

AGENDA

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

September 10, 2020

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

Via AUDIO CONFERENCE
BY GO TO MEETING

Call In Details: 1-866-899-4679

Access Code: 849-277-573

Website: www.gotomeeting.com

For Questions E-mail: publicresponse@landercountynv.org

All times on this agenda are approximate. Consideration of items may require more or less time than is scheduled. Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Public comment is designated for discussion only. The public has the opportunity to address the commission on any matter not appearing on the agenda; however, no action may be taken on any matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken. Additionally, public comment may be heard on any item listed on the agenda. Persons are invited to submit comments in writing and/or attend and make comments on any agenda item at the commission meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the commission.

9:00 A.M. Call to Order
Pledge of Allegiance
A Moment of Silence
Lander County Commissioners may break for lunch from 12:00 pm to 1:15 pm.
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 September 10, 2020 Agenda Notice
- (2) Approval of May 7, 2020 Special Budget Workshop Meeting Minutes
- (3) Approval of May 14, 2020 Meeting Minutes
- (4) Approval of May 19, 2020 Special Budget Workshop Meeting Minutes
- (5) Approval of May 21, 2020 Meeting Minutes
- (6) Approval of July 23, 2020 Meeting Minutes
- (7) Approval of August 13, 2020 Meeting Minutes
- (8) Approval of August 27, 2020 Meeting Minutes
- (9) Approval of Payroll Change Requests

- (1) **COMMISSIONERS:** For possible action to approve/disapprove the payment of bills.
- (2) **COMMISSIONERS:** For possible action to approve/disapprove the November-December Lander County Commission Meeting and to set a Holiday schedule.
- (3) **COMMISSIONERS:** For possible action to approve/disapprove Resolution 2020-12 requesting that the Governor of the State of Nevada, Attorney General of the State of Nevada, and the Attorney General for the United States will ensure that a Citizen's right to vote in person at the 2020 General Election is maintained, and authorize the Chair to sign.
- (4) **COMMISSIONERS:** For possible action to approve/disapprove E Clampus Vitus of Nevada to place two historical monuments at the Austin Visitor Center and Rest Stop, 87 Main Street, Austin

- (5) **COMMISSIONERS:** For possible action to approve/disapprove a moratorium on all Zone Changes and Parcel Maps temporarily until the Lander County Master Plan is updated; while providing reasonable exceptions thereto.

- (6) **COMMISSIONERS:** For possible action to approve/disapprove the hiring of Wood Rogers Inc. recommended by UNR to update the Lander County Master Plan.

- (7) **COMMISSIONERS:** For possible action to approve/disapprove Resolution 2020-13 for the Five Year Capital Improvement Plan, and authorize the Chair to sign.

- (8) **DISTRICT ATTORNEY:** For possible action to approve/disapprove the Quitclaim Deed transferring a parcel of land previously owned by Lander County Sewer & Water District NO.2 to Lander County, and authorize the Chair to sign.

- (9) **COUNTY MANAGER:** For possible action to approve/disapprove the hiring and funding for a Full-time IT company or person to service Lander County, with a salary base of \$50,000 to \$80,000. This position will consume the already budgeted salary of the Safety Position.

- (10) **COUNTY MANAGER:** For possible action to approve/disapprove the continued use of Cassidy & Associates as a Lobbyist for Lander County. Lander County currently pays \$15,000 monthly for their services without benefit of any written agreement. This board needs to decide if they want to continue using the services of Cassidy & Associates or to immediately stop payment. The previous expired agreement was not approved by this board in an open meeting. If the County chooses to continue the services of Cassidy & Associates to then choose from one of the three following proposals submitted by Cassidy & Associates or to negotiate something new after discussion with their representative.

Option 1: Status Quo

Scope of Work: Enactment of Lander County Land Management and Conservation Act (as outline above)

Terms of Engagement: Month to Month

Fee: \$15,000 per month, paid in advance

Option 2: Current Scope of Work + Comprehensive Federal Advocacy

Scope of Work: Existing scope of work as well as additional federal items (e.g. transportation/Amtrak; broadband; wild land fire; sage grouse, COVID-19; Economic Development, etc) subject to understanding CLIENT'S priorities.

Term of Engagement: One year; with an option to renew for an additional year with the concurrence of both parties (Cassidy and Lander County).

Fee: \$15,000 per month, paid in advance.

Option 3: Revised Terms – Reduced retainer; success – fee incentive
Scope of Work: Enactment of Lander County Management and Conservation Act
Term of Engagement: Nine Months
Fees: \$5,000 per month, paid in advance. Success fee of \$150,000 upon enactment of Lander County Land Management and Conservation Act.

- (11) **COUNTY MANAGER:** For possible action to approve/disapprove the continuation or dissolution of the agreement between Prezant and Mollath and Lander County against the Army Core of Engineers. If Lander County chooses to dissolve this relationship with Prezant and Mollath then to discuss and take all necessary action on retaining other outside counsel or using outside counsel already under contract with Lander County to deal with the Army Core of Engineers. If Lander County decides to continue with the services of Prezant and Mollath, then to discuss why Steven C Mollath of said firm believes that Lander County needs to retain the additional services of Mark H Gunderson’s law firm regarding the Department of Treasury intercepting funds payable to Lander County.

- (12) **COUNTY MANAGER:** For possible action to approve/disapprove the Retainer and Fee Agreement between Lander County and Gunderson Law Firm for the purposes of legal services regarding the Department of Treasury intercepting Lander County Federal Revenue and paying to the Army Core of Engineers.

- (13) **BUILDING DEPARTMENT:** For possible action to approve/disapprove the Service Agreement between Lander County and RHP Mechanical Systems for the Lander County Recreational Center.

- (14) **COMMUNITY HEALTH NURSE:** For possible action to approve/disapprove the road closures October 1, 2020 for the annual Flu Pod. Roads to be closed are Stone Ave, Watt St, Palmer St, and W. Humboldt.

- (15) **UNIVERSITY OF NEVADA, RENO:** Presentation and action to approve/disapprove the Receipt of the Five Year Comprehensive Economic Development Strategy (CEDS) for Lander County, 2020 through 2025.

- (16) **JUB ENGINEERING:** Discussion only regarding update on FY 2020 Battle Mountain Apron Project and Austin Access Road and Taxilane project.

- (17) **SUMMIT ENGINEERING:** Action item, for Summit Engineering to provide a thorough update on all work previously accomplished on the Battle Mountain Levee Project and whether to continue to engage the services of Summit Engineering on this project or for this board to decide other options on proceeding with this project.

- (18) **SUMMIT ENGINEERING:** Action item, for Summit Engineering to provide a thorough update on all work previously accomplished on the Austin Realignment Project and whether to continue to engage the services of Summit Engineering on this project or for this board to decide other options on proceeding with this project.

- (19) **DESSIE SKEATH:** For possible action to approve/disapprove the maintenance and cleaning agreement for Dessie Skeath DBA Dessie Skeath Lawn and Parks for properties in Austin Nevada that are owned and operated by Lander County, and authorize the Chair to sign.

- (20) **DESSIE SKEATH:** For possible action to approve/disapprove the Lease Agreement for Desmond and Mary Skeath to provide Library Services to Austin Nevada, and authorize the Chair to sign.

- (21) **CORRESPONDENCE:** Correspondence/reports/future agenda items.

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ADJOURN

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 Manager 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)

Kaitlyn McConville, Lander County Executive Secretary of said Lander County, Nevada, being duly sworn, says, that by 9:00am on the 7th day of September 2020, she 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.

Bert Ramos, Lander County Manager *Bert Ramos*

Subscribed and sworn to before me this 4th of September, 2020.

Witness *Kaitlyn McConville*

Name of Agenda: Lander County Commissioners Meeting

Date of Meeting: September 10, 2020