

**LANDER COUNTY COMMISSIONERS MEETING
TOWN BOARD OF BATTLE MOUNTAIN & AUSTIN
BOARD OF COUNTY HIGHWAY COMMISSIONERS**

November 30, 2017

LANDER COUNTY COURTHOUSE
COMMISSIONERS' CHAMBER
50 STATE ROUTE 305
BATTLE MOUNTAIN, NEVADA

Also Via Teleconference At

AUSTIN COURTHOUSE
COMMISSION OFFICE
122 MAIN STREET
AUSTIN, NEVADA

9:00 A.M

Call to Order

Pledge of Allegiance

A Moment of Silence

Lander County Commissioners may break for lunch from 12:00pm to 1:15pm

Any agenda item may be taken out of order, may be combined for consideration by the public body, and items may be pulled or removed from the agenda at any time.

Commissioners Reports on meetings, conferences and seminars attended

Staff Reports on meetings, conferences and seminars attended

Public Comment - For non-agendized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any non- agenda item at the Board meeting if any, and discussion of those comments at the discretion of the Board. All public comment may be limited to three (3) minutes per person, again at the discretion of the Board. Reasonable restrictions may be placed on public comments based upon time, place and manner, but public comment based upon viewpoint may not be restricted.*

CONSENT AGENDA

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

*(1) Approval of Agenda Notice November 30, 2017

*(2) Approval of October 26, 2017 Meeting Minutes

*(3) Approval of November 9, 2017 Meeting Minutes

*(4) Approval of the Payment of Bills

*(5) Approval of Payroll Change Requests

COMMISSIONERS

- *(1) Discussion for possible action to approve/disapprove Lander County property location or facilities for storage of Local Emergency Planning Commission (LEPC) equipment, and all other matters properly related thereto.

Public Comment

- *(2) Discussion for possible action to approve/disapprove the creation of an ordinance to approve Off Highway Vehicles on county maintained paved roads and to give direction for a letter to be sent to the State of Nevada, NDOT to request approval for OHV Operation on State Highways within Lander County, and all other matters properly related thereto.

Public Comment

- *(3) Discussion for possible action regarding the State Health Nurse Program and the possibility of creating and funding the program as a county Health Program, and all other matters properly related thereto.

Public Comment

***CLOSED SESSION PURSUANT TO NRS 241.015(3)(b)(2)**

- *(4) Discussion regarding a letter from Davis Graham & Stubbs, LLP and for Lander County Commissioners to decide if they want to retain them as legal representation, or allow Laura Granier access to previous files to take with her to her new law firm Holland & Hart, and all other matters properly related thereto.

Public Comment

- *(5) Discussion regarding hiring Gordon H. DePaoli of Woodburn and Wedge for the Pershing County Water District litigation, and all other matters properly related thereto.

Public Comment

***REOPEN THE REGULAR COMMISSION MEETING**

- *(6) Discussion for possible action to approve/disapprove the hiring of Gordon H. DePaoli of Woodburn and Wedge to represent Lander County in the Pershing County Water District litigation process, and all other matters properly related thereto.

Public Comment

- *(7) Discussion for possible action regarding a letter from Davis Graham & Stubbs, LLP and for Lander County Commissioners to decide if they want to retain them as legal representation, or allow Laura Granier access to previous files to take with her to her new law firm Holland & Hart, and all other matters properly related thereto.

Public Comment

AIRPORT

- *(8) Discussion for possible action to approve/disapprove an agreement for Professional Services between Lander County and J-U-B Engineers, Inc. for the Battle Mountain Airport Hangar Facility Design, Bidding and Construction Administration in an amount not to exceed \$56,918.07, and all other matters properly related thereto.

Public Comment

- *(9) Discussion for possible action to approve/disapprove an agreement for Professional Services between Lander County and J-U-B Engineers, Inc. for the Austin Municipal Airport Jet-A Fueling Facility Design, Bidding and Construction Administration in an amount not to exceed \$76,430.00, and all other matters properly related thereto.

Public Comment

- *(10) Discussion for possible action to approve/disapprove an agreement for Professional Services between Lander County and J-U-B Engineers, Inc. for the Battle Mountain Airport Self Service Fueling Facility Design, Bidding and Construction Administration in an amount not to exceed \$83,210.00, and all other matters properly related thereto.

Public Comment

BOARD APPOINTMENTS

- *(11) Discussion for possible action to approve/disapprove Frank Whitman as an alternate on the Humboldt River Basin Water Authority for Lander County, and all other matters properly related thereto.

Public Comment

PUBLIC WORKS

- *(12) Discussion for possible action to approve/disapprove the Professional Engineering Services Proposal for new discharge permit-wastewater reclamation facility from Day

Engineering in an amount not to exceed \$25,000.00, and all other matters properly related thereto.

Public Comment

- *(13) Discussion for possible action to approve/disapprove the Professional Engineering Services Proposal for Pavement Design and Testing the new water transmission main located on Yellow Brick Road from 26th Street West and Yellow Brick Road North to Allen Road from Day Engineering in an amount not to exceed \$99,500.00, and all other matters properly related thereto.

Public Comment

- *(14) Update from the Public Works Director regarding status of projects, and all other matters properly related thereto.

Public Comment

- *(15) Discussion for possible action to approve/disapprove an agreement between Lander County and Lander Venture Partners, LLC for the domestic water transmission mainline project out to the Battle Mountain Airport, and all other matters properly related thereto.

Public Comment

COMMISSIONERS

- *(16) Discussion for possible action with Summit Engineers and Land Venture Partners, LLC regarding the Battle Mountain Levee Project and the possibility of re-alignment of the levee, and to designate Bert Ramos, Public Works Director, and Keith Westengard, Executive Director, as the point of contact for this project, and all other matters properly related thereto.

Public Comment

- *(17) Discussion for possible action to approve/disapprove the creation of an ordinance to allow a Marijuana Cultivation Facility for Lander County, and all other matters properly related thereto.

Public Comment

FINANCE

- *(18) Discussion for possible action to approve/disapprove Resolution 2017-06 directing apportionment of net proceeds received September, 2017, in an amount not to exceed \$116.98, and all other matters properly related thereto.

Public Comment

- *(19) Discussion for possible action to approve/disapprove Resolution 2017-07 directing the apportionment of net proceeds in an amount not to exceed \$8,451,024.78 for FY 16/17, and all other matters properly related thereto.

Public Comment

- *(20) Discussion for possible action to approve/disapprove Resolution 2017-08 directing the apportionment of net proceeds received in the month of June, 2017, in an amount not to exceed \$88,685.32 for FY 16/17, and all other matters properly

Public Comment

***CORRESPONDENCE**

- *(21) Correspondence/reports/potential upcoming agenda items.

Public Comment

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ADJOURN

*Denotes "for possible action". Each such item may be discussed and action taken thereon with information provided at the meeting. Action may be taken according to the "Nevada Open Meeting Law Manual" via a telephone conference call in which a quorum of the Board members is simultaneously linked to one another telephonically.

NOTE: TIMES ARE APPROXIMATE

This is the tentative schedule for the meeting. The Board reserves the right to take items out of order to accomplish business in the most efficient manner. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the County Executive Director in writing at the Courthouse, 50 State Route 305, Battle Mountain, Nevada 89820, or call (775) 635-2885 at least one day in advance of the meeting.

NOTICE: Any member of the public that would like to request any supporting material from the meeting, please contact the clerk's office, 50 State Route 305, Battle Mountain, Nevada 89820 (775) 635-5738.

AFFIDAVIT OF POSTING

State of Nevada)
) ss
County of Lander)

Keith Westengard, Lander County Executive Director of said Lander County, Nevada, being duly sworn. says, that on the 22nd day of November, 2017, he posted a notice, of which the attached is a copy, at the following places: 1) Battle Mountain Civic Center, 2) Battle Mountain Post Office, 3) Lander County Courthouse, 4) Swackhamer's Plaza Bulletin Board, 5) Kingston Community Hall Bulletin Board, and 6) Austin Courthouse in said Lander County, where proceedings are pending.

Keith Westengard, Lander County Executive Director



Subscribed and sworn to before me this 22nd day of November, 2017.

Witness Pille Fuller

Name of Agenda: **Lander County Board of Commissioners**

Date of Meeting: **November 30, 2017**