

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

January 9, 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**

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 January 9, 2020 Agenda Notice
 - (2) Approval of July 11, 2019 Meeting Minutes
 - (3) Approval of July 25, 2019 Meeting Minutes
 - (4) Approval of August 8, 2019 Meeting Minutes
 - (5) Approval of October 10, 2019 Meeting Minutes
 - (6) Approval of October 24, 2019 Meeting Minutes
 - (7) Approval of November 7, 2019 Meeting Minutes
 - (8) Approval of November 25, 2019 Special Meeting Minutes
 - (9) Approval of December 5, 2019 Meeting Minutes
 - (10) Approval of December 19, 2019 Meeting Minutes
 - (11) Approval of the Payment of Bills
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- (1) **COMMISSIONER:** For possible action, to elect a Chairman and Vice-Chairman to the Lander County Board of Commissioners for the 2020 calendar year.

 - (2) **COMMISSIONER:** For possible action, to approve/disapprove bylaws, rules and procedures, that allow the deliberative assembly, the Lander County Commission, to make its decisions fairly and efficiently by majority rule but with all due regard for the rights of the minority. These bylaws include but may not be limited to the following:
 1. Members are to raise their hand when no one else has the floor, the Chair will recognize the member by name allowing them to obtain the floor. Members are required to obtain the floor before making motions or speaking;
 2. Motions shall be seconded;
 3. There is no limit to the number of times a member can speak to a question and motions to close or limit debate generally should not be entertained;
 4. Informal discussion of a subject is permitted while no motion is pending;
 5. The Chair can debate after others have spoken and votes last, this allows her to summarize discussion to remain more impartial;
 6. All members of the board will show courtesy and respect to other members of the board and to all people in attendance, whether participants or not and a violation of which can lead to expulsion and removal of violating member by the chair, without motion, who can direct the acting sergeant at arms to remove the

offending member from the meeting; The courtesy and respect that must be shown to other members of the board and to all other audience members, participants or not, pursuant to this section shall also include a members behavior in a non public setting toward other board members and to all other Lander County employees.

7. All members of the audience, whether participants or not, shall show courtesy and respect to all members of the board and other audience members and a violation of which may lead the chair, without motion, to ask the acting sergeant at arms to remove the offender from the proceedings;

8. Members of the board who violate section 6 of these bylaws may be subject to censure proceedings if his/her conduct is egregious or shows a pattern of behavior. The board by majority vote may censor the offending member for violation of section 6 of these bylaws after proper notice to the alleged offending party and a public hearing in which evidence will be heard has been held wherein the alleged violator has the opportunity to rebut said evidence. If the majority of the board believe a violation of section 6 has occurred they may censure the offending member. Censure is a procedure that allows for a strong recommendation of formal disapproval by resolution after a majority vote of the board to enact censure in the hope of altering behavior in public meetings and toward public employees and could result in the offending member from engaging in or interacting with the victim of this behavior in all future matters in a professional context.

(3) **COMMISSIONERS:** For possible action, to appoint a Lander County Commissioner(s) to the following various 2020 advisory boards:

A) Category I: (1)

1. Lander County Board of Equalization;
2. Lander County Convention & Tourism Authority;
3. Lander County Debt Management Commission;
4. Lander County Planning Commission;
5. Lander County Regional Transportation Commission;

B) Category II: (2)

1. Lander County Advisory Board to Manage Wildlife;

C) Category III: (3)

1. Austin Airport Advisory Board;
2. Battle Mountain Livestock Events Center Advisory Board;
3. Local Emergency Planning Commission;
4. Lander County Economic Development Authority;
5. Lander County Public Lands Use Advisory Planning Commission;

D) Category IV: (4)

1. Lander County Conservation District;
2. Lander County Hospital District;

3. Lander County Safety Committee;
 4. Central Nevada Regional Water Authority;
 5. Department of Energy Board of Representatives;
 6. Humboldt River Basin Water Authority;
 7. State Land Use Planning Advisory Committee;
 8. Nevada Association of Counties;
 9. Nevada Works;
 10. Pool Pact;
- (4) **JNM MATERIAL TESTING, LLC:** For possible action, to approve/disapprove a contract presented by JNM Material Testing, LLC to provide work on County projects for inspections and material testing with a presentation by Dawn (Nettie) Quintana detailing her scope of work and possible cost savings to the County.
- (5) **COMMISSIONERS:** For possible action, to approve/disapprove the appointment of one (1) individual to serve on the Battle Mountain Livestock Events Center Advisory Board, which currently has one (1) opening, term ending June 30, 2021, and to consider all of the following applicants to include:
- a) Charlene Fetterly
- (6) **COMMISSIONERS:** For possible action, to approve/disapprove the appointment of three (3) individuals to serve on the Lander County Debt Management Commission, which currently has three (3) openings, terms ending December 31, 2021, and to consider all of the following applicants to include:
- a) Louis Lani
 - b) Bart Negro
 - c) Steve Stienmetz
- (7) **COMMISSIONERS:** For possible action, to approve/disapprove the appointment of one (1) individual to serve on the Lander County Planning Commission, which currently has one (1) opening, term ending June 30, 2023, and to consider all of the following applicants to include:
- a) Steve Steinmetz
- (8) **COMMISSIONERS:** For possible action, to approve/disapprove the appointment of one (1) individual to serve on the Public Land Use Advisory Planning Commission, which currently has two (4) openings, terms ending June 30, 2021, and to consider all of the following applicants to include:

- a) Steve Steinmetz
- b) Louis Lani

- (9) **COUNTY MANAGER:** For possible action, approve/disapprove the Governor's Office of Innovation and Technology (GOSIT) to send out a Request for Proposal (RFP) on behalf of Lander County regarding Broadband Enhancement.
- (10) **BUILDING:** Update and information regarding the structural stability of 67 Main St Austin, NV 89310 (formally known as the Austin Youth Center) as presented by The Dube Group.
- (11) **PLANNING:** For possible action, to approve/disapprove a Parcel Map application for Brian Estep to combine two (2) parcels into one (1) parcel, located at 184 and 190 Gillman Circle in Gillman Springs. APN 004-033-19 & 004-033-20, zoned A-1.
- (12) **PLANNING:** For possible action, to approve/disapprove a Parcel Map application for Thomas & Tonya McKenzie to split one (1) parcel into two (2) parcels, property located in the East ½ of the Northeast ¼ of section 31 township 32 N range 46 E in Battle Mountain, APN 011-250-20, zoned A-2.
- (13) **PLANNING:** Update and information regarding the status and progress of the Lander County Lands Bill.
- (14) **PLANNING:** For possible action, to approve/disapprove one or more sites for the development of a Proposed Lander County owned industrial park.
- (15) **FINANCE:** For possible action, to approve/disapprove a Letter of Corrective Action to be sent to the Department of Taxation addressing the audit findings, and to approve the Chairman or Vice-Chairman or the County Manager to sign.

CORRESPONDENCE

- (16) Correspondence/reports/potential upcoming agenda items.

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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.

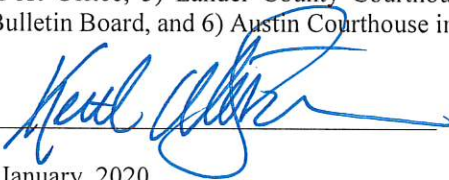
Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the County Manager in writing at the Courthouse, 50 State Route 305, Battle Mountain, Nevada 89820, or call (775) 635-2885 at least one day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

Keith Westengard, Lander County Manager of said Lander County, Nevada, being duly sworn, says, that by 9:00am on the 3rd day of January 2020, 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 Manager 

Subscribed and sworn to before me this 3rd of January, 2020.

Witness 

Name of Agenda: Lander County Commission

Date of Meeting: January 9th, 2020