIDENTIFIED PARTICIPANT: She did.

35 CHAIRMAN ANCHO: -- vote on the policy?

36 KEITH WESTENGARD: Yes.

37 ELIZABETH BARELA: Yes, she did.

38 CHAIRMAN ANCHO: Then --

39 KEITH WESTENGARD: And this -- and that -- it's county

40 policy that this commission put in place. So regardless of --

1 of --
2 COMMISSIONER CLARK: Why did we change the policy?
3 CHAIRMAN ANCHO: Because of these issues; correct?
4 KEITH WESTENGARD: This -- this -- this was issues. These
5 were the issues in the past. Yes.
6 COMMISSIONER CLARK: Okay.
7 Same person?
8 KEITH WESTENGARD: Yes.
9 COMMISSIONER CLARK: Okay.
10 KEITH WESTENGARD: So --
11 CHAIRMAN ANCHO: So --
12 KEITH WESTENGARD: -- I guess it probably wouldn't need any
13 action at this point. I would -- I would like to keep it in
14 suspension status.
15 I would like to keep it in suspension (indiscernible).
16 LAKEN SULLIVAN: Laken Sullivan, for the record.
17 I just wanted to point out too that when we don't get
18 statements turned in and the -- the charges on the statement's
19 coded, it also puts us behind for the audit --
20 KEITH WESTENGARD: Right.
21 LAKEN SULLIVAN: -- because we have to have all --
22 COMMISSIONER CLARK: Yeah.
23 LAKEN SULLIVAN: -- this done before the audit.
24 CHAIRMAN ANCHO: Like Keith said, if it was anyone else --
25 I don't like doing this -- but if it was anyone else, we would
26 be holding them to task.
27 So I -- I'm all right if we hear a motion to -- because to
28 remove the credit card. But that's, you know, someone will have
29 to make that motion.
30 COMMISSIONER CLARK: Well, I'll make a motion to formally
31 and permanently revoke Commissioner Judie Allan's county credit
32 card for violation of county policy 2.16.3 number 7 and number 9
33 on two occasions. And for admin to make sure that the credit
34 card is balanced out and obtain any monies necessary from Judie
35 Allan to make up the difference if there is any.
36 COMMISSIONER SPARKS: Is Judie on the phone right now?
37 CHAIRMAN ANCHO: No.
38 COMMISSIONER SPARKS: Oh.
39 CHAIRMAN ANCHO: Do we have a second?
40 COMMISSIONER SPARKS: I'll second.

1 CHAIRMAN ANCHO: You won't -- you'll turn your thing back
2 up?
3 COMMISSIONER WAITS: Just a comment --
4 CHAIRMAN ANCHO: Second?
5 COMMISSIONER WAITS: -- on that too --
6 CHAIRMAN ANCHO: Okay. Go --
7 COMMISSIONER WAITS: -- because --
8 CHAIRMAN ANCHO: -- ahead.
9 COMMISSIONER WAITS: -- if she does have legitimate
10 expenses, she can always turn them in. And we reimburse. So it
11 isn't like she still can't represent us to all the meetings and
12 such.
13 CHAIRMAN ANCHO: Yes.
14 COMMISSIONER WAITS: She's welcome to do that.
15 CHAIRMAN ANCHO: Yes.
16 COMMISSIONER CLARK: And we still have front money?
17 KEITH WESTENGARD: so we can do an advance, but actually
18 the -- it's kind of funny. I have to -- the county manager has
19 to approve commissioners' travel advances and reimbursements, so
20 that would fall onto Bert if he wants to approve an advance for
21 her.
22 COMMISSIONER CLARK: Okay.
23 KEITH WESTENGARD: Now reimbursement is pretty --
24 COMMISSIONER CLARK: Yeah. That's --
25 KEITH WESTENGARD: -- pretty standard --
26 CHAIRMAN ANCHO: Can throw --
27 KEITH WESTENGARD: -- with the proper --
28 CHAIRMAN ANCHO: -- it out?
29 KEITH WESTENGARD: -- documentation.
30 CHAIRMAN ANCHO: All right. With the first and second.
31 Do we have any public comment?
32 (No comment.)
33 CHAIRMAN ANCHO: All right. With none -- hearing none
34 with --
35 All -- all in favor?
36 COMMISSIONER SPARKS: Aye.
37 COMMISSIONER CLARK: Aye.
38 CHAIRMAN ANCHO: Aye.
39 COMMISSIONER WAITS: Aye.
40 CHAIRMAN ANCHO: All right.

1 Opposed?
2 (No comment.)
3 CHAIRMAN ANCHO: All right.
4 VOICE RECORDING: Muted. Unmuted.
5 CHAIRMAN ANCHO: All right.
6
7 5) **COUNTY MANAGER: For possible action to approve/disapprove**
8 **the proposal from Robin Gray, dba Seven Valleys LLC for the**
9 **Lander County mosquito and blackfly program, and authorize**
10 **the chair to sign the mosquito abatement agreement.**
11
12 CHAIRMAN ANCHO: So for possible action to approve,
13 disapprove the proposal from Robin Gray, dba Seven Valleys LLC,
14 for the Lander County mosquito and blackfly program and
15 authorize the chair to sign the mosquito abatement agreement.
16 So --
17 KEITH WESTENGARD: So this -- this is Robin Gray's mosquito
18 contract.
19 Oh.
20 CHAIRMAN ANCHO: She's here.
21 KEITH WESTENGARD: I'm sorry I didn't call you.
22 CHAIRMAN ANCHO: Yeah.
23 COMMISSIONER WAITS: (Off microphone) Hi, Robin.
24 KEITH WESTENGARD: It got busy.
25 ROBIN GRAY: I'm here.
26 CHAIRMAN ANCHO: Yeah.
27 All right.
28 ROBIN GRAY: My name's Robin Gray.
29 CHAIRMAN ANCHO: And it's the same. Has anything changed
30 from --
31 COMMISSIONER SPARKS: It's an increase in fees, is what --
32 the main thing.
33 CHAIRMAN ANCHO: Okay.
34 COMMISSIONER WAITS: So my -- my first question is to our
35 county manager. It does include the south?
36 KEITH WESTENGARD: It's -- it's Lander County. Correct.
37 Yes.
38 ROBIN GRAY: You know, if --
39 COMMISSIONER WAITS: Be- -- be- --
40 ROBIN GRAY: -- I mean, if --

1 COMMISSIONER WAITS: -- because everything --
2 ROBIN GRAY: -- you want --
3 COMMISSIONER WAITS: -- in the --
4 ROBIN GRAY: -- us to do down there, you just have to tell
5 us.
6 CHAIRMAN ANCHO: Robin -- Robin, I'll need you to --
7 ROBIN GRAY: Oh, I'm --
8 CHAIRMAN ANCHO: Thank you.
9 ROBIN GRAY: -- sorry.
10 KEITH WESTENGARD: And that's one of the -- that's what
11 we've done in the past.
12 ROBIN GRAY: Yeah.
13 KEITH WESTENGARD: We contacted Robin, worked out some
14 arrangements. But it's outside of the scope of the past
15 contract. So now if -- if it exceeds it, there's additional
16 costs.
17 ROBIN GRAY: Yeah. Well, what -- if you want us to do the,
18 you know, the southern part of the county, yeah, there is --
19 there is additional costs -- the -- over and above what I've
20 estimated here.
21 The -- the estimate that I've put on the back of this
22 proposal is basically an average of what over several years
23 of -- of what it's cost to do mosquito abatement here in Battle
24 Mountain.
25 If we do the south part of the county, then you're going to
26 have to add in -- making some kind of arrangement with Humboldt
27 County and mainly --
28 COMMISSIONER WAITS: Okay. We --
29 ROBIN GRAY: -- paying.
30 COMMISSIONER WAITS: -- we understand that that's what we
31 -- we've done before.
32 ROBIN GRAY: Okay.
33 COMMISSIONER WAITS: And my only question was on the
34 contract, it looked like it was strictly Battle Mountain and not
35 Lander County. So if that's what it is, --
36 KEITH WESTENGARD: I believe --
37 COMMISSIONER WAITS: -- everything I kept reading says
38 Battle Mountain.
39 KEITH WESTENGARD: I -- I thought -- I thought we were
40 going to go with --

1 COMMISSIONER WAITS: So that's my question. That's all.
2 KEITH WESTENGARD: And --
3 COMMISSIONER SPARKS: It says right there, proposal for
4 continuation of -- and contract for the mosquito, blackfly
5 program in Lander --
6 KEITH WESTENGARD: But not --
7 COMMISSIONER SPARKS: -- County by Seven Valleys LLC.
8 CHAIRMAN ANCHO: Uh-huh.
9 KEITH WESTENGARD: That's why we expanded it. And --
10 CHAIRMAN ANCHO: Uh-huh.
11 KEITH WESTENGARD: -- we did buy the fogger. We have a
12 fogger in the county now.
13 In the past two or three years, we've had to go to Humboldt
14 and rent their fogger. But we did buy one last year or earlier
15 this year. So we have our own fogger now. And it's at the Road
16 and Bridge yard.
17 ROBIN GRAY: Is it in a -- inside the truck?
18 KEITH WESTENGARD: Yeah. I -- I -- I worked that out with
19 Bert. And it'll be stored indoors as we discussed.
20 ROBIN GRAY: Can I have a look at it?
21 KEITH WESTENGARD: Sure. It was the -- the two you sent
22 me. We just picked one of those.
23 ROBIN GRAY: Okay.
24 KEITH WESTENGARD: And -- and I thought -- I thought Anna
25 was going to talk with you about it before we decided. But we
26 did get it. And it was -- it was one of the -- you sent me the
27 two.
28 ROBIN GRAY: Yeah.
29 KEITH WESTENGARD: Correct. So it's one of those.
30 ROBIN GRAY: If -- if you want us to do this down in the
31 south part of the county, we're going to have to get some
32 Permanone RTU to use in it. That's the chemical.
33 KEITH WESTENGARD: Oh. Okay.
34 COMMISSIONER WAITS: So we never have routinely done it.
35 But because of the virus and -- and the mosquitoes we found,
36 we -- we started doing it for the last -- what? -- couple years.
37 KEITH WESTENGARD: Yeah. Did the last couple of years. It
38 was the -- the West Nile fly or --
39 COMMISSIONER WAITS: Yeah. The West Nile.
40 ROBIN GRAY: Yeah. There's --

1 COMMISSIONER WAITS: Yeah.
2 ROBIN GRAY: There's --
3 COMMISSIONER WAITS: So --
4 ROBIN GRAY: -- a mosquito --
5 COMMISSIONER WAITS: Okay. So --
6 ROBIN GRAY: -- that's --
7 COMMISSIONER WAITS: -- the contract --
8 ROBIN GRAY: -- infected --
9 COMMISSIONER WAITS: -- stands --
10 ROBIN GRAY: -- for West Nile.
11 COMMISSIONER WAITS: -- alone. And we add to it just like
12 before?
13 KEITH WESTENGARD: If it exceeds the contract -- with
14 what's in the contract -- it will. But the contract covers the
15 entire county. Correct.
16 ROBIN GRAY: Well, ye- -- yeah. I guess so. But -- but
17 the cost was based on what it's cost to -- to do mosquito
18 abatement here in Battle Mountain. It was an average going back
19 six years, seven years, something like that.
20 And I did that because, I mean, each year is different,
21 particularly if you get a big flood water year. It -- it's
22 going to -- there's going to be more to do than in a dry year.
23 You just -- you just can't predict a year and a half ahead
24 of time what it's going to be.
25 KEITH WESTENGARD: And when -- when things are going, we
26 get complaints that there's --
27 COMMISSIONER SPARKS: Oh, yeah.
28 KEITH WESTENGARD: -- a lot of --
29 COMMISSIONER SPARKS: Nobody likes mosquitoes.
30 KEITH WESTENGARD: Right.
31 CHAIRMAN ANCHO: Yeah.
32 KEITH WESTENGARD: I call Robin. We talk about it. And
33 it's taken care of.
34 CHAIRMAN ANCHO: Yeah.
35 KEITH WESTENGARD: It's a -- it's a --
36 COMMISSIONER SPARKS: Yes.
37 CHAIRMAN ANCHO: Yeah.
38 KEITH WESTENGARD: It's always been a good deal. We've
39 been no --
40 COMMISSIONER CLARK: Do you --

1 KEITH WESTENGARD: -- issues.
2 COMMISSIONER CLARK: -- remember the year that we didn't
3 have it?
4 COMMISSIONER SPARKS: Oh, yeah. I remember.
5 COMMISSIONER CLARK: Remember the year Tom Norris bought us
6 all lights?
7 COMMISSIONER SPARKS: Uh-huh.
8 COMMISSIONER CLARK: Couldn't even walk from my house to
9 the trash can at night because you'd get bit a hundred times.
10 COMMISSIONER SPARKS: I'll make a motion if you're ready.
11 CHAIRMAN ANCHO: Yeah. We're ready for a motion.
12 COMMISSIONER SPARKS: I'll make a motion we approve the
13 proposal from Robin Gray, dba Seven Valleys LLC, for the Lander
14 County mosquito and blackfly program and authorize the chair to
15 sign the mosquito abatement agreement.
16 CHAIRMAN ANCHO: All right. Very -- we have a --
17 COMMISSIONER CLARK: Second.
18 CHAIRMAN ANCHO: All right.
19 Do we have any public comment?
20 (No comment.)
21 CHAIRMAN ANCHO: Not hearing any.
22 All in favor?
23 COMMISSIONER SPARKS: Aye.
24 COMMISSIONER CLARK: Aye.
25 CHAIRMAN ANCHO: Aye.
26 COMMISSIONER WAITS: Aye.
27 CHAIRMAN ANCHO: All right. And then --
28 COMMISSIONER WAITS: Thank you, --
29 COMMISSIONER SPARKS: Thank --
30 COMMISSIONER WAITS: -- Robin.
31 COMMISSIONER SPARKS: -- you, Robin.
32 CHAIRMAN ANCHO: Thank you very much.
33 VOICE RECORDING: Muted. Unmuted.
34 CHAIRMAN ANCHO: Thank you for your services.
35 ROBIN GRAY: All right.
36 CHAIRMAN ANCHO: We all --
37 ROBIN GRAY: Thank you.
38 CHAIRMAN ANCHO: -- appreciate it a lot.
39 ROBIN GRAY: Thank you.
40 KEITH WESTENGARD: Thanks, Robin.

1 ROBIN GRAY: Do I need to come and sign something?
2 KEITH WESTENGARD: Did you sign it? Or is there a
3 signature line on there?
4 ROBIN GRAY: Well, I don't really have a co- -- I don't
5 really have a copy of it -- of the contract.
6 KEITH WESTENGARD: Well, once -- once the chair signs it --
7 LAKEN SULLIVAN: (Indiscernible.)
8 KEITH WESTENGARD: Okay. We'll -- we'll get it --
9 LAKEN SULLIVAN: (Indiscernible.)
10 KEITH WESTENGARD: Yeah. We'll -- we'll get it taken care
11 of. If I email it to you -- but we'll get the chair. And then
12 we'll --
13 ROBIN GRAY: All right.
14 KEITH WESTENGARD: Okay.
15 ROBIN GRAY: Thank you.
16 KEITH WESTENGARD: Thank you.
17 CHAIRMAN ANCHO: Thank you very much.
18 All right. So moving on.
19

20 **6) For possible action to approve/disapprove an access easement**
21 **between Lander County and Maverik, Inc., located at**
22 **210 Palmer Street, Battle Mountain, APN 002-123-07.**
23

24 CHAIRMAN ANCHO: For possible action to approve, disapprove
25 an access easement between Lander County and Maverik, In- --
26 Incorporated, located at 210 Palmer Street, Battle Mountain, APN
27 002-123-07.

28 KEITH WESTENGARD: This is an easement for Maverik. This
29 is something that we hope will help the (indiscernible) backup
30 on 305 with the big rigs. And I believe there's somebody from
31 Maverik who will call in.

32 KYLA BRIGHT: Yeah. I believe, Brock -- Brock should be on
33 online, but you'd have to probably unmute him.

34 COMMISSIONER SPARKS: I only have four on the line right --

35 BROCK: Yeah.

36 COMMISSIONER SPARKS: -- now.

37 BROCK: I am online.

38 COMMISSIONER SPARKS: Oh.

39 CHAIRMAN ANCHO: All right. Very good. Thank you.

40 So how is -- I know. I read through this, but --

1 COMMISSIONER SPARKS: How is it going to work?
2 CHAIRMAN ANCHO: How is it going to w- -- how's this --
3 COMMISSIONER SPARKS: (Off microphone) Yeah.
4 CHAIRMAN ANCHO: -- going to --
5 COMMISSIONER SPARKS: (Off microphone) How's --
6 CHAIRMAN ANCHO: -- work --
7 COMMISSIONER SPARKS: -- this going to work?
8 CHAIRMAN ANCHO: Yeah.
9 KYLA BRIGHT: Okay. Perfect. As far as I know, I actually
10 would like Brock to --
11 CHAIRMAN ANCHO: Okay.
12 KYLA BRIGHT: -- explain that if he could. They're --
13 they're in an agreement with the landowner to do an expansion so
14 that they can open up a couple more of the truck areas. So that
15 easement area in the back would actually just be for the pull
16 out. So it would --
17 VOICE RECORDING: Muted. Unmuted.
18 KYLA BRIGHT: -- take -- so it would take that traffic off
19 the front and into the additional --
20 COMMISSIONER CLARK: Yeah.
21 CHAIRMAN ANCHO: No.
22 COMMISSIONER CLARK: But the traffic problem is at the turn
23 and coming down Broad Street. You're -- this -- this property
24 would be okay for exit, right?
25 KYLA BRIGHT: Exactly. That's -- that's what I mean is
26 they -- if they expand their pumps for the trucks --
27 CHAIRMAN ANCHO: Oh.
28 KYLA BRIGHT: -- instead of just having the three.
29 CHAIRMAN ANCHO: Uh-huh.
30 KYLA BRIGHT: So, like I said, the property next door,
31 they're in some sort of an agreement with the property owner so
32 that they can expand over to that side.
33 COMMISSIONER SPARKS: Then --
34 KYLA BRIGHT: They --
35 COMMISSIONER CLARK: Oh.
36 KYLA BRIGHT: -- would then --
37 COMMISSIONER SPARKS: -- you're eventually --
38 KYLA BRIGHT: -- come in --
39 COMMISSIONER SPARKS: -- putting a truck stop in there. I
40 mean, it's -- I just think it's going to make the problem worse

1 is what I think. And it's --
2 COMMISSIONER CLARK: Well --
3 COMMISSIONER SPARKS: -- like we're tying up ground.
4 KYLA BRIGHT: Again, Brock can explain it better than I
5 can, I'm sure.
6 CHAIRMAN ANCHO: So, Brock, how many lanes are you planning
7 on -- or pumps are you planning on putting in if this -- this
8 property's acquired?
9 BROCK: So you'll have to excuse me a little bit.
10 So Dan Pasquale's been working on this. This just barely
11 got handed off to me to work with Dan on it. So From my
12 understanding, I believe we're -- we would expand -- I believe
13 that it's six lanes.
14 And with that, it would be to try to take more traffic away
15 from the Broad Street and -- and kind of funnel that back away
16 from that.
17 CHAIRMAN ANCHO: So this is Kathleen Ancho. This is where
18 I -- what I've seen.
19 I don't know -- just like Commissioner Sparks said, been --
20 if you've ever been stuck on that street, on Broad Street,
21 behind six or seven trucks blocking that road, I don't know if
22 that's -- that's going to be the answer either.
23 And what the problem is, is when we approve these, then we
24 have a bigger problem. We go to DOT, and they say, it's your
25 problem because you allowed them to put a truck stop in the
26 middle of an area where we have no exit -- true exit for these
27 trucks.
28 And that's the other i- -- problem is if you're on the back
29 half of it and they're coming out, what they're doing now on
30 Palmer is they're backing up all the way on Palmer. And these
31 road- -- none of these roads on these back streets were built --
32 if Bert wants to make sure I'm right about this -- none of these
33 roads were built for the truck traffic.
34 And so we have all of these trucks going up and down the
35 roads that aren't built for that. And we have -- right where the
36 schools are and all the kids crossing, we have -- the state will
37 not -- we've been on the phone -- and you can ask Keith -- we've
38 been in the meetings where basically the DOT has told us, too bad.
39 You allowed a truck stop to go in there. And we're not doing
40 anything about it.

1 So if -- then by allowing this, we add more -- if we -- do
2 we add more tr- -- are we going to be adding more traffic,
3 backing it up further?

4 I don't know. Because DOT's not doing -- going to do
5 anything for us. And if we go forward and allow it and we have a
6 bigger problem, then it's almost -- almost is a joke to the county
7 for this.

8 And I don't know. I -- I mean, I don't know what the
9 answer is, but I know that -- I don't -- by adding more traffic,
10 may not be the answer either. And I don't have a problem
11 sitting down and trying to figure out how to fix this. But
12 backing the traffic up -- we have children running in and out of
13 those -- those semi-trucks at this point and absolutely no help
14 from DOT because they said your planning and commission allowed
15 it to begin with. So I don't know --

16 Ted, are you on there? What -- what's the -- what can we
17 do?

18 DISTRICT ATTORNEY HERRERA: Well, you can either have a
19 dedicated truck route through Battle Mountain. That will take
20 some time to do.

21 Now, by what they're -- they told us so far this morning is
22 that they're going to increase the lanes by five lanes -- from
23 one to six. That to me would indicate that they'll be able to
24 get these trucks through a lot faster.

25 I don't believe they're going to have five times as much
26 business.

27 CHAIRMAN ANCHO: Okay. I'm going to have --

28 DISTRICT ATTORNEY HERRERA: I think --

29 CHAIRMAN ANCHO: Okay.

30 BROCK: I -- that is --

31 COMMISSIONER SPARKS: Well --

32 BROCK: Yeah.

33 COMMISSIONER CLARK: I -- I just don't see how this
34 45.83 feet is going to do anything for --

35 KYLIA BRIGHT: Can I --

36 COMMISSIONER CLARK: -- for the truck traffic. I just --
37 it's behind Bakker's. The trucks aren't going to be
38 driving in there. The only way that that would help is if
39 Bakker sold out and Maverik bought it.

40 KYLIA BRIGHT: May I --

1 DISTRICT ATTORNEY HERRERA: Well, that's my understanding.
2 that --
3 CHAIRMAN ANCHO: That's what's going to --
4 DISTRICT ATTORNEY HERRERA: -- what's --
5 CHAIRMAN ANCHO: -- happen.
6 DISTRICT ATTORNEY HERRERA: -- going to happen, --
7 CHAIRMAN ANCHO: That's going to --
8 COMMISSIONER CLARK: Oh.
9 DISTRICT ATTORNEY HERRERA: -- Commissioner.
10 CHAIRMAN ANCHO: That's what's --
11 COMMISSIONER CLARK: Okay. Well, that's different.
12 CHAIRMAN ANCHO: So that's that. I think that --
13 KYLA BRIGHT: As far as I know, it's just in an agreement
14 right now, but that that landowner on that side of the Maverik
15 is for them --
16 COMMISSIONER CLARK: Negotiating --
17 KYLA BRIGHT: -- to be able to --
18 COMMISSIONER CLARK: -- presently.
19 KYLA BRIGHT: -- negotiating to be able to let them --
20 COMMISSIONER CLARK: What's --
21 KYLA BRIGHT: -- expand.
22 COMMISSIONER CLARK: -- Black Bart got to say?
23 SHERIFF RON UNGER: What's the question?
24 CHAIRMAN ANCHO: Well, your department's getting complaints
25 consistently on this issue. So what is your feedback?
26 SHERIFF RON UNGER: You're correct in what you said. We're
27 getting a lot of complaints because of the three, four, five
28 trucks stacked up there where there's no exit off of East Eighth
29 Street, Seventh Street. You know, people are pulling out there.
30 Somebody's going to get hit.
31 So with what I'm hearing -- and I haven't had time to give
32 it a good think -- but if you was to add more pumps to there
33 instead of just having the two, then you're going keep a lot of
34 those trucks off of Broad Street because they're going to have
35 someplace to go in there.
36 As far as the added trucking, I think that depends on the
37 highway and the price of fuel. You know, let's face it. It --
38 there's quite a bit of difference between the other truck stop
39 here in town and the Maverik. So a lot of the trucks are coming
40 here.

1 But I don't know how much of an increase you're going to
2 see. I think if you added the pumps, it's going to get the
3 people off the street quicker.

4 COMMISSIONER SPARKS: It will. But if they buy that
5 building and make that a -- like, I would call it a legit truck
6 stop -- Maverik's got cheap fuel. Man, it is going to
7 increase -- you're going to get local contractors coming in
8 there. I mean, like it just -- I see it as going to be way
9 worse.

10 COMMISSIONER CLARK: Well --

11 SHERIFF RON UNGER: And it -- it's -- and I don't disagree
12 with Bryan either. It -- it depends on what they put there. I
13 think if they just put the fuel pumps in, you fuel up, and get
14 out of --

15 COMMISSIONER SPARKS: Right.

16 SHERIFF RON UNGER: -- there, that lets the next one come
17 in. But if --

18 COMMISSIONER SPARKS: But we have --

19 SHERIFF RON UNGER: -- you're going to --

20 COMMISSIONER SPARKS: -- we have --

21 SHERIFF RON UNGER: -- put --

22 COMMISSIONER SPARKS: -- to --

23 SHERIFF RON UNGER: -- a restaurant --

24 COMMISSIONER SPARKS: -- develop that --

25 SHERIFF RON UNGER: -- or --

26 COMMISSIONER SPARKS: -- easement.

27 SHERIFF RON UNGER: -- something like that there, now
28 you're going to have a buildup of trucks.

29 COMMISSIONER CLARK: If you have -- I think I heard him say
30 six pumps. So you have six trucks at the pumps. And you have
31 six behind. That would take care of the traffic that we have
32 presently 95 percent of the time.

33 But once the word gets out that there's six pumps, then
34 you'll have an additional however many.

35 SHERIFF RON UNGER: A lot of what -- what I've seen
36 personally is the trucks will pull in there, they'll stick the
37 nozzles in, they'll start fueling, and then they'll go inside.
38 The trucks are finished fueling and they set there for
39 five minutes while they're getting a hot -- whatever they're doing
40 inside.

1 COMMISSIONER CLARK: Right.

2 SHERIFF RON UNGER: If they was to fuel up and pull out
3 somewhere and then go in and do their business, it would speed
4 it up also. I don't know how you'd enforce that.

5 KYLA BRIGHT: Brock.

6 COMMISSIONER CLARK: If they -- if they get -- if the -- if
7 they -- if Bakkers sell to Maverik, then they're going
8 to need that easement.

9 KYLA BRIGHT: Yeah.

10 COMMISSIONER CLARK: They're going to need it to turn
11 trucks.

12 COMMISSIONER WAITS: Well, --

13 KYLA BRIGHT: Can I --

14 COMMISSIONER WAITS: -- currently --

15 DISTRICT ATTORNEY HERRERA: Most --

16 COMMISSIONER WAITS: -- we're --

17 CHAIRMAN ANCHO: Yeah.

18 COMMISSIONER WAITS: -- going --

19 CHAIRMAN ANCHO: You were. Just --

20 COMMISSIONER WAITS: -- absolutely --

21 CHAIRMAN ANCHO: -- a minute.

22 COMMISSIONER WAITS: -- nowhere except having a bo- -- a
23 bottleneck. And this is on the way to at least trying to
24 alleviate it.

25 COMMISSIONER CLARK: Yeah.

26 COMMISSIONER WAITS: I have to agree. I don't know
27 necessarily what because they try and put in more pumps that
28 that will definitely bring more people.

29 I'm -- I'm not so sure that will do it. It's still a
30 Maverik. And it's still going to bring in the truckers that are
31 going to come in. But I think we have to start somewhere.

32 And if it was up to us to -- to approve the Maverik or not,
33 we'd be in a further discussion. But that's -- that's a done
34 deal.

35 So now let's go on and try and -- and -- and make it
36 better. That's --

37 COMMISSIONER SPARKS: And if --

38 COMMISSIONER WAITS: -- all we can do.

39 COMMISSIONER SPARKS: That's kind of shooting blind, Patsy.
40 I mean, we're -- you're saying let's -- let's go ahead. We've

1 got to do it. But what if we do it and it makes it worse?
2 We're done. We're committed.
3 COMMISSIONER CLARK: Yeah.
4 COMMISSIONER SPARKS: You don't change it.
5 CHAIRMAN ANCHO: That's --
6 COMMISSIONER WAITS: I --
7 COMMISSIONER SPARKS: That's the --
8 COMMISSIONER WAITS: -- I --
9 COMMISSIONER SPARKS: -- problem.
10 COMMISSIONER WAITS: -- don't know how it can make it
11 worse. I don't.
12 COMMISSIONER SPARKS: You build it, they will come. I
13 mean, it just --
14 COMMISSIONER WAITS: No, I -- I don't think the fact that
15 whether there's twelve or whether there's two going to make any
16 difference. When a trucker sees the sign, he's -- and he needs
17 fuel and that's where he's going to go or she's going to go,
18 I -- I think that's going to pull them in.
19 I don't think that the fact we make it a little bit bigger is
20 really going to bring in a whole lot more. I think it's going to
21 alleviate some of our problem. I --
22 COMMISSIONER CLARK: If --
23 COMMISSIONER WAITS: -- do.
24 COMMISSIONER CLARK: you -- if -- if they buy Bakker's --
25 BROCK: And -- and with that, if you don't mind -- so one
26 thing that -- Maverik doesn't really want to be labeled as a --
27 as a truck stop because we're not really tailoring our services
28 to the truckers only. And that's why we don't -- we don't have
29 like a full-blown restaurant or showers or anything like that.
30 So our intent with this is to be able to get people in and
31 then off quicker so they're not jammed up.
32 COMMISSIONER CLARK: Yeah.
33 KYLA BRIGHT: Brock, do you -- this is Kyla -- do you know
34 if there's any plans for them to put any truck parking where
35 they can pull out and park from the pumps? What you see similar
36 to other areas? Do you guys even have enough room there to be
37 able to do that?
38 BROCK: So I don't believe that's in the plan currently. I
39 don't know if you heard what I was saying earlier or not.
40 SHERIFF RON UNGER: Is this what they're looking at?

1 BROCK: Can you hear me?
2 CHAIRMAN ANCHO: Yeah. We can hear you. We're listening.
3 Go ahead.
4 KYLA BRIGHT: This is the Maverik right here.
5 BROCK: Oh. Okay. Yeah. So we typically don't make areas
6 for semis to go and park because we're not a truck stop.
7 It's -- we're not there for truckers to come in, get a ton --
8 you know, get a shower, get something like that, you know. It's
9 really just come in, fuel up, and then leave.
10 And so typically we do not do any parking for semis just
11 because we don't necessarily want the traffic to stay there.
12 We want it to come in and then leave and get going down the
13 road.
14 CHAIRMAN ANCHO: But that's not what's happening now. What
15 they're doing is they're backing up. Even, like, behind the
16 Maverik you have -- after they've fueled-- you have them
17 stopping there. Then you have them going down Palmer towards
18 the hospital, going that way, stopping, and then back up
19 towards --
20 COMMISSIONER CLARK: Have to have --
21 CHAIRMAN ANCHO: -- Broyles Ranch Road. And you --
22 sometimes you can have --
23 COMMISSIONER CLARK: (Indiscernible.)
24 CHAIRMAN ANCHO: -- three or four trucks in a row because
25 they are stopping and going in there and resting or what -- you
26 know, just taking breath. And I'm -- it's not that I'm against
27 this, but I'm also not for one of our kids getting ran over
28 in -- in traffic.
29 So I -- I don't know if this is something that can be done,
30 but if we start having bottle necks and pro- -- problems, I would
31 like to see them -- that the Maverik step up and help us try to
32 make the solution to fix it. Because if not and now the -- every
33 -- all the t's are crossed and the i's are dotted and we sign
34 along and it becomes a problem, then we're hanging out there as a
35 county once again, going, shame on us twice.
36 So if we can have some kind of understanding with --
37 BROCK: Yeah.
38 CHAIRMAN ANCHO: -- Maverik that if we start having
39 problems that they're going to step forward and they're going to
40 help be part of the solution instead of part of the problem.

1 That's my biggest concern.

2 COMMISSIONER SPARKS: Well, we put this as a high concern
3 with the Nevada Department of Transportation to try and help us
4 solve this.

5 CHAIRMAN ANCHO: They -- they said, absolutely not. They
6 told us they would not do anything for us in no uncertain terms.
7 You allowed --

8 COMMISSIONER SPARKS: Seriously?

9 CHAIRMAN ANCHO: Yeah.

10 KEITH WESTENGARD: (Off microphone) It's our prob- --
11 it's --

12 CHAIRMAN ANCHO: It's our --

13 KEITH WESTENGARD: -- it's Lander County's problem.

14 CHAIRMAN ANCHO: Yep.
15 More than --

16 BROCK: Well, --

17 CHAIRMAN ANCHO: -- once.

18 BROCK: -- Maverik does not want to be a part of the
19 problem. So if there's a way that we can be part of that
20 solution, then, you know --

21 And if it would help, if, you know, if we can put maybe
22 some additional signage there, stating there's no -- no parking,
23 you know, on those streets that you're talking about. You --

24 CHAIRMAN ANCHO: Uh-huh.

25 BROCK: -- know, I think Maverik is more than willing to --
26 to step up and -- and help be part of the solution to that.

27 CHAIRMAN ANCHO: Okay.

28 COMMISSIONER SPARKS: Could we -- could we post a -- like,
29 a -- make an ordinance and put a posting there that it's
30 enforced by ordinance. And then that would give the authority
31 to the sheriff's department to say, hey, we're citing you
32 because you're in violation of this ordinance. Is that -- Ted,
33 is that a -- is that a possibility.

34 DISTRICT ATTORNEY HERRERA: Well, that would be, Bryan.
35 But I -- I believe the ordinance is -- I -- I think the
36 sheriff's department already has authority to -- to stop them
37 from -- from parking there on the streets now.

38 COMMISSIONER CLARK: Well, I think if they get Bakker's and
39 they put six pumps in, depending on where they put them, they --
40 they're going to be able to stack a lot of trucks in that space

1 and would keep more trucks off of Broad Street. That's the
2 issue.

3 COMMISSIONER SPARKS: It would --

4 COMMISSIONER CLARK: And we've --

5 COMMISSIONER SPARKS: -- if only --

6 COMMISSIONER CLARK: -- had --

7 COMMISSIONER SPARKS: -- they could move them.

8 COMMISSIONER CLARK: -- trucks --

9 CHAIRMAN ANCHO: Uh-huh.

10 COMMISSIONER CLARK: -- park there and check their tires
11 and walk around and -- and that -- that's an issue because
12 that's just -- you can't have that on Broad Street. It's just
13 too busy there. But I'm not -- I'm not opposed to this because
14 I think -- I'm thinking this is going to work.

15 CHAIRMAN ANCHO: So -- and I -- and I'm not opposed to it
16 either as long as if there is a problem that they're willing to
17 come to the table and help us solve the problem.

18 COMMISSIONER CLARK: One thing that might help from the
19 Maverik end is to put more diesel hoses on your pumps that are
20 in front of the store. If you increase that, then the general
21 contractors that are starting out in the morning can gas up
22 there instead of where the semis are.

23 BROCK: Okay.

24 Yeah. And I'm -- I'm more than happy to kind of pr- -- to
25 propose that to the -- the decision makers on something like
26 that.

27 Yeah. I'm more than happy to propose that.

28 I -- I can't make that agreement right now that we will or
29 will not put more diesel fuel pumps on the existing canopy, but
30 I'm more than willing to propose that and see if that's
31 something that they would look into -- to help mitigate the
32 issues.

33 COMMISSIONER CLARK: Yeah. That's -- that's the only thing
34 I'm thinking.

35 COMMISSIONER WAITS: Well, you have the plea from this
36 commission because we definitely want to address it. And I
37 don't think denying it is going to address it.

38 So we're looking for you to really help us out, as our
39 chair said.

40 And with that, I will make the motion that we approve an

1 access easement between Lander County and Maverik, Incorporated,
2 located at 210 Palmer Street, Battle Mountain, APN 002-123-07.
3 COMMISSIONER CLARK: And I'll -- I'll second that as long
4 as you start cooking Bahama Mamas earlier.
5 COMMISSIONER WAITS: Okay. There's lots of things --
6 CHAIRMAN ANCHO: So --
7 COMMISSIONER WAITS: There's lots --
8 COMMISSIONER SPARKS: Did we already --
9 CHAIRMAN ANCHO: -- are we ready --
10 COMMISSIONER WAITS: -- of things that --
11 CHAIRMAN ANCHO: -- for public comment?
12 COMMISSIONER WAITS: -- that need to be signed and
13 notarized on this. So that's also in the motion.
14 CHAIRMAN ANCHO: So --
15 COMMISSIONER SPARKS: Do you want to put anything in the
16 verbiage to where that if it does become a problem --
17 CHAIRMAN ANCHO: Problem --
18 COMMISSIONER SPARKS: -- that we --
19 CHAIRMAN ANCHO: -- that they --
20 COMMISSIONER SPARKS: -- have --
21 CHAIRMAN ANCHO: Yeah.
22 COMMISSIONER SPARKS: -- that they've committed themselves
23 to actually help us solve the --
24 CHAIRMAN ANCHO: Yes.
25 COMMISSIONER SPARKS: -- issue?
26 COMMISSIONER WAITS: I --
27 CHAIRMAN ANCHO: Yes.
28 COMMISSIONER WAITS: -- I know we've -- we've pleaded and
29 we've reported. I can put it in the motion, absolutely, that we
30 are looking to you --
31 COMMISSIONER SPARKS: Well, it needs to --
32 COMMISSIONER WAITS: -- to --
33 COMMISSIONER SPARKS: -- be --
34 CHAIRMAN ANCHO: And I --
35 COMMISSIONER SPARKS: -- in the contract.
36 CHAIRMAN ANCHO: -- should state -- it was stated within
37 the motion that they have agreed if there --
38 COMMISSIONER WAITS: Yes.
39 CHAIRMAN ANCHO: -- becomes a problem, --
40 So --

1 COMMISSIONER WAITS: That --
2 UNIDENTIFIED PARTICIPANT: Ted, --
3 COMMISSIONER SPARKS: -- Maverik --
4 UNIDENTIFIED PARTICIPANT: -- can they add that language to
5 that agreement?
6 DISTRICT ATTORNEY HERRERA: Yes. They -- they can say
7 we -- we are adopting this with the understanding that Maverik
8 will -- will do certain things if nec- -- if required.
9 COMMISSIONER CLARK: Write it --
10 COMMISSIONER WAITS: Okay. So we can add that to the
11 Declaration of Easement?
12 ELIZABETH BARELA: You need to put that --
13 DISTRICT ATTORNEY HERRERA: Well, --
14 ELIZABETH BARELA: -- in your --
15 DISTRICT ATTORNEY HERRERA: -- you could, --
16 ELIZABETH BARELA: -- motion to add --
17 DISTRICT ATTORNEY HERRERA: -- but can also --
18 ELIZABETH BARELA: -- that language.
19 DISTRICT ATTORNEY HERRERA: -- add it to your -- your --
20 COMMISSIONER WAITS: Okay. I will add --
21 DISTRICT ATTORNEY HERRERA: -- motion.
22 COMMISSIONER WAITS: -- that to my motion.
23 COMMISSIONER CLARK: Okay. And I'll -- I'll second that.
24 And -- but we need to understand that Maverik is only
25 responsible for what legally they are responsible for. We can't
26 force them to do anything outside of that or, you know, that's
27 all they're going to be responsible for.
28 CHAIRMAN ANCHO: So --
29 COMMISSIONER SPARKS: Public comment?
30 CHAIRMAN ANCHO: So do we have any public comment?
31 (No comment.)
32 CHAIRMAN ANCHO: So with a first and second.
33 All in favor?
34 COMMISSIONER SPARKS: Aye.
35 COMMISSIONER WAITS: Aye.
36 CHAIRMAN ANCHO: Aye.
37 Opposed?
38 COMMISSIONER SPARKS: (Off microphone) I'm -- I'm going to
39 vote nay just because I'm not comfortable. I mean, I just don't
40 feel like I know enough about it to actually give an aye --

1 COMMISSIONER CLARK: No.
2 COMMISSIONER SPARKS: -- so I'll do nay.
3 CHAIRMAN ANCHO: All right.
4 Okay. Moving on.
5 VOICE RECORDING: Muted. Unmuted.

6
7 **7) FISCAL OFFICER: For possible action to approve/disapprove**
8 **Resolution 2020-06, directing apportionment of net proceeds**
9 **received in the month of May 2020.**

10
11 CHAIRMAN ANCHO: So for possible action to approve,
12 disapprove Resolution 2020-06, directing appointment of net
13 proceeds re- -- received in the month of May 2020.

14 All right. You're on.

15 LAKEN SULLIVAN: Laken Sullivan, for the record.

16 The resolution's there for your guys' approval. If you have
17 any questions, I'll try and answer them.

18 CHAIRMAN ANCHO: So with this, does all of this have to be
19 read in?

20 COMMISSIONER CLARK: (Off microphone) Yeah. Have fun.

21 LAKEN SULLIVAN: I don't think so.

22 CHAIRMAN ANCHO: Have fun.

23 COMMISSIONER WAITS: (Off microphone) I'll -- I'll read it.

24 ELIZABETH BARELA: Ted, isn't it --

25 COMMISSIONER WAITS: I'll handle the --

26 ELIZABETH BARELA: -- just the title?

27 COMMISSIONER WAITS: -- the taxes. Does somebody want to
28 handle this one?

29 ELIZABETH BARELA: Is it the whole resolution?

30 KEITH WESTENGARD: They always --

31 COMMISSIONER CLARK: Do you want --

32 KEITH WESTENGARD: -- read --

33 COMMISSIONER CLARK: -- to do --

34 KEITH WESTENGARD: -- the --

35 COMMISSIONER CLARK: -- it, --

36 KEITH WESTENGARD: -- whole -- this --

37 COMMISSIONER CLARK: -- Patsy?

38 KEITH WESTENGARD: -- because of --

39 DISTRICT ATTORNEY HERRERA: Well, the -- how long is the
40 resolution?

1 KEITH WESTENGARD: A page, maybe.
2 ELIZABETH BARELA: No, not that --
3 KEITH WESTENGARD: It's always been read into the record
4 before, Ted, because --
5 COMMISSIONER CLARK: Yeah. We've got to read it.
6 KEITH WESTENGARD: -- the certain amounts go to each fund.
7 That's why it's -- it was -- it's been in the past.
8 DISTRICT ATTORNEY HERRERA: We've always read it in before.
9 KEITH WESTENGARD: Correct.
10 COMMISSIONER CLARK: Yeah. You're going to do it?
11 DISTRICT ATTORNEY HERRERA: Yes. And I think we --
12 COMMISSIONER WAITS: I said I'll --
13 DISTRICT ATTORNEY HERRERA: -- should --
14 COMMISSIONER WAITS: -- handle --
15 DISTRICT ATTORNEY HERRERA: -- probably --
16 COMMISSIONER WAITS: -- the taxes --
17 DISTRICT ATTORNEY HERRERA: -- read it in --
18 COMMISSIONER WAITS: -- on the --
19 DISTRICT ATTORNEY HERRERA: -- again.
20 COMMISSIONER WAITS: -- end.
21 CHAIRMAN ANCHO: You want to --
22 COMMISSIONER WAITS: You go --
23 CHAIRMAN ANCHO: -- read --
24 COMMISSIONER WAITS: -- for it.
25 CHAIRMAN ANCHO: -- in the motion? Do you want to read it
26 in?
27 No?
28 COMMISSIONER SPARKS: We do have to read it all in?
29 CHAIRMAN ANCHO: Uh-huh.
30 COMMISSIONER SPARKS: All right.
31 So I'll make a motion to approve Resolution 2020-06,
32 directing apportionment of net proceeds received in the month of
33 May 2020.
34 Resolution Number 2020-06 of the Board of Lander County
35 Commissioners, a resolution directing apportionment of net
36 proceeds received in the month of May 2020.
37 Whereas on May 26, 2020, the Lander County treasurer
38 received \$20,703,358.45 in net proceeds.
39 And whereas it is the desire of the Lander County Board of
40 Commissioners to appropriate the net proceeds as follows:

1 Mandated. Commission Fees, slash, General Fund 3%, the
2 amount \$621,100.75, and the Fund Number 001-000-31345.
3 Assessors Tech Fees 2%, amount \$414,067.17, Fund
4 300-000-32223.
5 China Springs in the amount of \$18,849.60, Fund Number
6 001-000-31340.
7 State medical indigent, amount \$425,740.92, Fund Number
8 004-000-31340.
9 State indigent, NACo, amount \$97,497.92, Fund Number
10 004-000-31341.
11 Capital Acquisition, amounts \$324,993.07, Fund Number
12 011-000-31340.
13 COMMISSIONER WAITS: Excuse me.
14 LAKEN SULLIVAN: I think you skipped --
15 COMMISSIONER WAITS: Bryan?
16 LAKEN SULLIVAN: -- the 194-.
17 COMMISSIONER WAITS: Wasn't that the --
18 LAKEN SULLIVAN: It should be capital acquisition. And --
19 COMMISSIONER WAITS: Yeah.
20 COMMISSIONER SPARKS: What did I just read?
21 LAKEN SULLIVAN: The 324,000 --
22 COMMISSIONER SPARKS: Okay.
23 LAKEN SULLIVAN: -- below --
24 COMMISSIONER SPARKS: Sorry.
25 LAKEN SULLIVAN: -- it.
26 COMMISSIONER SPARKS: I'll -- so the amount for Capital
27 Acquisition's \$194,995.84. And Fund is 031-000-31340.
28 Thanks for correcting me.
29 Landfill is \$324,993.07. Fund is 011-000-31340.
30 Hospital, amount \$3,154,740.22. Fund is 060-000-31340.
31 School district, amount \$4,631,151.23. Fund is
32 070-000-31340.
33 Total amount, \$9,883,136.72.
34 Discretionary. Buildings and Equipment, amount,
35 \$4,270,221.73. Fund is 029-000-314340.
36 Airport Capital, \$2 million, fund 380-000-31340.
37 LEDA, amount \$50,000, fund 015-000-31340.
38 Culture and Recreation, amount 1 million, fund
39 052-000-31340.
40 N- -- NPM Future Research Fund, 3,500,000, fund

1 200-000-31340.
2 Total discretionary is \$10,820,221.73.
3 Total for both mandated and discretionary is \$20,703,358.45.
4 Whereas the Lander County Board of Commissioners desires to
5 use discretionary net proceeds to fund Buildings and Equipment,
6 Fund 029; Airport Capital, Fund 380; LEDA, Fund 015; Culture and
7 Rec, Fund 052; and NPM Future Reserve Fund, Fund 200.
8 Be it further resolved that the fiscal officer and the
9 treasurer are directed to distribute the payment for net
10 proceeds according to the schedule.
11 And that's it.
12 CHAIRMAN ANCHO: All right.
13 COMMISSIONER WAITS: (Off microphone) Passed and adopted.
14 And authorize the chair.
15 COMMISSIONER SPARKS: Okay. Passed and adopted this 25th
16 day of June 2020, and authorize the chair to sign.
17 CHAIRMAN ANCHO: So --
18 COMMISSIONER WAITS: Second.
19 CHAIRMAN ANCHO: All right.
20 Any public comment?
21 (No comment.)
22 CHAIRMAN ANCHO: Hearing none.
23 All in favor?
24 COMMISSIONER SPARKS: Aye.
25 COMMISSIONER CLARK: Aye.
26 CHAIRMAN ANCHO: Aye.
27 COMMISSIONER WAITS: Aye.
28 CHAIRMAN ANCHO: All right. There we are.
29 And thank you very much for reading that in.
30 VOICE RECORDING: Muted. Unmuted.
31 CHAIRMAN ANCHO: All right.
32
33 8) **FISCAL OFFICER: For possible action to approve/disapprove**
34 **the Independent Contractor Agreement between Lander County**
35 **and Tom Gransberry, dba: TFG Consulting, LLC, for the purpose**
36 **of providing assistance and training to the Lander County**
37 **fiscal officer.**
38
39 CHAIRMAN ANCHO: For possible action to approve, disapprove
40 the independent con- -- contractor agreement between Lander

1 County and Tom Gransberry, dba TFG Consulting, LLC, for the
2 purpose of providing assistance and training to the Lander
3 County fiscal officer.

4 KEITH WESTENGARD: This is just a renewal of Tom's
5 contract. He's had one for the last year.

6 LAKEN SULLIVAN: He doesn't currently have one right now.

7 KEITH WESTENGARD: Well, but he's had -- he's had one in
8 the past. So --

9 We've just extended it, I guess. But all the terms are the
10 same. And --

11 COMMISSIONER SPARKS: Was it a -- was it an annual
12 contract?

13 Because I don't remember approving it.

14 KEITH WESTENGARD: This --

15 COMMISSIONER SPARKS: Or was it -- did it come prior to
16 our --

17 KEITH WESTENGARD: No. I -- I approved the one for the
18 previous --

19 COMMISSIONER SPARKS: Oh, got you. Okay.

20 KEITH WESTENGARD: And -- and so this one I -- Laken wanted
21 it put it before you so we put it before you.

22 COMMISSIONER SPARKS: Let's see here.

23 CHAIRMAN ANCHO: And the provisions haven't changed
24 since -- what? --

25 COMMISSIONER SPARKS: Is it --

26 CHAIRMAN ANCHO: -- like -- see, I didn't think so.

27 COMMISSIONER SPARKS: Where's -- oh, right there. Sixty
28 bucks per hour. Yeah.

29 LAKEN SULLIVAN: Didn't have one at the last year.

30 COMMISSIONER SPARKS: Ready for a motion?

31 CHAIRMAN ANCHO: Yep. We're going to go ahead. Ready for
32 a motion?

33 COMMISSIONER SPARKS: I'll make a motion that we approve
34 the independent contractor agreement between Lander County and
35 Tom Gransberry, dba TFG Consulting, LLC, for the purpose of
36 providing assistance and training to the Lander County fiscal
37 officer.

38 CHAIRMAN ANCHO: Do we have a second?

39 COMMISSIONER CLARK: Second.

40 COMMISSIONER WAITS: That authorizes the county manager to

1 sign?
2 COMMISSIONER SPARKS: And authorize the county manager to
3 sign.
4 CHAIRMAN ANCHO: Okay.
5 COMMISSIONER CLARK: Second.
6 CHAIRMAN ANCHO: Any public comment?
7 (No comment.)
8 CHAIRMAN ANCHO: Hearing any?
9 All in favor?
10 COMMISSIONER WAITS: Aye.
11 COMMISSIONER SPARKS: Aye.
12 CHAIRMAN ANCHO: Aye.
13 All right. Moving --
14 COMMISSIONER CLARK: Aye.
15 CHAIRMAN ANCHO: -- on.
16 Thank you.
17 LAKEN SULLIVAN: Thank you.
18 CHAIRMAN ANCHO: Thank you very much.
19 All right. Amy, you're up.
20 VOICE RECORDING: Muted. Unmuted.
21 AMY NELSON: Good morning. Amy Nelson, for the record.
22 COMMISSIONER SPARKS: Good --
23 CHAIRMAN ANCHO: Right. We need --
24 COMMISSIONER SPARKS: -- morning, Amy.
25 CHAIRMAN ANCHO: -- turn your little --
26 AMY NELSON: Oh, what do I have to do?
27 CHAIRMAN ANCHO: Just turn that -- that thing. Very good.
28 AMY NELSON: Green. Green for --
29 CHAIRMAN ANCHO: All --
30 AMY NELSON: -- go.
31 CHAIRMAN ANCHO: -- right.
32 AMY NELSON: Okay. Amy --
33 CHAIRMAN ANCHO: For possible --
34 AMY NELSON: -- Nelson, for the record. Go ahead, Kathy.

35
36 9) For possible action to approve/disapprove the closure of a
37 portion of North First Street specifically at 645 North First
38 Street, on June 28, 2020, from 3:00 p.m. to 6:00 p.m. for a
39 wedding by Colt and Amy Nelson.
40

1 CHAIRMAN ANCHO: For possible action to approve or
2 disapprove the closure of a portion of North First Street
3 specifically at 645 North First Street on June 28, 2020, from
4 3:00 p.m. to 6:00 p.m. for a wedding by Colt and Amy Nelson.
5 AMY NELSON: I'm thinking it'll be less time because I just
6 looked at the weather report and it's supposed to be, like, 30
7 mile an hour sustained winds all --
8 CHAIRMAN ANCHO: So --
9 AMY NELSON: -- day. So it's 100 degrees Saturday and then
10 70 Monday. So in between, it could be --
11 COMMISSIONER CLARK: (Off microphone) And that's nothing?
12 AMY NELSON: -- be -- it could be a pretty quick wedding.
13 We're all flying away.
14 Anyway, at any rate, what we are trying to figure out is for
15 safety reasons if there's any way we can look at closing off that
16 little section or even maybe the whole road. I don't know if it
17 can be approved or not.
18 But, you know, kids go back and forth during events. And
19 as you guys know, we've put in that big gazebo. And we have a
20 lot of people interested in doing quinceaneras, weddings,
21 different things like that. The first big one is going to be
22 Colt's son, Jimmy, who will be getting married this Sunday. And
23 we just wanted to see if there was anything we could do formally
24 to have in place a -- you know, some type of a way we can --
25 COMMISSIONER WAITS: Some barriers?
26 AMY NELSON: -- put cones up just for the back and forth
27 because it's just that one little road.
28 COMMISSIONER CLARK: From Henman's [phonetic] house down to
29 the corner of your property?
30 AMY NELSON: Correct. Yeah. Not e- -- we wouldn't even
31 necessarily need to do that. We could -- if we wanted to, we
32 could just do from, you know, where our property starts. Or if
33 we could do it from Ernie where Henman's -- from --
34 COMMISSIONER CLARK: Yeah.
35 AMY NELSON: -- Ernie's house to the end that would
36 probably --
37 CHAIRMAN ANCHO: And the neighbors --
38 AMY NELSON: -- be even --
39 CHAIRMAN ANCHO: -- don't --
40 AMY NELSON: -- better.

1 CHAIRMAN ANCHO: -- have any problem with it? You --
2 AMY NELSON: No.
3 CHAIRMAN ANCHO: Because then it is --
4 AMY NELSON: No. Not -- and we talked to Jim Schmidt on
5 the other side and then Ernie on our side.
6 And then if you -- we needed to, we could, I'm sure, go
7 talk to Kelly Rhode about it. There's other access. And it's
8 just a two -- two-block road to begin with.
9 So we --
10 COMMISSIONER CLARK: Yeah.
11 AMY NELSON: -- were just hoping to have an opportunity
12 to --
13 COMMISSIONER CLARK: I'll make a motion to close the
14 portion of North First Street, specifically at 645 North First
15 Street on June 28, 2020, from 3:00 p.m. to 6:00 p.m. for a
16 wedding by Colt and Amy.
17 COMMISSIONER SPARKS: I'll second.
18 CHAIRMAN ANCHO: All right. Any public comment?
19 (No comment.)
20 CHAIRMAN ANCHO: Okay. Hearing none.
21 All in favor?
22 COMMISSIONER SPARKS: Aye.
23 CHAIRMAN ANCHO: Aye.
24 COMMISSIONER CLARK: Aye.
25 COMMISSIONER WAITS: Aye.
26 COMMISSIONER CLARK: I just --
27 CHAIRMAN ANCHO: Nope. Go ahead.
28 COMMISSIONER CLARK: You guys have barriers to put up?
29 AMY NELSON: Yes. We bought --
30 COMMISSIONER CLARK: Okay.
31 AMY NELSON: -- some over at Home Depot.
32 COMMISSIONER CLARK: That's all I need.
33 CHAIRMAN ANCHO: All right. Very good.
34 COMMISSIONER CLARK: You're good.
35 AMY NELSON: So --
36 CHAIRMAN ANCHO: You're good to go. Thank you --
37 AMY NELSON: Thank --
38 CHAIRMAN ANCHO: -- very --
39 AMY NELSON: -- you.
40 CHAIRMAN ANCHO: -- much.

1 AMY NELSON: Thank you, guys, so much. Appreciate it.
2 CHAIRMAN ANCHO: All right.

3
4 **10) PUBLIC WORKS: For possible action to approve/disapprove the**
5 **Austin Water and Sewer technician job description.**
6

7 CHAIRMAN ANCHO: For public works. Possible action to
8 approve, disapprove Austin Water and Sewer --

9
10 (Commissioner Clark has exited chambers.)

11
12 CHAIRMAN ANCHO: -- technician job description.

13 VOICE RECORDING: Muted. Unmuted.

14 CHAIRMAN ANCHO: All right. It's pretty straightforward.

15 BERT RAMOS: Yeah. This should -- this is more of a
16 formality, just --

17 CHAIRMAN ANCHO: Yeah.

18 COMMISSIONER CLARK: Yeah.

19 COMMISSIONER WAITS: We haven't changed --

20 CHAIRMAN ANCHO: Well, we --

21 COMMISSIONER WAITS: -- anything.

22 CHAIRMAN ANCHO: Wait. One --

23 COMMISSIONER WAITS: It's the --

24 BERT RAMOS: No.

25 COMMISSIONER WAITS: -- same --

26 BERT RAMOS: We --

27 COMMISSIONER WAITS: -- one, right?

28 BERT RAMOS: We pretty much moved the Battle Mountain job
29 description, put a new name on it.

30 COMMISSIONER WAITS: Okay.

31 COMMISSIONER CLARK: I'll --

32 BERT RAMOS: So it's --

33 COMMISSIONER CLARK: -- make a motion that we approve
34 the Austin Water and Sewer technician job description.

35 COMMISSIONER WAITS: I'll second the motion.

36 CHAIRMAN ANCHO: All right.

37 Any public comment?

38 (No comment.)

39 CHAIRMAN ANCHO: All in favor?

40 COMMISSIONER CLARK: Aye.

1 CHAIRMAN ANCHO: Aye.
2 COMMISSIONER WAITS: Aye.
3 CHAIRMAN ANCHO: Absent. Bryan's absent.
4 COMMISSIONER CLARK: We got a quorum.
5 CHAIRMAN ANCHO: But we're good.
6 COMMISSIONER CLARK: Yeah.
7 CHAIRMAN ANCHO: All right. So --
8 COMMISSIONER CLARK: Okay.

9
10 **11) PUBLIC WORKS: For possible action to approve/disapprove the**
11 **Austin Water and Sewer part-time receptionist job**
12 **description.**
13

14 CHAIRMAN ANCHO: So for -- for possible --
15 COMMISSIONER CLARK: Eleven.
16 CHAIRMAN ANCHO: -- action to approve the Austin Water and
17 Sewer part-time reception job description.
18 COMMISSIONER CLARK: I -- I'll make a motion that we
19 approve Austin Water and Sewer part-time receptionist job.
20 COMMISSIONER WAITS: And I'll second the motion.

21
22 (Commissioner Sparks returned to commission chambers.)
23

24 CHAIRMAN ANCHO: Any public comment?
25 (No comment.)
26 CHAIRMAN ANCHO: All right. All in favor?
27 COMMISSIONER SPARKS: Aye.
28 CHAIRMAN ANCHO: Aye.
29 COMMISSIONER CLARK: Aye.
30 COMMISSIONER WAITS: Aye.
31 CHAIRMAN ANCHO: All right.

32
33 **12) PUBLIC WORKS: For possible action to approve/disapprove**
34 **hiring an interim Public Works director by the interim county**
35 **manager.**
36

37 CHAIRMAN ANCHO: So for possible action to approve,
38 disapprove the hiring of interim Public Works director by
39 interim county manager.

40 BERT RAMOS: So to be clear, we are advertising. This is

1 not just to stuff-a-buddy-in-a-spot type of program.
2 It is going to be advertised in-house. But it would be a
3 temporary as well, pending, you know, the commission would
4 approve it for the final six months from now, if -- if I was
5 approved six months from now as well.
6 COMMISSIONER CLARK: Yeah. We just need to let people know
7 that there is this thing called interdepartmental transfers that
8 have been used in this county for years and years and years.
9 BERT RAMOS: Yes.
10 COMMISSIONER CLARK: And --
11 BERT RAMOS: So to --
12 COMMISSIONER CLARK: -- that's --
13 BERT RAMOS: -- so to clarify. It's so -- we advertise
14 in-house for all county employees first.
15 COMMISSIONER CLARK: Right.
16 BERT RAMOS: And that's who gets the first crack at it. If
17 we don't get any applicants that are qualified, then we put it
18 out to the public.
19 COMMISSIONER CLARK: Right.
20 Yeah. I'll make a motion to approve the hiring of an
21 interim Public Works director by the interim county manager. Is
22 that where we're at?
23 CHAIRMAN ANCHO: Uh-huh.
24 COMMISSIONER SPARKS: I'll --
25 COMMISSIONER CLARK: Yeah.
26 COMMISSIONER SPARKS: -- second.
27 CHAIRMAN ANCHO: All right. Any public comment?
28 (No comment.)
29 CHAIRMAN ANCHO: All right. All in favor?
30 COMMISSIONER SPARKS: Aye.
31 COMMISSIONER CLARK: Aye.
32 CHAIRMAN ANCHO: Aye.
33 COMMISSIONER WAITS: Aye.
34 CHAIRMAN ANCHO: All right. Very good.
35 VOICE RECORDING: Muted. Unmuted.
36 COMMISSIONER CLARK: Way to go, Bert.
37 CHAIRMAN ANCHO: All right.
38 BERT RAMOS: Thank you.
39
40

1
2 13) PUBLIC WORKS: For possible action to approve/disapprove the
3 coordination with the Nevada Department of Water Resources
4 (NDWR) for the temporary use of construction water from the
5 Battle Mountain sewer and water stand pipe. The period will
6 be for one year, starting approximately July 1, 2020, total
7 estimated quantity: 61 acre-feet. The place of use will be
8 the Battle Mountain solar project, located approximately nine
9 miles from the Town of Battle Mountain, off I-80 and Mote
10 Road, Humboldt County.
11

12 CHAIRMAN ANCHO: For possible -- possible action to
13 approve, disapprove the coordination with the Nevada Department
14 of Water Resources, NDWR, for the temporary use of construction
15 water from the Battle Mountain Sewer and Water stand -- stand
16 pipe. Divide -- the period will be for one year, starting
17 approximately July 1, 2020, tot- -- totaling -- total estimate
18 qual- -- quantity -- excuse me -- 61 acre-feet. And a place of
19 use will be the Battle Mountain solar project, located
20 approximately nine miles from the Town of Battle Mountain, off
21 I-80 and Mote Road, Humboldt County.

22 COMMISSIONER SPARKS: So what's this solar project all
23 about, Bert?

24 BERT RAMOS: So I'm -- I'm not real familiar. I think they
25 have representation here. And this -- they just -- they made a
26 request to use our water to put in their solar project.

27 Now it is in Humboldt County so we're crossing -- crossing
28 lines there. And I think that this is something that the county
29 commissioners should approve or disapprove.

30 COMMISSIONER SPARKS: So the project that's being built is
31 in Humboldt County?

32 BERT RAMOS: Yes.

33 COMMISSIONER SPARKS: And they're wanted to use man- --
34 Lander County's water?

35 BERT RAMOS: Correct.

36 COMMISSIONER CLARK: And it's on this side of the freeway?
37 On the south --

38 BERT RAMOS: Yep.

39 COMMISSIONER CLARK: -- side?

40 BERT RAMOS: Yep.

1 COMMISSIONER CLARK: Past --
2 BERT RAMOS: It is --
3 COMMISSIONER CLARK: -- past the Fat --
4 BERT RAMOS: Direct- --
5 COMMISSIONER CLARK: -- Rooster?
6 BERT RAMOS: -- directly behind my -- my sister.
7 COMMISSIONER CLARK: Okay.
8 BERT RAMOS: Yes.
9 COMMISSIONER CLARK: Down --
10 COMMISSIONER WAITS: This is --
11 COMMISSIONER CLARK: -- to Mote?
12 BERT RAMOS: Correct. Is -- is my understanding. So --
13 COMMISSIONER CLARK: Okay.
14 BERT RAMOS: -- right there, that county line cuts off
15 just -- I mean, it --
16 COMMISSIONER CLARK: Yeah.
17 BERT RAMOS: -- cuts right behind.
18 COMMISSIONER CLARK: Yeah.
19 BERT RAMOS: And -- and so that's Humboldt County, roughly,
20 when you hit the Mote exit. And -- and it kind of quarters off
21 at an angle there. And so that's -- we're the closest source of
22 water for the project. But I --
23 COMMISSIONER CLARK: I --
24 BERT RAMOS: -- I'll let them speak on their --
25 COMMISSIONER CLARK: Now --
26 BERT RAMOS: -- on their own --
27 COMMISSIONER WAITS: You know, this --
28 BERT RAMOS: -- behalf.
29 COMMISSIONER WAITS: -- has been so exciting. It's been in
30 the works for -- what? -- the last couple of years at least. Is
31 it Greg that's here?
32 UNIDENTIFIED PARTICIPANT: I --
33 COMMISSIONER CLARK: Yeah. I -- I --
34 COMMISSIONER WAITS: Okay. Yeah.
35 COMMISSIONER CLARK: That's a lot of water.
36 BERT RAMOS: It's a -- it's a -- so I --
37 COMMISSIONER WAITS: We are --
38 BERT RAMOS: -- broke --
39 COMMISSIONER WAITS: -- talking --
40 BERT RAMOS: -- I broke -- yes. So I broke the numbers

1 down for you guys so everybody would understand.
2 You know, an acre of water is 325,000 gallons. And
3 so we're -- we're looking at, you know, they're going to take 13
4 loads of water a day, roughly, for one year. That's -- if they
5 work 365 days a year, they would -- they would be taking 13
6 loads of 4,000 gallons per load every day.
7 COMMISSIONER CLARK: That's going to --
8 BERT RAMOS: And --
9 COMMISSIONER CLARK: -- be 20 million gallons.
10 BERT RAMOS: Yeah. It's -- it's act- -- yep. Almost on
11 the button, 19 million and some change.
12 We --
13 COMMISSIONER CLARK: Will we --
14 BERT RAMOS: -- do --
15 COMMISSIONER CLARK: -- be paid --
16 BERT RAMOS: -- we do have --
17 COMMISSIONER CLARK: -- for --
18 BERT RAMOS: -- the water.
19 COMMISSIONER CLARK: Will we be paid for this water?
20 BERT RAMOS: Yes.
21 COMMISSIONER CLARK: Okay.
22 COMMISSIONER WAITS: Absolutely. And we'll probably have
23 all of our restaurants and motels full for the next year too.
24 I mean, we're talking -- this has been a big project in
25 production. How long, Greg? At least two years, maybe more.
26 ANDREW POTOKAR: Yeah. This is Andrew Potokar with MYR
27 Energy Services. We're the EBC contractor for Con Ed for the
28 project.
29 It has been in the works for sev- -- several years.
30 We are mobilizing. Our team has about eight people in the
31 office here on Carson Road.
32 Several of them have already taken residence in Battle
33 Mountain.
34 On your schedule, we will start here in July and August.
35 And that -- and for probably in the next six months when we do
36 the civil work, that'll be the heavier usage of the water.
37 It's primarily used for dust control and establishing
38 compaction.
39 We probably will not use as much water as you -- as you
40 stated, Bert. Our estimates are more around 8 million gallons.

1 But the -- the 10 to 20 loads of -- a day is -- is what we will
2 use in the -- the -- the near term when we are building roads
3 and establishing compaction. But after that, it's -- it's
4 primarily just used for dust control as we are driving in and
5 out of the site.

6 COMMISSIONER CLARK: How many acres is the plant? The
7 solar power plant itself?

8 ANDREW POTOKAR: Approximately 660, I believe.

9 CHAIRMAN ANCHO: Oh, wow.

10 BERT RAMOS: Yeah. And I apologize. I don't mean to be
11 misrepresenting --

12 ANDREW POTOKAR: No, no. I --

13 BERT RAMOS: -- anything. I'm just going solely off the
14 numbers from --

15 ANDREW POTOKAR: Yep.

16 BERT RAMOS: -- the agenda item.

17 CHAIRMAN ANCHO: Uh-huh.

18 COMMISSIONER WAITS: Well, I'm going to make a motion that
19 we approve the coordination with the Nevada Department of Water
20 Resources, NDWR, for the temporary use of construction water
21 from the Battle Mountain Sewer and Water stand pipe. The period
22 would be for one year, starting approximately July 1, 2020.

23 Total estimated quantity, 61 acre-feet.

24 The phase of use will be in the Battle Mountain solar
25 project, as we all know. And it is located nine miles from the
26 Town of Battle Mountain, off Highway 80 and Mote Road.

27 CHAIRMAN ANCHO: All right.

28 COMMISSIONER WAITS: And let's see. Do -- who would we
29 authorize to sign on this one?

30 KEITH WESTENGARD: Public Works director.

31 COMMISSIONER WAITS: Public Works director?

32 COMMISSIONER SPARKS: I'll second the motion.

33 CHAIRMAN ANCHO: All right.

34 Any public comment?

35 GREG BILEAU: Yes. Good morning. For the record --

36 CHAIRMAN ANCHO: Yes.

37 GREG BILEAU: -- my name is Greg Bileau with Tech
38 Engineering. I'm the water right consultant on this project.

39 I just wish to point out that the actual number is correct
40 at 8 million gallons is the estimated use of the water.

1 CHAIRMAN ANCHO: Okay. Thank you --
2 COMMISSIONER SPARKS: Thank you.
3 CHAIRMAN ANCHO: -- very much.
4 COMMISSIONER CLARK: Well, in the --
5 GREG BILEAU: All right.
6 COMMISSIONER CLARK: -- in the paperwork it says 61
7 acre-feet. How do you come up with 8 million gallons versus 61
8 acre-feet?
9 ANDREW POTOKAR: There's a typo.
10 GREG BILEAU: There was -- well, it -- the 8 million
11 gallons translates to 24.55 acre-feet annually.
12 The original estimate was based on worst-case scenario.
13 COMMISSIONER CLARK: Where -- where are you going to get
14 your water for the plant?
15 ANDREW POTOKAR: During operations?
16 GREG BILEAU: Water for the plant? This is purely for
17 construction.
18 COMMISSIONER CLARK: Okay.
19 CHAIRMAN ANCHO: Any other public comment?
20 (No comment.)
21 CHAIRMAN ANCHO: Hearing none.
22 All in favor?
23 COMMISSIONER SPARKS: Aye.
24 CHAIRMAN ANCHO: Aye.
25 COMMISSIONER WAITS: Aye.
26 COMMISSIONER CLARK: (Indiscernible.)
27 CHAIRMAN ANCHO: All right.
28 COMMISSIONER WAITS: Well, it's exciting Greg. And, I --
29 like --
30 CHAIRMAN ANCHO: Very good.
31 COMMISSIONER WAITS: -- I said, --
32 CHAIRMAN ANCHO: Thank you.
33 COMMISSIONER WAITS: -- we've been watching it for a long
34 time. So Con Ed's done a great job. And we're looking forward
35 to working with you.
36 ANDREW POTOKAR: We're excited to be here. Thank you.
37 CHAIRMAN ANCHO: Thank you very much.
38 UNIDENTIFIED PARTICIPANT: Yeah.
39 CHAIRMAN ANCHO: Treasurer.
40 KEITH WESTENGARD: I guess they're --

1 VOICE RECORDING: Muted. Unmuted.
2 COMMISSIONER SPARKS: Wow. Jusdi. We've got to do
3 some business today.
4 CHAIRMAN ANCHO: Right.
5 JUSDIVIA JOHNSON: I know.
6 CHAIRMAN ANCHO: All right.
7
8 15) **TREASURER: For possible action to approve/disapprove**
9 **Resolution 2020-05 to levy the 2020-21 tax rate.**
10
11 CHAIRMAN ANCHO: For possible action to approve, disapprove
12 Resolution 2020-05 to levy the 2020-21 tax rate.
13 You are on.
14 JUSDIVIA JOHNSON: I think you guys just have to read that
15 into the minutes, the resolution.
16 CHAIRMAN ANCHO: Number 15.
17 COMMISSIONER SPARKS: So La- -- Laken -- so -- so school at
18 .75, that's the cap, right? They can't go over that? Is that
19 correct?
20 LAKEN SULLIVAN: Yeah.
21 COMMISSIONER SPARKS: Okay.
22 COMMISSIONER CLARK: Doesn't the TV board get a percentage?
23 JUSDIVIA JOHNSON: The TV?
24 COMMISSIONER SPARKS: TV board?
25 COMMISSIONER CLARK: The TV board's not listed here. I
26 thought they got a percentage of the income of the taxes.
27 COMMISSIONER WAITS: Are you ready for the resolution?
28 CHAIRMAN ANCHO: Well, he was looking for the TV.
29 KEITH WESTENGARD: The TV board is a stand-alone entity.
30 They don't get -- it's like lan- -- like Convention and Tourism.
31 So they -- they are not part of it. They do not get a --
32 COMMISSIONER CLARK: They don't --
33 KEITH WESTENGARD: -- percent. Completely separate.
34 LAKEN SULLIVAN: I think for the General Improvement
35 District, I believe there is a fee included in the property
36 taxes that goes to them.
37 COMMISSIONER CLARK: Property tax goes --
38 LAKEN SULLIVAN: I --
39 COMMISSIONER CLARK: -- to --
40 LAKEN SULLIVAN: -- think there --

1 COMMISSIONER CLARK: -- them.
2 LAKEN SULLIVAN: -- is. For the use of cable.
3 ELIZABETH BARELA: There is.
4 LAKEN SULLIVAN: Yeah.
5 KEITH WESTENGARD: I think -- I --
6 COMMISSIONER CLARK: Yeah. I just, you know, --
7 KEITH WESTENGARD: I don't think --
8 COMMISSIONER CLARK: -- looking at this, I --
9 ELIZABETH BARELA: That is --
10 COMMISSIONER CLARK: -- I mean, TV board, do we need a TV
11 board? Everybody's on cable.
12 COMMISSIONER WAITS: So we need to read in the whole
13 resolution on this one?
14 KEITH WESTENGARD: Yes. It's not part of this.
15 COMMISSIONER WAITS: We need --
16 COMMISSIONER SPARKS: Ted, --
17 COMMISSIONER WAITS: -- to --
18 COMMISSIONER SPARKS: -- do we need --
19 COMMISSIONER WAITS: -- read in --
20 COMMISSIONER SPARKS: -- to read --
21 COMMISSIONER WAITS: -- the whole --
22 COMMISSIONER SPARKS: -- whole --
23 COMMISSIONER WAITS: -- resolution?
24 COMMISSIONER SPARKS: -- thing or just the title?
25 COMMISSIONER WAITS: Okay.
26 DISTRICT ATTORNEY HERRERA: The whole thing, please.
27 COMMISSIONER WAITS: Okay. I move to approve Resolution
28 2020-05 per NRS 361.460.
29 The Board of County Commissioners of Lander County, now
30 that the Nevada Tax Commission has certified the combined *ad*
31 *valorem* property tax rate, and if the levy of taxes in Lander
32 County for the fiscal period beginning July 1, 2020, through
33 June 30, 2021, shall be in accordance with the following
34 schedule for each fund on \$100 worth of property.
35 General Fund, 1.2670; Road and Bridge, 0.1909; Indigent,
36 0.0755; Ag Extension, 0.0150; Aging Services, 0.0850; Airport,
37 0.0400; Culture and Recreation, 0.0895; Youth Services, 0.0009;
38 State Indigent, which goes to NACo or collected by NACo, zero --
39 0.0150; State Medical Indigency, 0.0655; Capital Acquisition
40 0.0300; Lander County Landfill, 0.0500; Hospital, 0.5109; School,

1 0.7500, State Rate, 0.1700.
2 Base rate 3.3552.
3 Specials. Austin Town, .2890; Battle Mountain Town, .0500;
4 Kingston town, .3048.
5 Passed and adopted this 25 -- 25th day of June.
6 CHAIRMAN ANCHO: Note. Did we get a second?
7 COMMISSIONER SPARKS: I'll second.
8 CHAIRMAN ANCHO: All right.
9 Any public comment?
10 (No comment.)
11 CHAIRMAN ANCHO: Hearing none.
12 All in favor?
13 COMMISSIONER CLARK: Aye.
14 COMMISSIONER SPARKS: Aye.
15 CHAIRMAN ANCHO: Aye.
16 COMMISSIONER WAITS: Aye.
17 CHAIRMAN ANCHO: All right.
18 COMMISSIONER WAITS: And authorize the chair to sign, of
19 course.
20 CHAIRMAN ANCHO: All right.
21 So moving on.
22
23 16) **TREASURER: For possible action to approve/disapprove payment**
24 **to Lander County treasurer for payment of taxes held for**
25 **2020-21.**
26
27 CHAIRMAN ANCHO: For possible action to approve, disapprove
28 payment of Lander County treasurer for payment of taxes held for
29 2020-21.
30 JUSDIVIA JOHNSON: So these are just taxes that I hold for
31 people for the next year, like Chukar Hills always sends a
32 thousand bucks every time they can. So we just hold it until
33 the new tax year comes. Because he has so many properties.
34 CHAIRMAN ANCHO: Oh, so they like -- they pay it ahead of
35 time, and you guys just hold it?
36 JUSDIVIA JOHNSON: Yeah.
37 CHAIRMAN ANCHO: Okay.
38 COMMISSIONER WAITS: I move to approve payment to the
39 Lander County treasurer in the amount of \$12,919.40 for taxes
40 collected in advance from specific taxpayers for the 2020-21 tax

1 year.
2 CHAIRMAN ANCHO: All right. Do we have a second?
3 COMMISSIONER CLARK: I'll second.
4 CHAIRMAN ANCHO: All right.
5 Any public comment?
6 COMMISSIONER SPARKS: So these are all collected in
7 advance. So these are not -- they're not in arrears?
8 JUSDIVIA JOHNSON: No.
9 COMMISSIONER SPARKS: They're -- it's all in advance?
10 JUSDIVIA JOHNSON: Uh-huh.
11 COMMISSIONER SPARKS: Okay. I'll -- yeah. Do we have --
12 CHAIRMAN ANCHO: All right.
13 COMMISSIONER SPARKS: -- a second?
14 COMMISSIONER CLARK: Yeah.
15 CHAIRMAN ANCHO: Yeah. So --
16 COMMISSIONER CLARK: Pay ahead.
17 CHAIRMAN ANCHO: All right. All in favor?
18 COMMISSIONER SPARKS: Aye.
19 CHAIRMAN ANCHO: Aye.
20 COMMISSIONER CLARK: Aye.
21 COMMISSIONER WAITS: Aye.
22 CHAIRMAN ANCHO: Very good.
23
24 17) **Discussion regarding letter on one-year delinquent taxes per**
25 **NRS 361.5648 and NRS 361.565.**
26
27 CHAIRMAN ANCHO: Discussion regarding letter on one-year
28 delinquent tax per NRS 361.5648 and NRS 361.565.
29 COMMISSIONER WAITS: Directions on this is discussion only,
30 but they want it read into the record. Is that --
31 JUSDIVIA JOHNSON: Yes.
32 COMMISSIONER WAITS: -- right? Okay.
33 JUSDIVIA JOHNSON: Correct.
34 COMMISSIONER WAITS: So I now acknowledge, for the record,
35 the Lander County treasurer's personal affidavit of May 23,
36 2020, to our Board of County Commissioners, affirming that due
37 notice has been mailed to each taxpayer with respect to the
38 delinquency of each parcel.
39 COMMISSIONER CLARK: Wha- -- wha- -- I've got a question.
40 I -- I want to know --

1 COMMISSIONER WAITS: Is that what you wanted?
2 Jusdi?
3 COMMISSIONER CLARK: Where --
4 JUSDIVIA JOHNSON: I think you have to read the letter
5 itself in.
6 COMMISSIONER WAITS: Do I have --
7 JUSDIVIA JOHNSON: Oh, you --
8 COMMISSIONER WAITS: -- to read the whole letter in?
9 JUSDIVIA JOHNSON: Yes.
10 COMMISSIONER CLARK: May 23rd?
11 COMMISSIONER WAITS: Okay. May 23, 2020. Issuance of
12 Affidavit and Legal Advertisement of Delinquent Taxpayers.
13 Pursuant to NRS 361.5648, the undersigned does hereby
14 affirm that each taxpayer was given due notice by first class
15 mail of the delinquency with respect to each parcel.
16 Five hundred and fifty-three parcels were delinquent in
17 payment of taxes due for 2019 to '20.
18 Three hundred and thirty-nine envelopes were mailed.
19 Eighteen envelopes were returned as undeliverable with "no
20 forwarding address" as of May 23, 2020.
21 Thirty-three notices were within the envelopes determined
22 as undeliverable with "no forwarding address" as of May 23,
23 2020.
24 And this is from Jusdivia Johnson, our Lander County
25 treasurer and ex-officio tax receiver.
26 COMMISSIONER CLARK: Okay. What does Yale own --
27 University own in Lander County? Parcel number 013-130-26. .
28 Yeah.
29 JUSDIVIA JOHNSON: I'd -- I have to go pull --
30 COMMISSIONER CLARK: Okay.
31 JUSDIVIA JOHNSON: -- the --
32 COMMISSIONER CLARK: I -- it --
33 JUSDIVIA JOHNSON: Off the --
34 COMMISSIONER CLARK: -- would you --
35 JUSDIVIA JOHNSON: -- top of my head, I don't know.
36 COMMISSIONER CLARK: Would you -- would you find out?
37 JUSDIVIA JOHNSON: I will.
38 COMMISSIONER CLARK: I'm -- I'm just interested in -- what
39 the heck?
40 JUSDIVIA JOHNSON: Yeah. I can do that for you.

1 COMMISSIONER CLARK: Yeah. Thank you.
2 JUSDIVIA JOHNSON: Uh-huh.
3 COMMISSIONER SPARKS: I'll second.
4 CHAIRMAN ANCHO: Where is it? It's discussion.
5 COMMISSIONER WAITS: It's just read into the record.
6 CHAIRMAN ANCHO: Just read in --
7 COMMISSIONER SPARKS: Oh, it's just --
8 CHAIRMAN ANCHO: -- that in the record.
9 COMMISSIONER WAITS: Thank you, Bryan.
10 COMMISSIONER SPARKS: You're welcome.
11 COMMISSIONER WAITS: No motion. No action.
12 CHAIRMAN ANCHO: Very good. All right.
13

14 18) **TREASURER: To approve/disapprove adjustments to the tax**
15 **roll. Secured Roll Adjustments, a) Adjustment to 2018-19**
16 **secured roll, b) Adjustment to 2019-20 secured roll. Secured**
17 **Roll Special Assessment Adjustments, a) Adjustment to 2018-19**
18 **Special Assessments on the secured roll, b) Adjustment to**
19 **2019-20 Special Assessments on the secured roll. Unsecured**
20 **Roll Adjustments, a) Adjustment to 2015-2016 unsecured roll,**
21 **b) Adjustment to 2016-17 unsecured roll, c) Adjustment to**
22 **2017-18 unsecured roll, d) Adjustment to 2018-19 unsecured**
23 **roll, e) Adjustment to 2019-20 unsecured roll. Unsecured Roll**
24 **Special Assessment Adjustments, a) None.**
25

26 CHAIRMAN ANCHO: (Off microphone) To approve, disapprove
27 adjustments to tax roll. Secured Tax Adjustments, a)
28 Adjustments to 2018-19 secured roll, b) Adjustments to 2019-20
29 secured roll.

30 Secured Roll Special Assessment Adjustments, a) Adjustments
31 to 2018-19 Special Assessments on secured roll, b) Adjustments
32 to 2019-20 Special Assessments on the -- on the secured roll.

33 Unsecured Roll Adjustments, a) Adjustments to 2015-16
34 unsecured roll, b) Adjustments to 2016-17 unsecured roll, -- (On
35 microphone) -- d) Adjustments to 2018-19 unsecured roll, e)
36 Adjustments to 2019-20 un- -- unsecured roll.

37 Unsecured Roll Special Assessment Adjustments, a) None.

38 JUSDIVIA JOHNSON: So these are all the adjustments that we
39 made in the '19/'20 year.

40 COMMISSIONER WAITS: Do you want me to tackle this one?

1 COMMISSIONER SPARKS: Huh?
2 COMMISSIONER WAITS: I have my notes.
3 Okay. All right. Follow me close so I don't miss anything.
4 I make a motion to approve the adjustments to the secured
5 roll as follows: Approve adjustment to 2018-19 secured rolls,
6 parentheses, \$74.38, parentheses. Approve adjustment to 2019 to
7 2020 secured roll, parenthesis, \$489.22, parentheses.
8 Okay. Now I move to special assessments. Okay. And
9 approve the adjustment to the special assessments on the secured
10 roll, 2018 to 2019, with Water and Sewer liens transferred twice
11 from Austin, parentheses, \$5,833.10, parentheses. 2018-2019
12 Water and Sewer liens transferred twice from Battle Mountain,
13 parentheses, \$41,794.19, parentheses.
14 So our total combined adjustment to special assessments on
15 the secured roll for 2019 and 2020 for \$47,627.29.
16 Now I move to unsecured. Approving the adjustments to the
17 unsecured roll as follows:
18 Approve adjustments to 2015 and '16 unsecured roll.
19 Approve adjustment to '16/'17 unsecured roll. Approve
20 adjustments to 2017-18 unsecured roll. Approve adjustments to
21 2018-19 unsecured roll. And approve adjustments to 2019-20
22 unsecured roll.
23 COMMISSIONER CLARK: Second.
24 CHAIRMAN ANCHO: Any public comment?
25 (No comment.)
26 CHAIRMAN ANCHO: All in favor?
27 COMMISSIONER CLARK: Aye.
28 CHAIRMAN ANCHO: Aye.
29 COMMISSIONER WAITS: Aye.
30 CHAIRMAN ANCHO: And opposed?
31 (No comment.)
32 CHAIRMAN ANCHO: All right.
33 UNIDENTIFIED PARTICIPANT: Who seconded that?
34 COMMISSIONER SPARKS: Huh.
35 UNIDENTIFIED PARTICIPANT: Who was the second?
36 COMMISSIONER SPARKS: Who seconded?
37 CHAIRMAN ANCHO: Uh-huh.
38 COMMISSIONER SPARKS: Who second?
39 COMMISSIONER CLARK: I did.
40 CHAIRMAN ANCHO: I -- I --

1 COMMISSIONER SPARKS: Art did.
2 CHAIRMAN ANCHO: Art did.
3 So have we -- did we cover all of that one on? It was a
4 little --
5 COMMISSIONER CLARK: Yeah.
6 CHAIRMAN ANCHO: -- confusing to me. So we're on nine- --
7 are we moving on to 19.
8 COMMISSIONER CLARK: Now we're on 19.
9 CHAIRMAN ANCHO: Okay.
10 COMMISSIONER CLARK: You want to pay Fred.
11 CHAIRMAN ANCHO: All right. Very good.
12
13 19) **TREASURER: For possible action to approve/disapprove a**
14 **property tax refund per NRS 354.240(2) made by the Lander**
15 **County treasurer from July 1, 2019, through June 25, 2020,**
16 **for Fred Schroeder in the amount of \$86.46 for Parcel**
17 **002-065-03 secured roll.**
18
19 CHAIRMAN ANCHO: For possible action to approve, disapprove
20 tax refund per NRS 354.240, Number 2, made to Lander County
21 treasurer from July 1, 2019, through June 25, 2020, for Fred
22 Schroeder in the amount of \$86.46 for Parcel 002-065-03 on a
23 secured roll.
24 JUSDIVIA JOHNSON: So this is for a refund for him for a
25 mobile home that is no longer on his property.
26 CHAIRMAN ANCHO: Okay.
27 COMMISSIONER CLARK: Yeah.
28 I'll make a motion that we pay Fred Schroeder the \$86.40
29 for Parcel 002-065-03 on the secured roll because of
30 overpayment.
31 COMMISSIONER SPARKS: Second.
32 JUSDIVIA JOHNSON: Yes.
33 CHAIRMAN ANCHO: All right. Any public comment?
34 DISTRICT ATTORNEY HERRERA: Commissioners?
35 CHAIRMAN ANCHO: Yes?
36 DISTRICT ATTORNEY HERRERA: Could you amend that to approve
37 the payment.
38 COMMISSIONER SPARKS: To approve --
39 CHAIRMAN ANCHO: Yes.
40 COMMISSIONER SPARKS: -- the payment?

1 CHAIRMAN ANCHO: To -- to approve the payment?
2 DISTRICT ATTORNEY HERRERA: Yes.
3 COMMISSIONER CLARK: Yeah.
4 CHAIRMAN ANCHO: Okay. Yes.
5 COMMISSIONER CLARK: To pay him.
6 CHAIRMAN ANCHO: Okay.
7 COMMISSIONER CLARK: All in favor?
8 CHAIRMAN ANCHO: All right. All in favor?
9 COMMISSIONER SPARKS: Aye.
10 CHAIRMAN ANCHO: Aye.
11 COMMISSIONER CLARK: Aye.
12 COMMISSIONER WAITS: Aye.
13 CHAIRMAN ANCHO: All right.
14

15 20) **TREASURER: To approve/disapprove Resolution 2020-04 for**
16 **Lander County treasurer to allocate interest earnings**
17 **effective July 1, 2020.**
18

19 COMMISSIONER SPARKS: So question on Item 20 here.
20 CHAIRMAN ANCHO: Okay.
21 COMMISSIONER SPARKS: Have to read it in first.
22 CHAIRMAN ANCHO: Want it read in?
23 All right.
24 To approve, disapprove Resolution 2020-04 for Lander County
25 treasurer to allocate interest earning effective July 1, 2020.
26 COMMISSIONER SPARKS: So we're allocating interest earnings
27 to the --
28 JUSDIVIA JOHNSON: It --
29 COMMISSIONER SPARKS: -- fund --
30 JUSDIVIA JOHNSON: -- it'll be for Water and Sewer District
31 #2 since they made the two funds -- 210 and 215, they added.
32 COMMISSIONER SPARKS: So -- but my question is: Were --
33 how much are we all- -- I mean, what is the interest earned that
34 we're allocating? And how much to each fund? Or we don't have
35 to state that? Or --
36 JUSDIVIA JOHNSON: There's a spreadsheet that I do.
37 COMMISSIONER SPARKS: Okay.
38 JUSDIVIA JOHNSON: Because I have to divide the total to
39 get the percentage. And then the rest of it goes 60/40 split
40 between the General and the CCP Fund, the remaining of it.

1 COMMISSIONER SPARKS: But it says it'll be allocated in the
2 following funds. And there's -- I don't know -- what? -- a
3 dozen or so there.

4 JUSDIVIA JOHNSON: Yes.

5 COMMISSIONER SPARKS: So are those -- is -- are those --

6 JUSDIVIA JOHNSON: All of --

7 COMMISSIONER SPARKS: How much we --

8 JUSDIVIA JOHNSON: -- these --

9 COMMISSIONER SPARKS: -- do we --

10 JUSDIVIA JOHNSON: -- get the --

11 COMMISSIONER SPARKS: -- distribute to each one of those
12 funds? Is that something that's set by statute? Or is that
13 something we can control of -- commissioners to be able to
14 allocate those funds to, in the amount that we would like to, in
15 those funds?

16 JUSDIVIA JOHNSON: It's allocated by resolution.

17 COMMISSIONER SPARKS: No, I --

18 JUSDIVIA JOHNSON: Which --

19 COMMISSIONER SPARKS: -- understand that, but what I --
20 Do you guys --

21 JUSDIVIA JOHNSON: You're --

22 COMMISSIONER SPARKS: -- understand what I'm asking?
23 It's a bit confusing for me. It's -- we're allocating our
24 interest earned off of our investments.

25 CHAIRMAN ANCHO: Uh-huh.

26 COMMISSIONER SPARKS: From what I'm reading here is it goes
27 to all these funds. So how much -- what's the percentage of
28 each fund that we're allocating? And do we have control over
29 that? That's what I'm asking.

30 CHAIRMAN ANCHO: So there's no breakdown. What he's
31 saying, is he had -- there's no breakdown to say -- like on the
32 other page, it showed exactly the amount that was --

33 JUSDIVIA JOHNSON: Oh.

34 CHAIRMAN ANCHO: -- for tax roll -- like

35 JUSDIVIA JOHNSON: Because --

36 CHAIRMAN ANCHO: -- being --

37 JUSDIVIA JOHNSON: -- it goes by --

38 CHAIRMAN ANCHO: -- allocated.

39 JUSDIVIA JOHNSON: -- each -- what --

40 COMMISSIONER CLARK: The percentage that goes into each

1 of --
2 JUSDIVIA JOHNSON: Each one --
3 COMMISSIONER CLARK: -- these --
4 JUSDIVIA JOHNSON: -- is --
5 COMMISSIONER CLARK: -- lines.
6 JUSDIVIA JOHNSON: -- different by what they have in each
7 fund.
8 So the breakdown was different. I don't know if that --
9 DISTRICT ATTORNEY HERRERA: They're --
10 JUSDIVIA JOHNSON: -- makes --
11 DISTRICT ATTORNEY HERRERA: -- asking if --
12 JUSDIVIA JOHNSON: -- sense or not.
13 DISTRICT ATTORNEY HERRERA: -- if -- Jusdi, they're
14 asking if the percentage is pursuant to statute or ordinance.
15 COMMISSIONER SPARKS: Yeah. Do you -- do you know, Ted?
16 Is it controlled by statute or ordinance?
17 DISTRICT ATTORNEY HERRERA: I -- that's why I'm asking the
18 treasurer if -- if the percentage is -- is controlled by statute
19 or ordinance.
20 COMMISSIONER SPARKS: So let's -- let's -- yeah, that's
21 what I'm --
22 JUSDIVIA JOHNSON: I don't --
23 COMMISSIONER SPARKS: -- asking, --
24 JUSDIVIA JOHNSON: -- think it's by --
25 COMMISSIONER SPARKS: -- Jusdi. Is this --
26 JUSDIVIA JOHNSON: -- the statute.
27 COMMISSIONER SPARKS: -- something that we -- we're --
28 we're mandated to do by NRS? Or do we have some control? And
29 where --
30 JUSDIVIA JOHNSON: You have control.
31 COMMISSIONER SPARKS: And how much money we put in each one
32 of these funds. I mean, is --
33 JUSDIVIA JOHNSON: You have --
34 COMMISSIONER SPARKS: -- that --
35 JUSDIVIA JOHNSON: -- control.
36 COMMISSIONER SPARKS: We do?
37 JUSDIVIA JOHNSON: Uh-huh.
38 COMMISSIONER SPARKS: Okay.
39 So, I guess -- because right now I don't see how much we are
40 putting into the funds. That's -- that's --

1 LAKEN SULLIVAN: Well, I think -- Laken Sullivan, for the
2 record -- I think what Jusdi's saying is it's based on how
3 much money they have in their --
4 JUSDIVIA JOHNSON: In their --
5 LAKEN SULLIVAN: -- accounts.
6 JUSDIVIA JOHNSON: -- each fund.
7 LAKEN SULLIVAN: This is the interest off of their
8 accounts. So they are getting --
9 COMMISSIONER SPARKS: Oh, I --
10 LAKEN SULLIVAN: -- an allocation.
11 COMMISSIONER SPARKS: -- see.
12 JUSDIVIA JOHNSON: Does that make sense?
13 COMMISSIONER SPARKS: Thank you. Yes. That makes --
14 JUSDIVIA JOHNSON: Sorry.
15 COMMISSIONER SPARKS: Completely, yeah. I've got it.
16 Totally got it now. So -- yep. You guys understand that?
17 CHAIRMAN ANCHO: I do. Yeah.
18 JUSDIVIA JOHNSON: If --
19 COMMISSIONER SPARKS: Okay. Good.
20 CHAIRMAN ANCHO: Her edition.
21 COMMISSIONER SPARKS: Sorry.
22 JUSDIVIA JOHNSON: So it's just adding those two on --
23 COMMISSIONER SPARKS: No, I --
24 JUSDIVIA JOHNSON: -- there --
25 COMMISSIONER SPARKS: -- got it.
26 JUSDIVIA JOHNSON: -- because of the number in two that
27 they're --
28 COMMISSIONER SPARKS: Yes.
29 JUSDIVIA JOHNSON: -- dissolving.
30 COMMISSIONER SPARKS: Yeah. I got it. Thank you.
31 CHAIRMAN ANCHO: Someone willing to want to read it in for
32 the motion?
33 COMMISSIONER WAITS: Do you want me to take it?
34 CHAIRMAN ANCHO: Please.
35 COMMISSIONER WAITS: Okey doke.
36 I make a motion we approve Resolution Number 2020-04. It's
37 a resolution of the Board of Lander County Commissioners, a
38 resolution regarding the allocation of interest earned from any
39 Lander County bank account to the appropriate funds, retroactive
40 as of July 1, 2020.

1 That was my question. So I'm not sure how we can make it
2 retroactive because it's going forward, but I wanted that
3 clarification on the record.

4 Whereas the Lander County treasurer has bank accounts,
5 i.e., example, checking, savings, investments, et cetera, that
6 earn interest.

7 And whereas the interest earned needs to be allocated by
8 resolution or per Nevada Revised Statutes.

9 Now, therefore, be it resolved that the interest earned
10 will be allocated to the following funds:

11 The General Fund, 001; Lander County Landfill, 011; Austin
12 Capital Acquisition, 019; Austin Town, 020; Battle Mountain Town,
13 025; Kingston Capital Acquisition, 034; Kingston Town, 035;
14 Kingston Water District, 036; Kingston Fire Department, 037;
15 Austin Fair and Rec, 045; Battle Mountain Fair and Recreation,
16 046; Battle Mountain Capital Acquisition, 054; Capital
17 Construction Projects, 055; Reserve Funds, 057; Austin Water
18 Operational, 210; and Austin Sewer Operational, 215.

19 Those are our two new ones.

20 Battle Mountain Water Operational, 226; Battle Mountain
21 Sewer Operation, 236; Technology Fees, 300; Court facilities
22 Capital, 385.

23 Be it further resolved, interest earned by funds not stated
24 will be split 60/40, respectively 60 percent Capital
25 Construction Project, which is our CCP Fund and Number 55, and
26 40 percent General Fund, Number 001.

27 Passed and adopted this 25th day of June 2020.

28 CHAIRMAN ANCHO: All right.

29 COMMISSIONER WAITS: And authorize the chair to sign.

30 CHAIRMAN ANCHO: All right. Do I have a second?

31 COMMISSIONER SPARKS: Second.

32 CHAIRMAN ANCHO: Any public comment?

33 (No comment.)

34 CHAIRMAN ANCHO: All in favor?

35 COMMISSIONER CLARK: Aye.

36 CHAIRMAN ANCHO: Aye.

37 COMMISSIONER WAITS: Aye.

38 CHAIRMAN ANCHO: All right. Moving on. Thank you.

39 So --

40

1
2 21) TREASURER: To approve/disapprove the transfer of delinquent
3 water/sewer accounts to the 2019-20 secured tax roll as
4 reconciled on June 25, 2020, and other matters properly
5 relating thereto. a) To transfer reconciled accounts
6 according to Lander County Code, Section 13.04.050(7)(E),
7 Battle Mountain, b) To transfer the reconciled accounts
8 according to Lander County Code, Section 13.08.050, Lander
9 County Combined Sewer and Water District #2.
10

11 CHAIRMAN ANCHO: To approve, disapprove the transfer of
12 delinquent water, sewer accounts to the 2019-20 secured roll to
13 reconcile on June 25, 2020, and other matters properly related
14 thereto. a) To transfer and reconcile accounts according to
15 Lander County Code, Section 13.04.050(7)(E), Battle Mountain; b)
16 To transfer the reconciled accounts according to Lander County
17 Code, Section 13.08.050, Lander County Combined Sewer and Water
18 District #2.

19 JUSDIVIA JOHNSON: Okay. These are all my water and sewer
20 delinquent accounts that need to be transferred to the 2019-20
21 tax roll.

22 COMMISSIONER SPARKS: So if they're delinquent, how come --
23 like I'm looking at some of them. And they just say current
24 amount, but there's nothing in the 1, 2, 3 or 4 month?

25 COMMISSIONER CLARK: Yeah. I'm on --

26 JUSDIVIA JOHNSON: It's --

27 COMMISSIONER CLARK: -- here.

28 JUSDIVIA JOHNSON: You guys --

29 COMMISSIONER CLARK: I pay my bill every --

30 JUSDIVIA JOHNSON: No.

31 COMMISSIONER CLARK: -- month.

32 COMMISSIONER WAITS: You're -- you're misreading it.
33 Everything -- everything that has a gray line -- okay.
34 everything that has a gray line is supposed to be highlighted.
35 But --

36 CHAIRMAN ANCHO: See.

37 COMMISSIONER WAITS: We didn't --

38 CHAIRMAN ANCHO: (Indiscernible.)

39 COMMISSIONER WAITS: -- copy this in color.

40 CHAIRMAN ANCHO: See? Right here.

1 COMMISSIONER WAITS: And I did the same thing. I thought
2 those were the only ones that paid. And I had to verify it.
3 JUSDIVIA JOHNSON: So it's your grayed out ones.
4 COMMISSIONER WAITS: So we need to look at this. And then
5 you'll see that -- that the actual adding machine tape adds up
6 to the correct amount.
7 So I move to approve the reconciled delinquent water and
8 sewer accounts be transferred from Battle Mountain Water and Sewer
9 to the secured 2019-2020 tax roll for Lander County Code, Section
10 13.04.050(7)(E), in the amount not to exceed \$95,057.53, which was
11 reconciled on June 25, 2020.
12 And the reconciled delinquent water and sewer account be
13 transferred from Lander County Combined Sewer and Water District
14 #2 to the secured 2019-20 tax roll for Lander County Code,
15 Section 13.08.050, in the amount not to exceed \$1,655.91,
16 reconciled on June 25, 2020.
17 Is there anybody that has to sign?
18 I don't think so.
19 I'm done.
20 COMMISSIONER SPARKS: I'll second.
21 CHAIRMAN ANCHO: All right.
22 All in favor?
23 COMMISSIONER SPARKS: Aye.
24 Did you ask for --
25 CHAIRMAN ANCHO: Oh, --
26 COMMISSIONER SPARKS: -- public comment?
27 CHAIRMAN ANCHO: -- I didn't. I was looking at him.
28 So public comment?
29 (No comment.)
30 CHAIRMAN ANCHO: All right. All in favor?
31 COMMISSIONER SPARKS: Aye.
32 COMMISSIONER CLARK: Aye.
33 CHAIRMAN ANCHO: Aye.
34 COMMISSIONER WAITS: Aye.
35 CHAIRMAN ANCHO: Okay. All right.
36 So -- right? We'll just keep going.
37 COMMISSIONER SPARKS: Twenty-two.
38 CHAIRMAN ANCHO: We're on 22? So to approve dis- --
39
40

1
2 22) TREASURER: To approve/disapprove payment for delinquent
3 water and sewer accounts from 2018-19 and 2019-20 and
4 reconcile on June 25, 2020. a) To pay accounts according to
5 Lander County Code, Section 13.04.050(7)(E), Battle Mountain,
6 b) To pay accounts according to Lander County Code, Section
7 13.08.050, Lander County Combined Sewer and Water District
8 #2.
9

10 CHAIRMAN ANCHO: Number 22. To approve, disapprove payment
11 for delinquent water and sewer accounts for 2018-19 and 2019-20
12 and reconcile the -- on June 25, 2020. A, to pay accounts
13 according to Lander County Code, Section 13.04.050(7)(E), Battle
14 Mountain, B, to pay accounts according to Lander County Code,
15 Section 13.08.050, Lander County Combined Water and Sewer
16 District #2.

17 JUSDIVIA JOHNSON: So this is to pay all the delinquent
18 water and sewer accounts.

19 CHAIRMAN ANCHO: Okay.

20 COMMISSIONER WAITS: Okay. I will make a motion to approve
21 the Battle Mountain Water and Sewer in the amount not to exceed
22 \$95,057.73, reconciled on June 25, 2020, for the Battle Mountain
23 Water and Sewer delinquent accounts 90 days or older, per Lander
24 County Code, Section 13.04.050(7)(E)., and payment in the amount
25 of \$1,655.91, reconciled on June 25, 2020, to the Lander County
26 Combined Sewer and Water District #2 for delinquent accounts 90
27 days or older per Lander County Code, Section 13.08.050.

28 COMMISSIONER SPARKS: I'll second.

29 CHAIRMAN ANCHO: Yeah. All right.

30 Any public comment?

31 (No comment.)

32 CHAIRMAN ANCHO: Hearing none. All in favor?

33 COMMISSIONER SPARKS: Aye.

34 CHAIRMAN ANCHO: Aye.

35 COMMISSIONER WAITS: Aye.

36 CHAIRMAN ANCHO: All right.

37 COMMISSIONER CLARK: Aye.

38 COMMISSIONER SPARKS: Thank you, Jusdi.

39 JUSDIVIA JOHNSON: Thank you.

40 CHAIRMAN ANCHO: Thank you very much.

1
2 23) CORRESPONDENCE: Correspondence, reports, future agenda
3 items.
4

5 CHAIRMAN ANCHO: So correspondence, reports, future agenda
6 items.
7

8 (The following correspondence was received:

9 1. Monthly reports to Lander County Commissioners, May
10 2020.

11 2. U.S. Department of the Interior, Bureau of Land
12 Management, Nevada State Office, letter dated June 8, 2020, to
13 Interested Public, regarding Environmental Assessment for
14 *Targeted and Prescribed Grazing of Annual Grasses in the Great*
15 *Basin Ecosystems of Nevada* is available for review.

16 3. U.S. Department of the Interior, Bureau of Land
17 Management, Nevada Tonopah Office, letter dated June 3, 2020, to
18 Interested Public, regarding the offering of seven proposed
19 lease sale parcels on September 8, 2020, to promote American
20 energy independence and initiation of public comment period of
21 associated environmental documents.

22 4. Nevada Department of Transportation Board of Directors
23 Notice of Public Meeting on June 8, 2020 and agenda.

24 5. State of Nevada Department of Taxation notice of
25 compliance of the Final Budget for the Town of Battle Mountain
26 for fiscal year 2021.)
27

28 VOICE RECORDING: Muted. Unmuted.

29 KEITH WESTENGARD: So would you guys like to do a special
30 on July 1st? What --

31 CHAIRMAN ANCHO: I -- I'm going to interrupt real quick so
32 we don't even have to go there.

33 If we own those blow ups -- things already, then that stuff
34 is already paid for.

35 My only concern, if we are doing that and we have county
36 employees that are helping with that and if -- my only concern
37 is the selling of alcohol from people in the park and not having
38 liquor licenses. What -- is that something that we -- what do
39 we do?

40 COMMISSIONER CLARK: That's up to them.

1 KEITH WESTENGARD: Well, so the first possible issue is
2 since the events were all canceled, majority of the people
3 that -- that the county employees that would have been taking or
4 overseeing those activities have requested and approved vacation
5 in.
6 CHAIRMAN ANCHO: Okay.
7 KEITH WESTENGARD: So we might run into some issues manning
8 or staffing --
9 CHAIRMAN ANCHO: Okay.
10 KEITH WESTENGARD: -- those -- those fun houses.
11 As far as the alcohol goes, I think that would be -- I don't
12 know. I'm not -- I don't have a --
13 CHAIRMAN ANCHO: Is there -- people would have to know that
14 they would have to contact the sheriff's --
15 KEITH WESTENGARD: Yes.
16 CHAIRMAN ANCHO: -- office.
17 KEITH WESTENGARD: Yes.
18 CHAIRMAN ANCHO: But we -- if we have people that would be
19 willing to -- to man those, is that something that we -- under
20 this part that we can do?
21 ELIZABETH BARELA: So I talked to Ted. And Ted said that
22 if we are going to use county employees to run the bounce
23 houses -- and I believe there's one bounce house, the pirate
24 ship slide, an ax thrower, and then a kickball football
25 basketball blow up, he said that if we're going to use county
26 employees, then we will have to have a special meeting for that
27 approval.
28 CHAIRMAN ANCHO: Okay.
29 KEITH WESTENGARD: It could be a quick one, like --
30 CHAIRMAN ANCHO: Okay.
31 KEITH WESTENGARD: -- he said, --
32 CHAIRMAN ANCHO: If --
33 KEITH WESTENGARD: -- a call --
34 DISTRICT ATTORNEY HERRERA: Commissioners --
35 COMMISSIONER WAITS: Of course, we've already --
36 DISTRICT ATTORNEY HERRERA: That would be --
37 CHAIRMAN ANCHO: -- voted we're not going to do any of --
38 DISTRICT ATTORNEY HERRERA: Commissioners --
39 COMMISSIONER WAITS: -- that.
40 CHAIRMAN ANCHO: Go ahead, Ted.

1 DISTRICT ATTORNEY HERRERA: If you can find another way to
2 pay them without having to make a motion or something that would
3 not be necessary.

4 CHAIRMAN ANCHO: I don't know how --

5 DISTRICT ATTORNEY HERRERA: But if it's --

6 CHAIRMAN ANCHO: -- else --

7 DISTRICT ATTORNEY HERRERA: -- going to cost --

8 CHAIRMAN ANCHO: -- to --

9 DISTRICT ATTORNEY HERRERA: -- the --

10 CHAIRMAN ANCHO: -- do that.

11 DISTRICT ATTORNEY HERRERA: -- county more money for them
12 to work, then -- then you're going to have to address that.

13 CHAIRMAN ANCHO: Well, or we can -- unfortunately, I'll
14 have to -- oh -- well --

15 KEITH WESTENGARD: I know in the past -- and this is just a
16 thought, but we've always talked about the silver -- or having
17 Silver Seniors do things.

18 CHAIRMAN ANCHO: Uh-huh.

19 KEITH WESTENGARD: I don't know if we could have -- I don't
20 know, Ted -- have them staff those -- those fun houses and then
21 make a donation to the Silver Seniors?

22 CHAIRMAN ANCHO: Can we do that?

23 DISTRICT ATTORNEY HERRERA: You'd have to have county
24 supervision.

25 CHAIRMAN ANCHO: Well, yeah. Have to have --

26 KEITH WESTENGARD: That we --

27 CHAIRMAN ANCHO: So --

28 KEITH WESTENGARD: One supervisor or something.

29 CHAIRMAN ANCHO: If we could do that, get that organized.
30 But if we couldn't, then it -- we can't do anything. But if
31 between now and then we can get that organized, is that
32 something we can do?

33 KEITH WESTENGARD: I think so.

34 DISTRICT ATTORNEY HERRERA: Yes.

35 CHAIRMAN ANCHO: Okay.

36 Because I don't have a problem trying to help that as long as
37 we're just -- we're doing everything the way that we're supposed
38 to.

39 ELIZABETH BARELA: So, Ted, if we have a -- somebody that's
40 a county supervisor and we're paying them, do we still have to

1 have a special meeting?
2 DISTRICT ATTORNEY HERRERA: No. If -- if -- if they're
3 paid hourly, you might. But if they're --
4 ELIZABETH BARELA: Salary.
5 CHAIRMAN ANCHO: Salary.
6 DISTRICT ATTORNEY HERRERA: -- if they're salary, you
7 wouldn't have to.
8 ELIZABETH BARELA: So it would have to --
9 CHAIRMAN ANCHO: Okay.
10 ELIZABETH BARELA: -- be a salary.
11 KEITH WESTENGARD: But who? Okay.
12 ELIZABETH BARELA: Well, we can --
13 CHAIRMAN ANCHO: We can --
14 ELIZABETH BARELA: -- get it out.
15 CHAIRMAN ANCHO: -- try it. And if we can't, then we
16 can't. But if -- I mean, if we can get it pulled together and
17 we can get people who are interested in helping or even
18 volunteering -- I'll volunteer my time. I don't care.
19 But if we can't do it, we can't do it. And we worry about
20 the fall festival.
21 KEITH WESTENGARD: All right.
22 CHAIRMAN ANCHO: And that's the best that we can do --
23 KEITH WESTENGARD: Okay. So --
24 CHAIRMAN ANCHO: -- at this point.
25 KEITH WESTENGARD: -- we -- we don't need --
26 CHAIRMAN ANCHO: We don't need --
27 KEITH WESTENGARD: -- to do the --
28 CHAIRMAN ANCHO: -- a special.
29 KEITH WESTENGARD: Okay.
30 CHAIRMAN ANCHO: Okay?
31 KEITH WESTENGARD: Perfect. Yes. Thank you.
32 CHAIRMAN ANCHO: It's the best we can do.
33 COMMISSIONER WAITS: What do we --
34 CHAIRMAN ANCHO: So --
35 COMMISSIONER WAITS: -- have on the pool? When is that
36 opening?
37 CHAIRMAN ANCHO: It's open.
38 KEITH WESTENGARD: In the --
39 ELIZABETH BARELA: They're both --
40 KEITH WESTENGARD: -- south?

1 COMMISSIONER WAITS: No, here.
2 CHAIRMAN ANCHO: It's all open.
3 COMMISSIONER WAITS: It is --
4 KEITH WESTENGARD: It's open.
5 COMMISSIONER WAITS: -- open?
6 KEITH WESTENGARD: Yes. Yes.
7 COMMISSIONER WAITS: Somebody just said they checked
8 yesterday and it wasn't.
9 CHAIRMAN ANCHO: Oh, yes.
10 KEITH WESTENGARD: No, it's been open since we went to
11 Phase 2.
12 COMMISSIONER WAITS: Okay. That's what I thought. And
13 they just -- Gail -- Gail told me that. Absolutely not, she
14 said.
15 KEITH WESTENGARD: It's been open every --
16 CHAIRMAN ANCHO: It's been --
17 KEITH WESTENGARD: -- day.
18 CHAIRMAN ANCHO: -- open. I was just there.
19 COMMISSIONER WAITS: Okay.
20 CHAIRMAN ANCHO: So --
21 COMMISSIONER WAITS: Miteshell? I know you're on the line.
22 Take that and note it. It is open.
23 CHAIRMAN ANCHO: All right.

24
25

26 **PUBLIC COMMENT**

27

28 CHAIRMAN ANCHO: With that being said, do we have any more
29 further public comment?

30 (No comment.)

31 CHAIRMAN ANCHO: All right. Hearing none, motion to
32 adjourn?

33
34

35 **ADJOURNMENT**

36

37 COMMISSIONER SPARKS: Motion.

38 COMMISSIONER CLARK: Second.

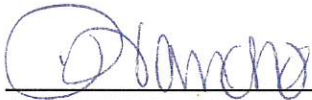
39 CHAIRMAN ANCHO: All in favor?

40 COMMISSIONER CLARK: Aye.


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COMMISSIONER WAITS: Aye.
CHAIRMAN ANCHO: Aye.
Very good. Thank you, everyone.

(Meeting adjourned at 11:34 a.m.)



**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

1 *Battle Mountain and Austin, Nevada.*
2 STATE OF UTAH)
3) ss.
4 COUNTY OF DAVIS)
5
6
7

8 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
9
10 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"
11
12 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE
13
14 THE 25TH DAY OF JUNE, 2020, AND SAID RECORDING AND INFORMATION
15
16 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
17
18 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
19
20 THE AUDIO/VIDEO RECORDING ALLOWED.
21

22
23 DATED AT _____
24 THIS _____ DAY OF _____
25

26
27 _____
28 TIFFANY ELKINGTON, CCR #930
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<p>AMY NELSON: [23] 75/21 75/26 75/28 75/30 75/32 75/34 76/5 76/9 76/12 76/26 76/30 76/35 76/38 76/40 77/2 77/4 77/11 77/29 77/31 77/35 77/37 77/39 78/1 ANDREW POTOKAR: [7] 83/26 84/8 84/12 84/15 85/9 85/15 85/36 BERT RAMOS: [60] 14/15 25/16 25/21 25/26 25/28 25/30 25/32 25/34 25/36 25/38 25/40 26/2 28/9 28/13 28/15 28/17 28/19 28/21 28/23 28/25 39/4 78/15 78/24 78/26 78/28 78/32 79/40 80/9 80/11 80/13 80/16 80/38 81/24 81/32 81/35 81/38 81/40 82/2 82/4 82/6 82/8 82/12 82/14 82/17 82/19 82/24 82/26 82/28 82/36 82/38 82/40 83/8 83/10 83/14 83/16 83/18 83/20 84/10 84/13 84/16 BROCK: [14] 57/35 57/37 59/9 60/30 60/32 64/25 64/38 65/1 65/5 65/37 66/16 66/18 66/25 67/23 CHAIRMAN ANCHO: [547] CODY MOUNTEER: [8] 41/6 42/17 42/20 43/26 44/6 46/18 46/20 46/23 COMMISSIONER CLARK: [295] COMMISSIONER SPARKS: [267] COMMISSIONER WAITS: [243] DEBORAH PIAZZA: [30] 11/3 11/5 13/19 13/21 13/27 13/31 17/9 17/20 17/22 17/25 27/19 27/21 30/2 30/5 30/8 30/12 31/18 32/7 32/9 32/11 32/33 32/35 32/37 32/39 33/2 33/5 33/8 33/10 33/19 33/23 DEPUTY DISTRICT ATTORNEY FORGERON: [6] 35/23 35/26 36/30 37/2 37/25 37/28 DISTRICT ATTORNEY HERRERA: [92] 7/6 7/8 7/27 7/32 7/37 12/23 12/36 12/40 13/2 13/4 13/18 13/37 13/39 14/1 14/3 14/5 14/7 14/22 14/37 16/14 16/16 16/18 16/20 16/22 16/24 16/26 16/31 17/27 18/18 18/22 18/24 18/33 29/25 29/27 29/29 30/28 30/30 30/32 30/34 30/36 41/14 41/18 41/20 41/22 41/26 41/29 41/31 41/33 41/37 42/12 45/27 60/18 60/28 61/1 61/4 61/6 61/9 63/15 66/34 69/6 69/13 69/15 69/17 69/19 69/21 70/39 71/8 71/11 71/13 71/15 71/17 71/19 87/26 93/34 93/36 94/2 96/9 96/11 96/13 96/17 103/34 103/36 103/38 104/1 104/5 104/7 104/9 104/11 104/23 104/34 105/2 105/6 ELIZABETH BARELA: [48] 7/2 13/9 13/11 13/13 19/14 21/23 21/25 21/27 28/12 28/14 28/16 30/18 30/20 30/38 31/2 31/10 31/13 31/25 31/27 31/30 40/1 41/23 41/25 41/27 42/15 45/40 46/2 49/17 49/20 49/37 69/12 69/14 69/16 69/18 70/24 70/26 70/29 71/2 87/3 87/9 103/21 104/39 105/4 105/8 105/10 105/12 105/14 105/39 GREG BILEAU: [5] 84/35 84/37 85/5 85/10 85/16 JEANNE FALZONE: [1] 49/26 JUSDIVIA JOHNSON: [65] 86/5 86/14 86/23 88/30 88/36 89/8 89/10 89/31 89/33 90/4 90/7 90/9 90/29 90/31 90/33 90/35 90/37 90/40 91/2 91/38 93/24 93/32 94/28 94/30 94/36 94/38 95/4 95/6 95/8 95/10 95/16 95/18 95/21 95/33 95/35 95/37 95/39 96/2 96/4 96/6 96/10 96/12 96/22 96/24 96/26 96/30 96/33 96/35 96/37 97/4 97/6 97/12 97/14 97/18 97/22 97/24 97/26 97/29 99/19 99/26 99/28 99/30 100/3 101/17 101/39 KEITH WESTENGARD: [161] KYLA BRIGHT: [22] 57/32 58/9 58/12 58/18 58/25 58/28 58/30 58/34 58/36 58/38 59/4 60/35 60/40 61/13 61/17 61/19 61/21 63/5 63/9 63/13 64/33 65/4 LAKEN SULLIVAN: [26] 50/16 50/21 50/23 57/7 57/9 70/15 70/21 72/14 72/16 72/18 72/21 72/23 72/25 74/6 74/29 75/17 86/20 86/34 86/38 86/40 87/2 87/4 97/1 97/5 97/7 97/10 LESLEY BUNCH: [6] 9/4 9/12 9/15 9/17 9/19 9/21 MONTE PRICE: [63] 10/40 11/2 11/6 12/5 12/19 13/20 13/32 17/1 17/4 17/11 17/13 17/15 17/38 18/5 18/9 18/14 18/16 18/20 18/23 18/29 22/17 23/26 23/31 24/7 26/14 26/16 26/18 26/20 26/35 26/38 27/1 27/3 27/6 27/8 27/10 27/15 27/17</p>	<p>27/24 27/26 27/31 27/37 27/40 28/4 28/20 28/22 28/24 30/1 30/14 30/19 32/6 32/8 32/10 32/12 32/19 32/21 32/23 32/27 33/9 33/11 33/13 33/15 33/21 33/26 ROBIN GRAY: [31] 52/25 52/28 52/38 52/40 53/2 53/4 53/7 53/9 53/12 53/17 53/29 53/32 54/17 54/20 54/23 54/28 54/30 54/40 55/2 55/4 55/6 55/8 55/10 55/16 56/35 56/37 56/39 57/1 57/4 57/13 57/15 SADIE SULLIVAN: [3] 35/11 35/13 35/31 SHERIFF RON UNGER: [38] 6/14 6/26 7/26 7/28 7/34 8/7 8/9 8/28 8/30 8/34 8/36 15/9 15/30 15/33 15/35 15/37 15/40 16/3 16/5 16/8 16/15 16/17 16/19 16/21 16/23 16/25 61/23 61/26 62/11 62/16 62/19 62/21 62/23 62/25 62/27 62/35 63/2 64/40 TELEPHONE VOICE: [3] 37/23 37/27 37/30 UNIDENTIFIED PARTICIPANT: [15] 7/22 7/23 7/24 19/40 33/34 35/21 35/24 35/28 49/34 69/2 69/4 82/32 85/38 92/33 92/35 VOICE RECORDING: [18] 9/25 21/11 21/13 34/19 34/23 40/13 47/26 47/28 52/4 56/33 58/17 70/5 73/30 75/20 78/13 80/35 86/1 102/28</p>
	<p>\$ \$1,655.91 [2] 100/15 101/25 \$10,000 [10] 10/32 12/24 12/32 12/33 17/17 17/39 18/4 19/9 20/17 30/23 \$10,820,221.73 [1] 73/2 \$100 [1] 87/34 \$1171.90 [2] 48/5 48/31 \$12,919.40 [1] 88/39 \$18,849.60 [1] 72/5 \$194,995.84 [1] 72/27 \$2 [1] 72/36 \$2 million [1] 72/36 \$20,703,358.45 [2] 71/38 73/3 \$25,000 [1] 11/19 \$250 [1] 27/37 \$2700 [2] 48/2 48/18 \$3,000 [1] 2/15 \$3,154,740.22 [1] 72/30 \$324,993.07 [2] 72/11 72/29 \$4,270,221.73 [1] 72/35 \$4,631,151.23 [1] 72/31 \$41,794.19 [1] 92/13 \$414,067.17 [1] 72/3 \$425,740.92 [1] 72/7 \$47,627.29 [1] 92/15 \$489.22 [1] 92/7 \$5,833.10 [1] 92/11 \$50 [1] 27/37 \$50,000 [1] 72/37 \$621,100.75 [1] 72/2 \$74.38 [1] 92/6 \$86.40 [1] 93/28 \$86.46 [2] 93/16 93/22 \$9,883,136.72 [1] 72/33 \$95,057.53 [1] 100/10 \$95,057.73 [1] 101/22 \$97,497.92 [1] 72/9 ' '16 [2] 92/18 92/19 '16/'17 [1] 92/19 '16s [1] 4/22 '17 [1] 92/19 '19 [1] 91/39 '19/'20 [1] 91/39</p>

'	10:03 [1] 40/21
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