

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 April 11, 2019, at approximately
5 9:00 a.m. Transcript produced by Tiffany Elkington, C.C.R.,
6 #930.
7

8 **PRESENT: PATSY WAITS, COMMISSIONER**
9 **ART CLARK III, COMMISSIONER**
10 **JUDIE ALLAN, COMMISSIONER**
11 **BRYAN SPARKS, COMMISSIONER**
12 **KATHLEEN ANCHO, COMMISSIONER**
13 **KEITH WESTENGARD, COUNTY MANAGER**
14 **SADIE SULLIVAN, COUNTY CLERK**
15 **HY FORGERON, DEPUTY DISTRICT ATTORNEY**
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18 (Let the record reflect the presence of a quorum of five
19 commissioners. Let the record reflect the presence of Austin
20 via teleconference.)
21

22 (Due to a technical difficulty with the audio/video system,
23 the beginning of the meeting was not available for
24 transcription.)
25

26 COMMISSIONER ANCHO: And they are -- should be starting
27 that phase here within the next week or so. So --

28 CHAIRMAN WAITS: Thank you, Commissioner Ancho.
29 Commissioner Sparks?

30 COMMISSIONER SPARKS: Nothing to report.

31 CHAIRMAN WAITS: Thank you.
32 And Commissioner Art?

33 COMMISSIONER CLARK: Well, on April 2nd, we had our town
34 hall meeting. And we had over 400 people present to support our
35 Second Amendment initiative.

36 How many of you folks were here were at that meeting?

37 COMMISSIONER SPARKS: Nice.

38 COMMISSIONER CLARK: How many are here today to support the
39 Second Amendment?

40 That's what I thought.

1 Okay.

2 So because of that meeting, I got invited, through Ron, to
3 go to Crescent Valley last Friday.

4 Ron and I met up with Cliff Eklund, Elko County
5 commissioner, and Itor, to support J. J. Watts because Eureka
6 had an agenda item for discussion and possible action.

7 J. J. Goicoechea modified the resolution, and it was passed
8 to support the Second Amendment. So I think that was pretty
9 cool.

10 There were over 20 people in Crescent Valley, and it was
11 teleconferenced so we couldn't see how many people were in
12 Eureka in the audience, but it sounded like quite a few.

13 It -- it seems that the enthusiasm for the Second Amendment
14 is huge in the hearts of patriots in Nevada. And I hope you
15 continue your support so we can move right along in Lander
16 County too.

17 Thank you.

18 CHAIRMAN WAITS: Thank you. My reports, we did have a NACo
19 meeting on the 28th and 29th of March. The 28th was actually
20 Local Government Day so many of the -- the folks around the
21 rural area went in to sit in with their different
22 representatives there.

23 And then in the evening of the 28th, NACo hosted, along
24 with our league of cities and municipalities, a reception for
25 our legislators. And that was very nice.

26 We had the NACO meeting then on the 29th. And, of course,
27 they're -- they're busy in the legislature. There's so many --
28 so many bills. Like it was just a little less than a thousand,
29 actually, BDRs that -- that came out. And so they're there
30 every day. Almost, as they say, wish there was more of them
31 testifying and so much that's going on.

32 I do believe tomorrow is our final day for everything to
33 come out of committee. So we're hoping a lot of these will be
34 dying in committee and won't be coming out. But we won't know
35 until tomorrow on that part.

36 The governor has put together a census committee -- looking
37 forward to the census, of course, that's -- that's coming up --
38 and asked NACO to have a representative on that. So we will
39 have.

40 Also looking ahead to October, our Nevada Day. And

1 actually Nevada Day is going to set up a committee. They have
2 invited us to have a representative on it. And they're hoping
3 we'll really be involved -- "we" meaning all counties -- because
4 their theme is "Nevada Counties: 100 Years."

5 So we probably need to look at that and see if -- what we
6 might like to do. Like the last time we really were involved, I
7 think, was the 150th of the state anniversary that we did. But
8 we'll have to be taking a look at that part.

9 Also just general information. The attorney general is
10 hosting an open meeting law training on April 24th.

11 And with that, we'll go into staff reports.
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14 **STAFF REPORTS**

15
16 KEITH WESTENGARD: Good morning.

17 First thing I need to pass on is I received a letter of
18 resignation from Walt Holland off the planning commission. So
19 we will be advertising for anybody that's interested for
20 somebody to sit on the planning commission in the county.

21 I've been working with Madonna Long over ADA issues within
22 the county. She met with Peter Shaw last week. Then she met
23 with myself and Commissioner Ancho this week.

24 She's making some big progress on a few things that we've
25 talked about. One was a sidewalk from the old Shell station to
26 Food Town for wheelchair accessibility so people aren't having
27 to walk through the dirt or in the -- in the -- out in the road.

28 We talked about -- she -- she talked about getting some
29 lights at -- by Bakker Brew and -- and in that area right there.

30 They're flashing lights, real bright LED lights with audio
31 signals on both sides of -- of the bridge for crosswalk
32 pedestrian safety.

33 She's looking into screening in the -- the overpass there
34 where pedestrians cross. And we've talked about that.

35 She's also looking at ADA zones within the -- or parking
36 areas within the county.

37 So she -- she's making some good progress, doing things
38 that we've -- we've talked about quite a bit recently.

39 Oh. I gave you guys a copy from the department of the Navy
40 related to the Fallon expansion. So we'll be watching that

1 continuing on. They have to put a plan together.

2 There's -- currently there's over 1300 bills in legisla- --
3 in -- in the Carson -- in legislation right now. It's pretty
4 hard to track them. We try to track them as best as we can.

5 But one of the ones that -- that has come to my attention
6 is AB 397. And without going into the whole bill, in a
7 nutshell, the governor wants the ability to impeach -- as it
8 says -- impeach county elected officials, which is out of line.
9 I -- it's just ridiculous. That's one we -- I really want to
10 keep an eye on. AB 397.

11 I want to remind you that Wayne Carlson from POOL-PACT will
12 be here at 1:00 o'clock to go over governance. And all the
13 boards have been invited to attend that as well. So that'll be
14 1:00 o'clock today.

15 Also after the -- the meeting and -- and before -- before
16 we adjourn, I -- I need to have a litigation meeting with the
17 commissioners related to -- to an issue.

18 Other than that, --

19 COMMISSIONER CLARK: I just want to add one more thing to
20 what you were talking about with the legislature, Keith.

21 KEITH WESTENGARD: Yep.

22 COMMISSIONER CLARK: This new legislature wants a 150
23 percent increase --

24 KEITH WESTENGARD: Oh, yeah.

25 COMMISSIONER CLARK: -- in their salaries. And they want
26 to meet every year.

27 That's why they're jamming over a thousand possibilities
28 for law to -- so that they can say that they are just picking up
29 where the Republicans left off and didn't do anything.

30 So now they want to catch everything up. And Governor
31 Sisolak has -- has said, we're moving forward. We don't care
32 about the rurals.

33 KEITH WESTENGARD: And that -- that is -- just to add a
34 little more to that -- that is -- it'll be a 60-day session, is
35 what they're proposing. But it's an additional cost to the
36 taxpayers of over \$13 million for this annual legislative
37 meeting -- these annual legislative meetings.

38 So as everybody knows, we're on a biennium. We do it every
39 -- every two years, the state does it. So anyway --

40 That's it.

1 CHAIRMAN WAITS: Thank you.

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4 **PUBLIC COMMENT**

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6 CHAIRMAN WAITS: Now is our time for public comment. This
7 is for nonagendized items only.

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CHAIRMAN WAITS: Now is our time for public comment. This is for nonagendized items only.

Persons are invited to submit comments in writing and/or attend and make comments on any nonagenda 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 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.

Does anyone have any public comment for nonagendized items this morning?

Robin?

ROBIN YORK: Robin York.

I know it's not on the agenda, but I've been coming to the meetings and approaching Keith and them on this road thing out at Hill Top on 1800. They keep saying it takes more time, more time.

All I'm asking for is a speed limit sign.

Six years this July we gave all our signatures, our addresses, everything to do this. I know it takes time, but this July's going to be six years.

And I'm here to speak on behalf of the people, the ones that are still alive, that signed that to try to get this done.

I know it takes time, but, I mean, six years?

And they're saying that we have to wait till they do all the ordinances, do the whole county? How long's that going to take?

The people out there are asking, and I want to give them an answer.

CHAIRMAN WAITS: Thank you.

ROBIN YORK: Thank you.

COMMISSIONER ALLAN: Thank you, Robin.

CHAIRMAN WAITS: Any other public comment?

(No comment.)

1 **CONSENT AGENDA**

2
3 CHAIRMAN WAITS: Okay. We move on to the consent agenda.

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

12 Number 1, approval of April 1, 2019, agenda notice; Number
13 2, approval of February 28, 2019, special meeting minutes;
14 Number 3, approval of March 14th, 2019, meeting minutes; Number
15 4, approval of March 18th through 19th, 2019, special meeting
16 budget workshop minutes; Number 5, approval of March 28th, 2019,
17 meeting minutes; Number 6, approval of April 1, 2019, special
18 meeting budget workshop minutes; and Number 7, approval of the
19 payment of bills.

20 Okay. So we need to pull Number 1. That's our agenda
21 notice. We'll be discussing that.

22 We need to pull Number 7, approval of payment of bills.

23 And then we're going to appro- -- actually pull 3, 4, 5,
24 and 6, which are all the meeting minutes. That leaves us
25 approval of February 28th, 2019, special meeting minutes. And
26 that's the only one that's left on the agenda.

27 So I guess we are not going to -- to have any motion on the
28 consent agenda. We're going to do each one separately today.

29 Number 1, approval of April 1st, 2019, agenda notice. Two
30 things we have to do to amend this. Of course, number one is to
31 change it to the correct date. It's just a clerical error. But
32 it will be approval of April 11th, 2019, agenda notice. That
33 one.

34 And number two, approval of February 28, 2019, meeting
35 minutes. We take out the words "special." It was not a special
36 one.

37 So it's just two, actually, clerical amendments. And with
38 that, I will --

39 COMMISSIONER ALLAN: I'll make that motion.

40 CHAIRMAN WAITS: To approve one and two?

1 COMMISSIONER ALLAN: To approve one and two as --
2 CHAIRMAN WAITS: Thank you, Judie.
3 COMMISSIONER ALLAN: -- read.
4 COMMISSIONER SPARKS: Second it.
5 CHAIRMAN WAITS: Bryan, that was a second?
6 COMMISSIONER SPARKS: Yeah.
7 CHAIRMAN WAITS: Thank you. Seconded by Bryan.
8 Any discussion?
9 (No discussion.)
10 CHAIRMAN WAITS: Public comment?
11 (No discussion.)
12 CHAIRMAN WAITS: All those in favor?
13 COMMISSIONER SPARKS: Aye.
14 COMMISSIONER ANCHO: Aye.
15 COMMISSIONER ALLAN: Aye.
16 CHAIRMAN WAITS: Aye.
17 COMMISSIONER CLARK: Aye.
18 CHAIRMAN WAITS: Any opposed?
19 Okay. Thank you.
20 That leaves us just the approval of the payment of bills.
21 And because of that, we have some personal per diem and checks
22 that need to be taken out as we approve those separately.
23 So I would ask for approval of the payment of bills Without
24 Check #209827, 207202, and 202610.
25 COMMISSIONER SPARKS: I'll make a motion to approve.
26 CHAIRMAN WAITS: Thank you, Bryan.
27 COMMISSIONER ANCHO: I'll second.
28 CHAIRMAN WAITS: Made by Bryan. Seconded by Kathy for
29 approval of the payment of bills minus three checks.
30 All in favor?
31 COMMISSIONER SPARKS: Aye.
32 COMMISSIONER ANCHO: Aye.
33 COMMISSIONER ALLAN: Aye.
34 COMMISSIONER CLARK: Aye.
35 CHAIRMAN WAITS: Aye.
36 Any opposed?
37 (No comment.)
38 CHAIRMAN WAITS: Thank you.
39 Okay. The next motion I need, there is a check in there
40 for Judie. And it's Check #209827. So I need approval of Check

1 #209827.
2 COMMISSIONER SPARKS: I'll make a motion we approve.
3 CHAIRMAN WAITS: Bryan.
4 COMMISSIONER ANCHO: Second.
5 CHAIRMAN WAITS: Kathy --
6 COMMISSIONER CLARK: I have a --
7 CHAIRMAN WAITS: -- seconded.
8 COMMISSIONER CLARK: -- question.
9 I have a question.
10 When it's a reimbursement, you have to pull that?
11 DEPUTY DISTRICT ATTORNEY FORGERON: I think it's a
12 discretionary thing. But obviously the -- the individual who's
13 involved should have the opportunity to say "I abstain." so --
14 COMMISSIONER CLARK: Thank you.
15 CHAIRMAN WAITS: Now, we had asked about it for some legal
16 information before. And they said it's a better way to handle
17 it and disclose. So it does take a little bit more time.
18 Okay. Bryan made the motion to approve Check #209827.
19 Seconded by Kathy.
20 Any discussion?
21 (No comment.)
22 CHAIRMAN WAITS: All in favor?
23 COMMISSIONER CLARK: Aye.
24 COMMISSIONER ANCHO: Aye.
25 CHAIRMAN WAITS: Aye.
26 COMMISSIONER ALLAN: I'll abstain.
27 CHAIRMAN WAITS: Thank you. And that passes.
28 The next one is a check for me -- Check #207202. So I need
29 a motion to approve that check.
30 COMMISSIONER ALLAN: So moved.
31 COMMISSIONER ANCHO: I'll second.
32 CHAIRMAN WAITS: Thank you. Moved by Judie. Seconded by
33 Bryan. Any other discussion?
34 (No comment.)
35 CHAIRMAN WAITS: All in favor?
36 COMMISSIONER ALLAN: Aye.
37 COMMISSIONER SPARKS: Aye.
38 COMMISSIONER CLARK: Aye.
39 CHAIRMAN WAITS: And I will recuse myself. Thank you.
40 And the next one is Check 202610. And this one has one in

1 for Bryan for your employer.
2 COMMISSIONER SPARKS: Yeah. And it's --
3 CHAIRMAN WAITS: Right?
4 COMMISSIONER SPARKS: -- my employer.
5 CHAIRMAN WAITS: Okay.
6 Made a motion for 202610?
7 COMMISSIONER ALLAN: So moved.
8 CHAIRMAN WAITS: Thank you, Judie.
9 COMMISSIONER ANCHO: I'll second it.
10 CHAIRMAN WAITS: Seconded by Kathy.
11 Any other discussion?
12 (No comment.)
13 CHAIRMAN WAITS: All in favor?
14 COMMISSIONER CLARK: Aye.
15 COMMISSIONER ALLAN: Aye.
16 CHAIRMAN WAITS: Aye.
17 COMMISSIONER SPARKS: I'll be abstaining from it.
18 CHAIRMAN WAITS: Thank you.
19 Moving on to Commissioners.
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22 COMMISSIONERS

23
24 1) Discussion and possible action regarding the Battle Mountain
25 levee project presented by Tom Gallagher of Summit
26 Engineering, and all other matters properly related thereto.
27

28 CHAIRMAN WAITS: Discussion -- Number 1. Discussion and
29 possible action regarding the Battle Mountain levee project
30 presented by Tom Gallagher of Summit Engineering, and all other
31 matters properly related thereto.

32 COMMISSIONER CLARK: Good morning, Tom.

33 CHAIRMAN WAITS: Good morning.

34 TOM GALLAGHER: Good morning.

35 Chairman and Members of the Commission, Tom Gallagher with
36 Summit Engineering.

37 And Keith asked me to be here today to discuss both
38 progress and some things on the insurance on the levee. And
39 unfortunately my insurance company did not get back to me until
40 yesterday. So you have a belated copy of what I got yesterday.

1 And this morning I got another email that had some
2 comparable rates for the different flood zones --

3 COMMISSIONER SPARKS: Yeah.

4 TOM GALLAGHER: -- based on --

5 COMMISSIONER SPARKS: Go ahead, Tom.

6 TOM GALLAGHER: Okay. I believe that -- that document got
7 passed out to you on the insurance rates.

8 And the -- the intention of the levee is to take the
9 majority of the -- the Town of Battle Mountain out of what is
10 called Zone A of the floodplain, which requires insurance,
11 period.

12 And with the levee, move that into what is called the
13 Shaded Zone X. And it's called a shaded zone because the houses
14 in the town itself will be protected by a levee. And that's the
15 best rating you can possibly get for anything that is protected
16 by a levee.

17 COMMISSIONER SPARKS: Do we know what the premium
18 difference between an A and a Shaded X?

19 TOM GALLAGHER: Yeah. I've got it on my phone. Because I
20 just got it.

21 And I requested it for, you know, just some assumptions of
22 housing types and that type of thing.

23 If you have a house that's worth, say, \$175,000, a
24 one-story house built sometime in the '70s or around there, the
25 house -- just a second here. Let me get -- this isn't as
26 easy -- if I would have plotted it this morning, but my plotter
27 wasn't awake. Because this one you did not get.

28 There is very substantial up- -- okay -- 175,000 on
29 elevated foundation. And I just gave the insurance company that
30 as an item of information. But it is -- if I can find it --
31 several thousand dollars' difference in the insurance that is
32 required.

33 And in the Shaded Zone X, you're not required to have flood
34 insurance. It's not -- it's not required by most lenders.

35 So whatever they're paying now, it would go from there to
36 zero unless they wanted a special policy.

37 COMMISSIONER SPARKS: You say several thousand dollars,
38 people that are paying flood insurance currently, I've heard
39 anywhere from 900 to 1300 dollars. So wouldn't be --

40 TOM GALLAGHER: Yeah.

1 COMMISSIONER SPARKS: -- several thousand dollars.
2 TOM GALLAGHER: And it --
3 COMMISSIONER SPARKS: So I'd be interested in hard numbers
4 if you have them.
5 TOM GALLAGHER: I've got them someplace here. I wish I
6 could find them in this little tiny telephone.
7 But I think -- oh, here we go. In Zone A -- and this is an
8 average. I don't know what they're paying here --
9 COMMISSIONER SPARKS: Okay.
10 TOM GALLAGHER: -- it would go from \$2275. And if you
11 chose -- if it was in Zone X and you weren't required to have
12 it, it would go to zero.
13 COMMISSIONER SPARKS: Right.
14 TOM GALLAGHER: Okay.
15 That would be for 1970 or previous. For 1980, the same
16 type of home that the -- the -- the actual rate -- overall
17 average rate is 2965. If you chose to have insurance when it
18 goes into a Zone X, that would go to \$500.
19 And for commercial -- and they just evaluated commercial
20 space as a half a -- the value of it is a half a million
21 dollars. Right now it would be at twenty -- almost 22,000 and
22 it'd go to 2200 if you wanted to have insurance, which you
23 wouldn't be required to have.
24 So that's the best information I could give you. And a
25 national rate is the best that they could come up with.
26 So proportionately I would assume it'd be about the same.
27 I mean, if the rate was -- well, if I paid 1300 now and they
28 don't have to pay any, I guess that'd be a \$1300 saving.
29 COMMISSIONER SPARKS: So basically the -- the whole point
30 of spending \$7 million on a project is to -- or dike -- is to
31 basically change that zone from a A to Shaded X.
32 TOM GALLAGHER: Yes.
33 COMMISSIONER SPARKS: And then --
34 TOM GALLAGHER: And that's going to --
35 COMMISSIONER SPARKS: -- and then the mortgage companies,
36 they operate off of that?
37 TOM GALLAGHER: Yes. These are FEMA designations as on the
38 list that was passed out to you and it shows the different zones
39 and what the requirements are.
40 COMMISSIONER CLARK: When the Army Corps of Engineers was

1 here, they told us that it was the banks that determine whether
2 or not they want you to insure your mortgage with flood
3 insurance.

4 COMMISSIONER SPARKS: Right.

5 COMMISSIONER CLARK: So --

6 COMMISSIONER SPARKS: Yeah. See that's why -- I mean, I --
7 I reached out to a couple of folks here in town that -- that
8 were here during the flood and just -- I wanted to just kind of
9 have their perspective on it. And from listening to them, it
10 seemed to me like it was an issue of -- of flow.

11 So I actually went out and I drove around and looked at all
12 the culverts and where the water runs and -- and it just
13 bottlenecks down. And it's like --

14 TOM GALLAGHER: Yeah.

15 COMMISSIONER SPARKS: -- anything's -- I mean, if the water
16 can't flow, it's going to back up. So I'm -- I'm not so --
17 entirely convinced that we need \$7 million to -- to rehab the
18 dike. If it's a matter of flow, do we put bigger culverts in?
19 Do we dig our -- our canals where the water flows so that it can
20 go out and we don't have a flooding issue? I mean, that's just
21 -- that's how I'm looking at it. And that's why --

22 TOM GALLAGHER: Oh.

23 COMMISSIONER SPARKS: -- I was the one that asked to have
24 it put back on the agenda and have you come and talk to us. But
25 I wanted those questions answered. And then I know there's
26 probably some people here who may like to speak on it as well.

27 TOM GALLAGHER: What would probably -- a method where you
28 could dig a big enough channel to hit it. But as you know, the
29 Reese River, when it floods, is probably about a foot and a half
30 deep and about a mile wide. So putting in a collection system
31 for all that --

32 And, you know, the Corps studied this for a long time.
33 They studied it for a way long time. And I drove through here
34 actually in the flood of '64. So I -- I pretty much am familiar
35 with it. I didn't care about floods at that point. But, I
36 mean, it was kind of fun to drive through the water.

37 But they've been studying this for a long time, way too
38 long. Way, way, way too long.

39 And they decided that this is the way -- and FEMA is on
40 board with the levee.

1 FEMA's the one you have to worry about. The Corps does not
2 give anything out.

3 And naturally, a lender can say whatever they want to say.
4 If you're going to borrow money for a house and a lender wants
5 to say you need flood insurance and you live on top of the
6 mountain or we're not going to lend you the money, then they're
7 not going to lend you the money. That's all there is to it.
8 Okay.

9 But the way it works nationally is the lender wants a
10 certificate from an engineer or someone that says that the house
11 is a foot or two feet out of the base flood elevation as shown
12 on the -- as shown on the FEMA maps.

13 That's just the way it is.

14 CHAIRMAN WAITS: And --

15 TOM GALLAGHER: And --

16 CHAIRMAN WAITS: -- my understanding was when we -- we
17 discussed this a number of years ago. And I think you were here
18 too, Tom, we did look some other ways with actually making the
19 culverts bigger and -- and looking at the flow. And, yes, it
20 would help us. But, again, it doesn't change the FEMA
21 designation, and that's what this has all been about is getting
22 the FEMA designation.

23 TOM GALLAGHER: The biggest problem is how flat this whole
24 area is. And it's -- that's really -- and we've got the FEMA
25 designation changed in Austin in nothing flat because they have
26 about half of Austin in the floodplain to where it's not limited
27 just to the middle of Main Street, which is the low point in
28 Austin.

29 COMMISSIONER CLARK: Oh, the government.

30 TOM GALLAGHER: But this one isn't quite that simple. It's
31 --

32 And, you know, this thing's been going on and on. I think
33 I started on this when I was 12.

34 CHAIRMAN WAITS: Does -- does this -- does this help,
35 Commissioner? Did you have some other questions?

36 COMMISSIONER SPARKS: No, I mean, I'm just -- I'm thinking
37 with it, you know. It's just --

38 CHAIRMAN WAITS: Okay.

39 COMMISSIONER SPARKS: -- I was interested. I mean, like a
40 hundred-year flood, like what would the cubic flow of water be

1 and then what would -- what -- I mean, if we're talking like a
2 channel for it to flow, what that -- I mean, what would it take?
3 I might -- I mean, I'm probably putting you on the spot. I
4 mean, it's --
5 TOM GALLAGHER: Well, yeah, a little bit.
6 COMMISSIONER SPARKS: Yeah.
7 TOM GALLAGHER: That's not something I --
8 COMMISSIONER SPARKS: Those are just --
9 TOM GALLAGHER: -- was --
10 COMMISSIONER SPARKS: -- some of my questions. Yeah.
11 TOM GALLAGHER: Yeah. And it's a --
12 What they had before was a lot different than what we have
13 now. And, you know, that event was a -- was a very historic
14 event. And it was something that was -- the town was drained by
15 blowing up the railroad tracks. That's not a feasible option
16 right now. I think you'd --
17 CHAIRMAN WAITS: Okay. Let me --
18 TOM GALLAGHER: -- get in --
19 CHAIRMAN WAITS: -- open this --
20 TOM GALLAGHER: -- trouble with doing --
21 CHAIRMAN WAITS: -- up to --
22 TOM GALLAGHER: -- that.
23 CHAIRMAN WAITS: -- public comment.
24 Does anybody have anything they'd like to comment on on
25 this? I don't --
26 Please come up.
27 LEONARD SHEPHERD: My --
28 CHAIRMAN WAITS: Morning.
29 LEONARD SHEPHERD: -- name's Lennie Shepherd.
30 I just got a question -- a couple questions.
31 If you put \$7 million into a levee, what are you trying to
32 do? Force the water through those culverts? Or are you just
33 trying to save somebody insurance money. Because if you don't
34 have drainage going to the culverts, you can build a levee from
35 here to Austin. I know.
36 TOM GALLAGHER: Well, the thing is we do have drainage
37 going to the culverts.
38 LEONARD SHEPHERD: How much water will those culverts take
39 on I-80? All of the running, full blown?
40 TOM GALLAGHER: Yeah. They will take the flood.

1 LEONARD SHEPHERD: How much?
2 TOM GALLAGHER: I did my pound with technical numbers to
3 give you. I can get those for you.
4 LEONARD SHEPHERD: Okay.
5 TOM GALLAGHER: I'll make sure the computer --
6 LEONARD SHEPHERD: What's the elevation of the Reese River
7 culvert out on Martin Ranch Road? The bottom of the culvert and
8 then the bottom of the culvert at the highway?
9 So what's the drop of water?
10 TOM GALLAGHER: Well, it's very minimal. And that's the
11 reason for the levee because it detains the water until --
12 LEONARD SHEPHERD: I realize that.
13 TOM GALLAGHER: Okay.
14 LEONARD SHEPHERD: But you're -- you're backing up the
15 water and trying to make it run to something that's uphill. If
16 you don't clean your drainage on it, it can't get there.
17 TOM GALLAGHER: That is always --
18 LEONARD SHEPHERD: Then it's going to go around town like
19 it did during the flood.
20 TOM GALLAGHER: Well, to give you a -- some indication,
21 some of the smaller culverts will be replaced with box culverts
22 in the -- in the --
23 LEONARD SHEPHERD: I --
24 TOM GALLAGHER: -- whole plan.
25 LEONARD SHEPHERD: I've worked for the county for 30 years.
26 And I've worked on Reese River. I've replaced almost every
27 culvert there. And what causes a flood is lack of maintenance
28 cleaning the ditch, getting the weeds, the brush, and the
29 garbage out of it so the water can flow.
30 And \$7 million to build a -- a flood dike that isn't going
31 to save -- everybody's still going to have to pay for flood
32 insurance.
33 Right?
34 TOM GALLAGHER: No.
35 LEONARD SHEPHERD: Well --
36 TOM GALLAGHER: That's what I just explained.
37 LEONARD SHEPHERD: So -- so you'll guarantee that?
38 TOM GALLAGHER: No, I'm not --
39 LEONARD SHEPHERD: For 7 --
40 TOM GALLAGHER: -- going to --

1 LEONARD SHEPHERD: -- million.
2 TOM GALLAGHER: -- guarantee it. FEMA -- FEMA's the one
3 that guarantees it when they do their --
4 LEONARD SHEPHERD: I --
5 TOM GALLAGHER: -- map revision.
6 LEONARD SHEPHERD: -- I would say to you here's my
7 suggestion, a solution.
8 I would table this. I would -- the county's got the
9 equipment. They have the -- the codes. You can go out and
10 clean all the Reese River and put it in one channel. And if you
11 go down to Muleshoe Road, you can see where they did that when
12 they built the last levee that goes -- there's a nice straight
13 shot. Reese River runs right down there, turns, goes down by
14 Charlie Hills, stays on this side of the river. And Reese River
15 doesn't go into the Humboldt River until Valmy. Did you know
16 that?
17 TOM GALLAGHER: Yeah.
18 COMMISSIONER ANCHO: The only bad thing about that is that
19 that's not what FEMA's requiring. And if FEMA is the one that's
20 requiring it, in order to remove the flood insurance. So we can
21 --
22 And I -- I respect what you're saying. We can absolutely
23 do that for approved precautionary. But FEMA's the one that has
24 to come out and say, This is what you have in order for us to
25 remove the insurance. That's the only issue.
26 LEONARD SHEPHERD: This --
27 COMMISSIONER CLARK: Lennie --
28 LEONARD SHEPHERD: -- this --
29 COMMISSIONER CLARK: -- Lennie --
30 LEONARD SHEPHERD: -- culvert or --
31 COMMISSIONER CLARK: I've got a --
32 LEONARD SHEPHERD: -- this --
33 COMMISSIONER CLARK: -- question. I've got a question --
34 LEONARD SHEPHERD: Okay.
35 COMMISSIONER CLARK: -- for you.
36 I've got the same concerns as you. The water comes across
37 the freeway and it pools up.
38 LEONARD SHEPHERD: That's right.
39 COMMISSIONER CLARK: Okay. And then I think there's two
40 culverts, one for the Reese River and then one this way that the

1 water escapes.

2 LEONARD SHEPHERD: There's --

3 COMMISSIONER CLARK: But where it really gets --

4 LEONARD SHEPHERD: -- three.

5 COMMISSIONER CLARK: Three? Where it really gets tied up

6 is the railroad.

7 LEONARD SHEPHERD: Well --

8 COMMISSIONER CLARK: Isn't there only one culvert?

9 LEONARD SHEPHERD: No, there's -- there's two there. And

10 they -- they dug that channel that goes -- we used to clean this

11 stuff 20 years ago, but evidently maintenance isn't a part of

12 the -- you wait till it floods and then you worry about it, --

13 COMMISSIONER CLARK: Well, I don't --

14 LEONARD SHEPHERD: -- you know.

15 COMMISSIONER CLARK: -- know. I don't necessarily agree

16 with that. But I'm just trying to figure --

17 LEONARD SHEPHERD: Well, --

18 COMMISSIONER CLARK: -- out the --

19 LEONARD SHEPHERD: -- no. There's --

20 COMMISSIONER CLARK: -- flow rate.

21 LEONARD SHEPHERD: You're -- the -- that's what I just

22 asked. How --

23 COMMISSIONER CLARK: But if it --

24 LEONARD SHEPHERD: -- much --

25 COMMISSIONER CLARK: -- gets -- if it gets stopped up at

26 the railroads, we can't do anything about that.

27 LEONARD SHEPHERD: They did last time.

28 COMMISSIONER CLARK: Okay.

29 TOM GALLAGHER: Try it this time. You'll end up with

30 stripes and a suntan.

31 COMMISSIONER CLARK: We know. But we would rather be

32 preventative, than --

33 LEONARD SHEPHERD: Well, that's -- that's all I'm saying is

34 between Reese River that -- on Martin Ranch Road and the

35 freeway, this water has run down here for 20 years. Reese River

36 runs about a half a mile an hour. And it's -- you can put it in

37 a flour sifter. That's how thick it is. And when that water

38 runs fast, it carries that and then all -- Reese River doesn't

39 run year-round. And then it goes out there and it hits the

40 bridge, all the fines fall out, fills the ditch in. The ditch

1 is this deep. It's had water in it. It hasn't had water for a
2 year. It fills it up. The bank caves off and the water goes
3 down. And all the brush and everything get in the ditch and
4 then the water turns and goes that way for a while. Then it
5 turns and goes back this way. And the same thing keeps
6 happening until you've got a little hump right there between
7 Martin Ranch Road and the freeway.

8 CHAIRMAN WAITS: Tom, let me -- let me make a comment. You
9 said you thought that we should defer this. Number one, it's
10 just discussion only.

11 LEONARD SHEPHERD: Okay.

12 CHAIRMAN WAITS: And -- and it's been on our agenda many,
13 many times and will continue to be on our agenda --

14 LEONARD SHEPHERD: Okay.

15 CHAIRMAN WAITS: -- for your input when you see it again if
16 you'd like to come on back. But --

17 LEONARD SHEPHERD: Well, I just think \$7 million is a lot
18 of money --

19 CHAIRMAN WAITS: I -- I know. But the last --

20 LEONARD SHEPHERD: -- to -- to just put something up there.
21 And it's not going to improve the water flow that we have right
22 now.

23 CHAIRMAN WAITS: We understand where you're coming from on
24 that. But as -- as Commissioner Ancho pointed out, we've been
25 discussing this for -- what? -- the last 12 years at least.

26 LEONARD SHEPHERD: I've heard --

27 CHAIRMAN WAITS: And --

28 LEONARD SHEPHERD: -- for --

29 CHAIRMAN WAITS: -- and we --

30 LEONARD SHEPHERD: -- 50.

31 CHAIRMAN WAITS: -- want -- we want everyone to get some
32 real breaks on flood insurance.

33 So with that, if there's any other public comment?

34 Okay. One more?

35 LEONARD SHEPHERD: I -- I just have one more.

36 CHAIRMAN WAITS: Yes?

37 LEONARD SHEPHERD: I was about eight years old and I was at
38 my mom and dad's house over here just across from the hospital.
39 And that used to be the high school.

40 They hauled all the people that got flooded to there.

1 And I was sitting on the front porch and the water was all
2 over town, everywhere. It did not flood my mom and dad's place.
3 They had their place paid for.
4 But they didn't have to pay flood insurance because it
5 wasn't on the -- the flood deal, you know, because it -- it
6 didn't flood. I was sitting there.
7 COMMISSIONER CLARK: Well, --
8 LEONARD SHEPHERD: Well, --
9 COMMISSIONER CLARK: -- 200 --
10 LEONARD SHEPHERD: -- they knew --
11 COMMISSIONER CLARK: -- yards from -- from your -- your
12 dad's house and I'm in the floodplain.
13 LEONARD SHEPHERD: Yeah. But -- but they did a study and
14 they build the levee and 15 or 20 years later, oh, that's in the
15 floodplain. How can that be?
16 CHAIRMAN WAITS: That's a -- but, I mean, that's the same
17 way with -- with how the many places can be. It's only FEMA and
18 that's what we have to do. So --
19 LEONARD SHEPHERD: I think that's the --
20 CHAIRMAN WAITS: -- we will.
21 LEONARD SHEPHERD: -- problem.
22 CHAIRMAN WAITS: Thank you.
23 LEONARD SHEPHERD: Okay. Thank --
24 CHAIRMAN WAITS: Oh.
25 TOM GALLAGHER: It'll be --
26 LEONARD SHEPHERD: -- you.
27 CHAIRMAN WAITS: Yeah.
28 TOM GALLAGHER: -- a problem.
29 COMMISSIONER CLARK: Thanks, Lennie.
30 TOM GALLAGHER: There's no --
31 COMMISSIONER ALLAN: Thank you, --
32 TOM GALLAGHER: -- question --
33 COMMISSIONER ALLAN: -- Lennie.
34 TOM GALLAGHER: -- about it.
35 CHAIRMAN WAITS: I'm sorry. He --
36 TOM GALLAGHER: But you --
37 CHAIRMAN WAITS: -- is --
38 TOM GALLAGHER: -- need to.
39 CHAIRMAN WAITS: -- talking about the federal government.
40 And --

1 TOM GALLAGHER: Need to --
2 CHAIRMAN WAITS: -- he thinks it's a --
3 TOM GALLAGHER: -- approach it --
4 CHAIRMAN WAITS: -- problem.
5 TOM GALLAGHER: -- in Washington.
6 CHAIRMAN WAITS: I think we all agree, Tom.
7 Thank you, --
8 TOM GALLAGHER: Yeah.
9 CHAIRMAN WAITS: -- Tom.
10 TOM GALLAGHER: Well --
11 CHAIRMAN WAITS: Anything else on that?
12 TOM GALLAGHER: No. Not that I can think of. We're --
13 CHAIRMAN WAITS: Okay.
14 TOM GALLAGHER: -- moving --
15 CHAIRMAN WAITS: Any other questions --
16 TOM GALLAGHER: -- rapidly --
17 CHAIRMAN WAITS: -- for Tom?
18 TOM GALLAGHER: -- ahead.
19 We had to drop back a little bit on the design to get the
20 information that we're requiring to try to drastically reduce
21 the bill the Corps of Engineers sent you.
22 CHAIRMAN WAITS: Okay.
23 TOM GALLAGHER: And we're working with legal counsel on
24 that.
25 And the --
26 COMMISSIONER ALLAN: So I --
27 TOM GALLAGHER: -- re- --
28 COMMISSIONER ALLAN: -- think --
29 TOM GALLAGHER: -- response should be ready next week.
30 CHAIRMAN WAITS: Thank you.
31 COMMISSIONER ALLAN: So, Tom, I know you can't give a
32 definitive answer. And you did basically stated is we comply
33 with FEMA and certain lending institutions can accept that, but
34 it's not a guarantee that everybody will.
35 TOM GALLAGHER: No. No.
36 COMMISSIONER ALLAN: So there's no guarantee that these
37 homeowners will still get a break and save on their flood
38 insurance.
39 TOM GALLAGHER: There's no way to guarantee for the lenders
40 that they will accept. All I'm saying that the national

1 standard is that if you're in Shaded Zone X, they will accept it
2 with a flood elevation certificate.

3 During the last housing crisis, you couldn't get lenders to
4 accept anything. So --

5 But it is -- it is a situation that we're dealing with it
6 on -- we're -- we're dealing with it in Washoe County right now
7 with North Valley's where they're completely full of water and
8 the county -- you're -- you're lucky here because you don't have
9 a city. You just have a county. You don't have a city to fight
10 with.

11 CHAIRMAN WAITS: Thank you.

12 COMMISSIONER CLARK: Thank you, Tom.

13 COMMISSIONER ALLAN: Thank you, Tom.

14 CHAIRMAN WAITS: Okay. We're --

15 TOM GALLAGHER: Thank you.

16 CHAIRMAN WAITS: -- going to move on to Number 2.

17
18 **2) Discussion and possible action regarding the Lander County**
19 **community health nursing program and whether to continue the**
20 **program as a county-funded program or a state-funded program,**
21 **and all other matters properly related thereto.**

22
23 CHAIRMAN WAITS: Discussion and possible action regarding
24 the Lander County community health nursing program and whether
25 to continue the program as a county-funded program or as a
26 state-funded program, and all other matters properly related
27 thereto.

28 So the last time we left this it was that we decided we
29 would go with the state. And we had all kinds of information
30 saying they could not fill vacancies, et cetera. And we were
31 left out.

32 So we put it back on. And Keith?

33 KEITH WESTENGARD: Is the state here? I -- did they --
34 they said they were going to be here to present.

35 Not here?

36 Nobody from the state?

37 Okay.

38 So, yes, last I checked with the state, they -- there was
39 no one to -- that had applied for the position in B- -- in
40 Battle Mountain.

1 So in discussion, I -- I thought it would be good to bring
2 it back with -- to let you guys decide which way you want to go,
3 whether we're going to continue to work with the state and try
4 to get their -- get somebody in here hired through the state or
5 do we want to go back with the county --
6 COMMISSIONER SPARKS: We said --
7 KEITH WESTENGARD: -- from --
8 COMMISSIONER SPARKS: -- we're going to go back to the
9 county.
10 KEITH WESTENGARD: -- to the --
11 COMMISSIONER SPARKS: I mean, it's --
12 KEITH WESTENGARD: -- position.
13 COMMISSIONER SPARKS: -- that was my thing is, like, we're
14 doing business with the state, and it's just I see future
15 complexities that I'm willing to pay more for that we don't have
16 so we can provide that service rock solid to our -- to our town.
17 KEITH WESTENGARD: Okay. The -- so just -- just so you
18 know that we still have to maintain -- and they've reduced it
19 since we went with our own county health nurse in the past.
20 They -- they've reduced the contract, but we still have the
21 required NRSs where we have to maintain --
22 COMMISSIONER SPARKS: Right. I understand --
23 KEITH WESTENGARD: -- a contract with --
24 COMMISSIONER SPARKS: -- that.
25 KEITH WESTENGARD: -- the state. But it's been
26 significantly reduced. I believe it's -- it went from about
27 42,000 a year down to 11- for the stateswide things.
28 CHAIRMAN WAITS: It just goes back to what we had before;
29 right?
30 KEITH WESTENGARD: Yes. That's correct.
31 CHAIRMAN WAITS: It wasn't an increase. Okay.
32 COMMISSIONER ANCHO: The one thing that had to be noted is
33 with the hospital that we -- when people had insurance that we
34 directed them to go to the hospital for the immunizations and
35 that we treat people with Medicare and Medicaid. That was one
36 thing that had been -- I want to make sure that we still have.
37 COMMISSIONER CLARK: And I did find that Dr. Peters is the
38 doctor in charge according to our committees and so on. We have
39 an emergency, a medical emergency.
40 KEITH WESTENGARD: Yeah. He --

1 COMMISSIONER CLARK: Dr. Peters --
2 KEITH WESTENGARD: So he gi- -- he is the medical director
3 for EMS.
4 COMMISSIONER CLARK: Uh-huh.
5 KEITH WESTENGARD: And I've -- I've spoken with Jason
6 Bleak, the CEO. And we'll be able to -- because that -- that
7 position needs oversight by a nurse practitioner or higher. So
8 we have some -- we've got some -- a plan if you decide to go
9 back with the county.
10 We just have to have an overseer of the program, which
11 Jason's agreed that we can come up with something.
12 COMMISSIONER CLARK: Well, I'm going to support Bryan on
13 this because it seems like the state's a mess. And we can just
14 jump right into this and get it going, I think.
15 And, yeah, it'll cost a little bit more, but we can afford
16 it.
17 COMMISSIONER ANCHO: And our community is covered and
18 that's the biggest thing is we want --
19 KEITH WESTENGARD: And we have two --
20 COMMISSIONER ANCHO: -- to have everybody covered.
21 KEITH WESTENGARD: -- two applicants currently that once
22 the commission decides a way to go, we could probably have
23 somebody in there pretty quick -- pretty quick, within a month
24 or five weeks. By the time we go through the process to choose
25 somebody and then they have -- if they have to give a -- a
26 notice to their current employer.
27 COMMISSIONER ALLAN: So I'll make a motion that we go back
28 to a Lander County fund- -- funded community health nurse.
29 COMMISSIONER ANCHO: I'll second.
30 CHAIRMAN WAITS: Okay. Commissioner Allan made the motion
31 we go back to a county. And Commissioner Ancho seconded that.
32 Do we have any other discussion?
33 (No comment.)
34 CHAIRMAN WAITS: Any public comment?
35 (No comment.)
36 COMMISSIONER SPARKS: No.
37 COMMISSIONER ALLAN: You did great.
38 CHAIRMAN WAITS: All those in favor?
39 COMMISSIONER SPARKS: Aye.
40 COMMISSIONER ANCHO: Aye.

1 COMMISSIONER ALLAN: Aye.
2 COMMISSIONER CLARK: Done.
3 CHAIRMAN WAITS: Aye.
4 Okay. That makes it unanimous. And it is 10:00 o'clock so
5 my understanding is that we wanted to move to --
6 ELIZABETH BARELA: The (indiscernible).
7 COMMISSIONER SPARKS: Six.
8 CHAIRMAN WAITS: We had -- yes. We -- we are going to move
9 to Agenda Item Number 6.
10 We had a couple of people that wanted to actually call in.
11 And I think one of the gentlemen is with the NRA. And the other
12 one is our Assemblyman John Ellison that wanted to be on that.
13 COMMISSIONER CLARK: That's right, --
14 CHAIRMAN WAITS: So --
15 COMMISSIONER CLARK: -- Patsy. Dan Reid is NRA West. He
16 takes care of California, Nevada, and Hawaii.
17 CHAIRMAN WAITS: Okay. Let me go ahead and read Number 6
18 into the record.
19
20

21 **SHERIFF'S OFFICE**

22
23 6) **Update regarding the Second Amendment movement within the**
24 **state of Nevada, and all other matters properly related**
25 **thereto.**
26

27 CHAIRMAN WAITS: Update regarding the Second Amendment
28 movement within the state of Nevada, and all other matters
29 properly related thereto.

30 SHERIFF RON UNGER: Good morning. Sheriff Ron Unger.

31 And I guess I owe the audience an apology. At the town
32 meeting we had, I informed them that I had put in an agenda

33 request to be on this agenda to ask for the county to support --

34 COMMISSIONER SPARKS: Hey, Ron. Can you hold on? Let
35 us --

36 SHERIFF RON UNGER: Sure.

37 COMMISSIONER SPARKS: -- get these guys on. I apologize.
38 Just so we're not trampling --

39 SHERIFF RON UNGER: No problem.

40 COMMISSIONER SPARKS: -- over you. Okay.

1
2 (Attempting to contact Assemblyman John Ellison by
3 telephone.)
4
5 FEMALE VOICE RECORDING: John Ellison.
6 COMMISSIONER CLARK: No. We want to call Dan Reid first.
7
8 (Attempting to contact Dan Reid by telephone.)
9
10 KYLA BRIGHT: Austin, are you still there?
11 MITESHELL LANHAM: We're still here.
12 KYLA BRIGHT: Okay. We're trying to add in some calls.
13 Hold on a second.
14
15 (Attempting to contact Dan Reid by telephone.)
16
17 DAN REID: This is Dan.
18 COMMISSIONER SPARKS: Hi, Dan. Bryan Sparks. This is
19 Lander County Commission. Just tying into our meeting.
20 DAN REID: Oh, perfect. Thank you.
21 COMMISSIONER SPARKS: What was that?
22 KYLA BRIGHT: Austin, are you --
23 COMMISSIONER SPARKS: Austin, are you there?
24 MITESHELL LANHAM: We're here.
25 COMMISSIONER SPARKS: Okay. Perfect. Now we're getting --
26 And we want to try John Ellison?
27 COMMISSIONER CLARK: After.
28 COMMISSIONER SPARKS: After?
29 COMMISSIONER CLARK: After we're done.
30 COMMISSIONER SPARKS: Okay.
31 COMMISSIONER CLARK: After Dan gives us our --
32 COMMISSIONER SPARKS: Okay.
33 COMMISSIONER CLARK: Thanks for -- thanks for accepting our
34 call, Dan?
35 DAN REID: You bet. Thank you, Commissioner.
36 CHAIRMAN WAITS: Okay. We've read it into the minutes.
37 We'll go ahead with Sheriff Unger.
38 Go ahead, Sheriff.
39 SHERIFF RON UNGER: Anyway, I did inform the public that I
40 turned in an agenda request to be on the -- this agenda for a --

1 the county commissioners to approve a resolution for this gun
2 control deal.

3 Unfortunately, it got changed to an update. So at that
4 point -- I'll give you what little update I do have is that at
5 this point in time there are five counties. And that would be
6 Eureka, Lyon, Elko, Nye, and Douglas County that have
7 resolutions, I guess, in support of the Second Amendment and the
8 Fourth Amendment rights of the United States.

9 Anyway, that's where we're at. I do -- did -- takes --
10 take those resolutions and put a little deal together and
11 submitted it to our district attorney. So they're on board.
12 They're -- of course they've got to rewrite it. I'm not real
13 good at doing that. But nevertheless, they do have that.

14 So at this point in time, what other updates would you like
15 from me?

16 COMMISSIONER ALLAN: Ron. And I support this a hundred
17 percent.

18 I'm not sure if you're aware of AB 291. And I think that
19 is a big consideration as well.

20 COMMISSIONER SPARKS: What's AB 291?

21 COMMISSIONER ALLAN: AB 291. I don't think it specifically
22 spells out what the retaliation is but the bill specifically
23 does say that in response to these counties that -- that have
24 these resolutions for sanctuary counties is basically responding
25 to that -- that -- that they are not allowed to have a sanctuary
26 county.

27 SHERIFF RON UNGER: Well, that's a bill that they are
28 proposing. That hasn't --

29 COMMISSIONER ALLAN: It --

30 SHERIFF RON UNGER: -- been --

31 COMMISSIONER ALLAN: -- hasn't --

32 SHERIFF RON UNGER: -- passed --

33 CHAIRMAN WAITS: No, it hasn't.

34 COMMISSIONER ALLAN: -- been passed.

35 SHERIFF RON UNGER: -- at this point. It's no different
36 than the last bill that they just discussed, that 293? 297?

37 COMMISSIONER ALLAN: 397.

38 KEITH WESTENGARD: Three ninety --

39 SHERIFF RON UNGER: 397. That's the one you really got to
40 be careful of.

1 COMMISSIONER SPARKS: Right.

2 SHERIFF RON UNGER: What -- what I want to do is just --
3 just put a -- we need to protect our citizens. Point blank. We
4 need to protect their Second Amendment rights and their Fourth
5 Amendment rights. And it appears to me at this point in time
6 that our state legislature's doing everything they can to stomp
7 a mud hole in the Constitution of the United States and part of
8 the constitution of the State of Nevada. Because a lot of the
9 -- what the state constitution of Nevada does is mimic or mirror
10 the Constitution of the United States in certain issues.

11 So I'm -- I'm -- I'm here to ask for a resolution to
12 protect that for our citizens. I don't know what other way to
13 put it.

14 COMMISSIONER SPARKS: Oh, I support --

15 SHERIFF RON UNGER: And it's not just SB 143 or 291. It's
16 all of them, guys.

17 COMMISSIONER CLARK: Yes.

18 All of --

19 SHERIFF RON UNGER: It's --

20 COMMISSIONER CLARK: -- them, Ron.

21 SHERIFF RON UNGER: -- it's coming down the pike to where
22 not only on our rights to own and bear arms but it's on the
23 Fourth Amendment, your right to illegal search and seizures
24 that's coming down.

25 So that's what I propose.

26 COMMISSIONER CLARK: I support you 100 percent, Ron. And I
27 have three years ago when we --

28 SHERIFF RON UNGER: Well, thank --

29 COMMISSIONER CLARK: -- did the --

30 SHERIFF RON UNGER: -- you --

31 COMMISSIONER CLARK: -- video.

32 SHERIFF RON UNGER: -- because these are the ones that we
33 need to take care of right here behind me.

34 COMMISSIONER CLARK: Ninety percent of the people in Lander
35 County voted against Question 1. I think that speaks loudly --

36 SHERIFF RON UNGER: It was 87 --

37 COMMISSIONER CLARK: -- to --

38 SHERIFF RON UNGER: -- percent, to be exact, --

39 COMMISSIONER CLARK: Right.

40 SHERIFF RON UNGER: -- in 2016. 86.65 percent.

1 So at this point, beings that it's only for discussion only
2 or for an update, I'm going to -- I'm going to let you folks
3 know and I would request that you have Keith do it. But I want
4 to be on the next agenda to get a yea or nay on a resolution.
5 COMMISSIONER CLARK: I agree, Ron. I agreed with you from
6 the beginning. I'm highly disappointed that it's only an
7 update.
8 SHERIFF RON UNGER: So --
9 CHAIRMAN WAITS: Okay. Let --
10 SHERIFF RON UNGER: -- any other --
11 CHAIRMAN WAITS: -- me --
12 SHERIFF RON UNGER: -- questions --
13 CHAIRMAN WAITS: -- let me --
14 SHERIFF RON UNGER: -- for me?
15 CHAIRMAN WAITS: -- comment. No. Let me -- let me comment
16 on that because part of that is an update because that's what we
17 wanted. We wanted to know today where everybody stood. And I
18 think that certainly the hearing and -- and --
19 COMMISSIONER SPARKS: Let us -- yeah. Wait a -- p- --
20 second, Patsy.
21 COMMISSIONER CLARK: Yeah.
22 COMMISSIONER SPARKS: We're here -- including me in that,
23 I'm not "we."
24 COMMISSIONER CLARK: I -- I'm -- no.
25 COMMISSIONER SPARKS: No. (Indiscernible) --
26 COMMISSIONER CLARK: No. Don't include me --
27 COMMISSIONER SPARKS: -- (indiscernible) --
28 COMMISSIONER CLARK: -- in --
29 COMMISSIONER SPARKS: -- for the record.
30 COMMISSIONER CLARK: No.
31 COMMISSIONER SPARKS: Yeah.
32 COMMISSIONER CLARK: I wanted a resolution today, Bryan.
33 I'm about you.
34 COMMISSIONER SPARKS: I did too.
35 COMMISSIONER CLARK: Okay.
36 CHAIRMAN WAITS: Okay. Well, number one, we can't do a
37 resolution today because it's not for action.
38 COMMISSIONER CLARK: Because you stopped it.
39 CHAIRMAN WAITS: Okay. Well --
40 SHERIFF RON UNGER: Well, I would request that the county

1 commission put me back on for the next county commission
2 meeting.

3 CHAIRMAN WAITS: Okay.

4 Okay. Well, let me -- let me finish my comments if I may.

5 Number one, I certainly agree with everything that you're
6 saying. And, yes, I'm NRA and CCW and the whole works. And
7 there isn't anything that I disagree with except the vehicle by
8 which we're doing it.

9 Number one, when we took, as elected officials. So we took
10 the oath to support our federal government and to support our
11 state laws.

12 COMMISSIONER SPARKS: No, it's the Constitution.

13 UNIDENTIFIED PARTICIPANT: Constitution.

14 UNIDENTIFIED PARTICIPANT: Constitution.

15 COMMISSIONER CLARK: The --

16 COMMISSIONER SPARKS: The --

17 COMMISSIONER CLARK: -- Constitution.

18 COMMISSIONER SPARKS: -- Constitution.

19 UNIDENTIFIED PARTICIPANT: Con- --

20 UNIDENTIFIED PARTICIPANT: No.

21 UNIDENTIFIED PARTICIPANT: The Constitution.

22 CHAIRMAN WAITS: The constitution --

23 COMMISSIONER SPARKS: It wasn't the governor's --

24

25 (Indiscernible simultaneous conversations.)

26

27 CHAIRMAN WAITS: -- of Nevada.

28 COMMISSIONER SPARKS: -- constitution.

29 CHAIRMAN WAITS: Yes.

30 COMMISSIONER SPARKS: That's right.

31 CHAIRMAN WAITS: Okay.

32 UNIDENTIFIED PARTICIPANT: Not the federal government.

33 CHAIRMAN WAITS: But the --

34 UNIDENTIFIED PARTICIPANT: Yeah.

35 CHAIRMAN WAITS: -- biggest thing is that this a turning
36 point in Nevada government. This isn't just one. I mean, we
37 understand what's at the legislature. We understand what's
38 coming down, that we have two representatives for the whole
39 northern area. And -- and this is just the beginning. And
40 that's probably the scariest part of all.

1 And I know that -- that folks want us to make a very
2 formal, strong statement back to what's been happening. And I
3 understand that.

4 But here's what scares me. Legally if we do that and we
5 say oh, here's a (indiscernible) list. Here's a resolution.
6 We're sanctuary. We are not going to enforce this. I'm
7 concerned as an elected official only, not personally -- as an
8 elected official I'm concerned about the liability of my county.
9 Because if I do that and somebody here sells a gun to somebody
10 here, and they go to Reno and they kill two people and the first
11 thing they say is, "What? No background checks? What county
12 did you get it from?" And all of a sudden we've got lawsuits up
13 the gazebo that we will never, ever have the money to protect us
14 on.

15 Now, personally, as I said, from a personal opinion, I
16 agree with absolutely everything. I do not think the county
17 vehicle is the way to do that. So why don't we do something
18 else? Why don't we bring the lawsuit? That's where it's going
19 to be. It's going to be decided in the courts. It's not going
20 to be decided by a resolution.

21 COMMISSIONER CLARK: Well, as I -- you --

22 CHAIRMAN WAITS: If you --

23 SHERIFF RON UNGER: May I --

24 CHAIRMAN WAITS: -- want --

25 SHERIFF RON UNGER: -- comment on that, please?

26 CHAIRMAN WAITS: Yeah. But let me finish. If you want to
27 bring a lawsuit -- if you want all the rest of us that voted
28 against this law -- and -- and 16 counties did, we voted against
29 it -- maybe we should try and kick Clark County out of the
30 state. Maybe we should be our own. There's lots of vehicles
31 out there and maybe that's where we should be looking at is
32 something more serious that can be determined in a court of law.
33 That's all.

34 COMMISSIONER CLARK: And what --

35 SHERIFF RON UNGER: Well, my --

36 COMMISSIONER CLARK: -- it would --

37 SHERIFF RON UNGER: -- com- -- comment on that, you're
38 talking about that SB 143. There's a lot of loopholes in that
39 SB 143. There's a lot of stuff that -- that they're saying law
40 enforcement will do this and law enforcement will do that. A

1 lot of it is a burden of proof that falls in here. I can sell
2 you a gun right now today and -- and we're not going to do a
3 background check. And you could take that gun and go to Reno
4 and do whatever you did. How are they going to prove that I own
5 that gun? There is no gun registration. There is no back --
6 way you can back that up at this point in time. And this is
7 what this bill is for. They want a federal registry to where
8 all of us have to register our firearms, which a lot of people
9 are not going to do that, to put it straight. But --

10 The bottom line is that was their toehold in the door. All
11 right. And if we don't stand up and say we're not going to
12 stand for this -- because now it's rolled down to that you've
13 got to be 18 years of age to walk -- to go hunting with a rifle
14 without an adult with you. They want you to be 16 years old to
15 vote but yet you can't carry a rifle and go hunting? But you
16 can buy a hunting license at 12 years old? You know, they're
17 making all these laws that are not enforceable and it's going to
18 affect every one of us.

19 And I -- and I think that Lander County needs to stand up
20 and say, "Legislature, we're putting you on notice." Here it
21 is. It's a resolution.

22 COMMISSIONER CLARK: I agree, Ron.

23 SHERIFF RON UNGER: And -- and I think we -- we owe our
24 citizens that elected us to protect their rights and defend and
25 protect the Constitution of the United States --

26 COMMISSIONER SPARKS: And they took the same oat --

27 SHERIFF RON UNGER: -- and the state --

28 COMMISSIONER SPARKS: -- that we --

29 SHERIFF RON UNGER: -- of Nevada.

30 COMMISSIONER SPARKS: They took the same oath we took.

31 COMMISSIONER CLARK: Yes.

32 SHERIFF RON UNGER: We owe it to our citizens to do what we
33 said we were going to do.

34 COMMISSIONER CLARK: You know what, Ron, I owe it to myself
35 so I can look myself in the mirror knowing --

36 SHERIFF RON UNGER: Exactly.

37 COMMISSIONER CLARK: -- that I lived up to my oath to
38 protect the state --

39 SHERIFF RON UNGER: Well, --

40 COMMISSIONER CLARK: -- and the federal constitution and to

1 back you 100 percent.

2 SHERIFF RON UNGER: Well, here's what's happening with some
3 of these laws that they're trying to pass at this point in time.
4 They're trying to make it to where law enforcement can go into
5 somebody's house without due process of law and seize and
6 confiscate their guns. And what that essentially does is put a
7 target on every single one of our deputies because somebody
8 knows they're coming over there, they're going to be ready for
9 them and they're not going to give them the guns. They're going
10 to give them the smoking end of that sucker. So now I put my
11 deputies in a position to get shot and killed. Where's the
12 liability on that?

13 Or better yet, if they do wind up in a shootout, there's
14 going to be a lot of people that get hurt possibly. The
15 citizens that are not law-breaking citizens, they own a gun.
16 And -- and the red flag law says that, oh, he's acting stupid
17 over there. We need to go take his guns.

18 We -- we need to stop all of this. We need to take a
19 stance and say we're not in it. And that's what I'm here to do.

20 CHAIRMAN WAITS: And I agree --

21 SHERIFF RON UNGER: So --

22 CHAIRMAN WAITS: -- we need to take a stand. I just didn't
23 want it that way. Because remember -- remember actually in the
24 Declaration of Independence when all of our forefathers signed
25 and they signed with "our lives, our fortune, and our sacred
26 honor." And that right there was exactly what happened with the
27 revolution.

28 And -- and I'm for it individually. I will sign if every
29 person in this county wants to sign. And I bet there's less
30 than one percent of the whole county that really doesn't know
31 what's going on or care or that is against it. I really do. I
32 think everyone is for something like this.

33 I just wanted another option to go another way. And if --
34 if we s- -- if every person in -- in the whole county signed it,
35 sent it to them, that wouldn't be strong enough?

36 SHERIFF RON UNGER: I think -- I think we need a
37 resolution. And I think that the counties that we're dealing
38 with -- or the 15 or 16 counties within the state of Nevada, I
39 know that possibly -- I know that 15 has already signed or will
40 sign the letter from the Nevada State sheriffs and chiefs to the

1 legislature, the stand that they're taking. I understand Washoe
2 will sign it.

3 Now I talked to the sheriff, Darren, there, and he's all
4 for it. But whether his county commissioners will go for it, I
5 do not know.

6 Clark County, we've talked to Joe Lombardo. And there's no
7 way that they're going to allow anything like this to go on down
8 there.

9 So what we're looking at is if 15 counties or 16 band
10 together, there is going to be lawsuits. Nye County right now
11 is trying to start the lawsuit as we speak. But there'll be 15
12 of us that go on that lawsuit. It won't be individual.

13 COMMISSIONER CLARK: Yes.

14 SHERIFF RON UNGER: It'll be case --

15 CHAIRMAN WAITS: And that's okay. It's a county with --

16 SHERIFF RON UNGER: Help me out.

17 CHAIRMAN WAITS: -- a lawsuit.

18 SHERIFF RON UNGER: Case law?

19 DEPUTY DISTRICT ATTORNEY FORGERON: Uh-huh.

20 SHERIFF RON UNGER: It'd be all of us together going
21 against them.

22 CHAIRMAN WAITS: And, yes, we should. And that's the way
23 it has to go. I'm --

24 SHERIFF RON UNGER: That's exactly --

25 CHAIRMAN WAITS: -- I'm all --

26 SHERIFF RON UNGER: -- where it's --

27 CHAIRMAN WAITS: -- for that.

28 SHERIFF RON UNGER: -- headed.

29 CHAIRMAN WAITS: Absolutely. It was just --

30 COMMISSIONER SPARKS: If I could point out, we're already
31 -- we're already sending a message. And that's exactly this
32 whole impeachment thing. We're -- because it's -- it's a threat
33 to them.

34 SHERIFF RON UNGER: Well, they're trying to impeach --

35 CHAIRMAN WAITS: Yeah.

36 SHERIFF RON UNGER: -- all the sheriffs right now. Or the
37 15 county sheriffs.

38 COMMISSIONER CLARK: We -- can we get Dan --

39 SHERIFF RON UNGER: And the --

40 COMMISSIONER CLARK: -- Reid on the -- on the phone? He's

1 been --

2 SHERIFF RON UNGER: Sure.

3 COMMISSIONER CLARK: -- waiting.

4 SHERIFF RON UNGER: I'm -- I'm done speaking anyway.

5 CHAIRMAN WAITS: Okay. And we'll open up to public comment

6 in just a moment.

7 COMMISSIONER ANCHO: He's not (indiscernible).

8 COMMISSIONER CLARK: Dan?

9 DAN REID: Yes?

10 COMMISSIONER CLARK: Sorry to make you wait so long. Could

11 you give us a legislative update on Nevada and tell us the

12 significance of the decision on the magazine issue in

13 California?

14 DAN REID: Sure. First of all, Commissioners, thank you

15 for -- for patching me in here today. I'm actually standing

16 right outside the capitol building as we speak.

17 As you know, this Friday -- or tomorrow -- is -- is the

18 policy committee deadline for (indiscernible) of origin.

19 I heard some discussion on the red flag law or the precrime

20 bill, depending on how you want to -- to decipher. That is

21 the -- the bill that would allow third-party allegations to be

22 used to remove someone's Second Amendment rights, not because of

23 a criminal conviction or an ill adjudication. That bill appears

24 to be dead at this time. It has not had a hearing. That was

25 SB 120. So that is good news. It doesn't appear to be moving

26 forward.

27 The biggest bill of concern right now is AB 291. That's

28 the omnibus gun bill. It's -- it does a few different things.

29 Number one, it prohibits firearm modifications on

30 semiautomatic handguns, rifles, shotguns. And it -- the effect

31 of that, they've -- they've been portraying it as a bump stock

32 ban. It's so much beyond. It's so far beyond bump stocks.

33 It's going to include many common firearm modifications, such as

34 trigger adjustments, trigger jobs, after-market triggering, et

35 cetera. It would be effective upon passage. And it would be a

36 felony to possess a firearm with those sorts of modifications.

37 Right now, that bill has not been scheduled for work

38 session. It was heard last Monday. We anticipate that it will

39 be scheduled for work session tomorrow.

40 The other portion of that bill is the preemption repeal

1 which would allow for localities to infringe. As you're aware,
2 preemption is incredibly important to the state of Nevada. It
3 ensures consistency in gun laws throughout the state.
4 Preemption's been on the books for -- for several decades.
5 Originally passed in the late 1980s to -- to ban localities for
6 passing further local ordinances. It -- it grandfathered in
7 some of those. In the early 2000s, it was amended again that
8 government -- any grandfathered ordinances that only maintain
9 the Clark County and blue card system.

10 That was again amended. That law was again amended in
11 2016, which provided an enforcement mechanism for firearms
12 preemption to ensure that there was consistency and got rid of
13 the blue card system.

14 So you have one consistent firearm law throughout the
15 state, whether you were in Battle Mountain or whether you were
16 in Vegas or Laughlin, you knew exactly what the gun law is.

17 And what 8291 would do would be a full repeal of that,
18 which -- which could really -- there's really no bounds on what
19 a locality could do because there's no constraints. And
20 essentially the legislature would be allowing those localities
21 to start making firearms laws.

22 Now 45 states in -- in the U.S. do have some form of
23 fireman preemption. And it's -- it's good for citizens. It's
24 good for law enforcement. Everyone is aware of what the laws
25 are so you're not subject to different laws by crossing a street
26 or -- or crossing a highway.

27 There is rumor that there is going to be amendments on the
28 bill; however, the amendments have not been made public.

29 As of this time, I think there was some discussion earlier
30 that you had on the pro- -- proposed amendment that was floated
31 during the hearing that on the preemption portion that basically
32 would say that what the legis- -- that the legislature was doing
33 would be a floor so that Lander County, for example, couldn't
34 err on the -- the individual right of firearm ownership and --
35 and have gun laws that were -- were -- were better for the
36 individual.

37 So -- so that's -- that's what's happening right now.
38 There's also a -- a storage bill, 8153. There's also rumors of
39 amendments on that. That has not been scheduled either.

40 So the next few hours should tell us a lot about how things

1 are going to proceed.

2 CHAIRMAN WAITS: Thank you.

3 DAN REID: And --

4 CHAIRMAN WAITS: So --

5 DAN REID: -- happy to answer any questions. And you --
6 you asked about the Ninth Circuit decision on -- that's the
7 *Duncan v. Becerra* case out of California. Did you want me to
8 talk about that briefly?

9 COMMISSIONER CLARK: Yeah. Would you --

10 CHAIRMAN WAITS: Yes.

11 COMMISSIONER CLARK: -- please, Dan?

12 DAN REID: Okay. So California passed a ban on the
13 purchase of standard fast feed magazines or (indiscernible) high
14 (indiscernible), anything that held -- holds more than ten
15 rounds in 2000. However those who had magazines that held more
16 than 10 rounds, those -- those are grandfathered in and they can
17 continue to possess them and utilize them.

18 In 2016 via Prop 63 as well as a piece of legislation,
19 they -- they required either the surrender, destruction, or sell
20 out of state of any magazines capable of holding more than ten
21 rounds.

22 That was challenged in court in that *Duncan v. Becerra*
23 case. There was initially an injunction that went into effect
24 in June of 2017. And then about two weeks ago, the judge in
25 that case ruled that the entire statute there was
26 unconstitutional.

27 So for about a week in California, people could go out
28 and -- and purchase magazines that were capable of holding more
29 than ten rounds.

30 The attorney judge general in California filed for an
31 emergency stay and a notice of appeal that following Monday.
32 The judge granted the stay on that case and said by Friday at
33 5:00 p.m. -- this was last Friday -- that by that time, you --
34 you had to purchase your magazines by that time or else the
35 state would go into effect. People who purchased the magazines
36 during that time period were -- were going to be okay. They
37 were covered by this day so they weren't at risk of violating
38 the current law.

39 And so right now that poor -- or that case is going to go
40 to the next level for an appeal.

1 CHAIRMAN WAITS: Thank you. I'm going to open it up to
2 public comment --

3 COMMISSIONER ALLAN: Patsy?

4 CHAIRMAN WAITS: -- now.

5 COMMISSIONER ALLAN: Can I?

6 CHAIRMAN WAITS: Yes, Commissioner Allan.

7 COMMISSIONER ALLAN: Okay. So just simple math here. Ron,
8 you said 87 percent of the county opposed --

9 SHERIFF RON UNGER: In 2016 --

10 COMMISSIONER ALLAN: -- (indiscernible).

11 SHANNON BERUMEN: -- it was 86.65 percent.

12 COMMISSIONER ALLAN: Okay. So, like I said, rough math
13 here. The town hall meeting last week, over 400 people. That
14 is almost a quarter of the voters that voted against that --
15 that law. And I think that says a lot about Lander County that,
16 like I said, almost 25 percent of the voters represented
17 themselves at the town hall meeting in opposition of this bill
18 and to support our sheriff.

19 And we may have taken an oath to even support the state
20 constitution. But, more importantly, the U.S. Constitution, but
21 also our constituents. And our constituents are telling us what
22 they want.

23 CHAIRMAN WAITS: Thank you.

24 Public comment?

25 Please come up.

26 SAMME ENGELSON: Samme Engleson.

27 I think the reason that the -- well, the reason I'm here is
28 I want to know that the people I voted for are representing us.
29 I own guns. But if someone -- if I sell it to someone or they
30 steal my gun, I didn't pull that trigger. The bad guys are
31 going to always have guns.

32 So I think by having a resolution, we feel -- or I feel that
33 we're taking a stand. We're trying to protect ourselves.

34 COMMISSIONER CLARK: When I went to testify against SB 143,
35 the Sandy Hook attorney was there. And he said, we know that
36 these laws are not going to stop crime. What we want is a
37 culture of compliance. That's their goal, compliance.

38 SAMME ENGELSON: Protecting the criminals is what they're
39 doing.

40 COMMISSIONER CLARK: There.

1 CHAIRMAN WAITS: Thank you.
2 COMMISSIONER CLARK: You're talking to the --
3 SAMME ENGELSON: Hey, Ron.
4 COMMISSIONER CLARK: -- choir here, Samme.
5 COMMISSIONER ALLAN: Eddyann, did you --
6 EDDYANN FILIPPINI: Go ahead, Sheldon. I'll --
7 SHELDON MUDD: Thank you.
8 EDDYANN FILIPPINI: I'm game.
9 SHELDON MUDD: I'm Sheldon Mudd, for the record.
10 I'm here today to represent myself and my family and my
11 extended family who didn't make it, the Petersons, here in town
12 as Lander County residents.
13 I am a student of history. As a matter of fact, I have a
14 master's degree in the subject. And I don't say that to boast
15 but just to validate my testimony this morning.
16 I -- in all my studies of history, I do not recall any
17 civilization, empire, or kingdom who has ever restricted or
18 confiscated the weaponry of its citizenry for the purpose of
19 their safety and security.
20 Rather these acts have always been taken for the purpose of
21 compliance and subjugation.
22 Our country has seen its share of tragedy in the last two
23 decades in my adult life: Columbine, Virginia Tech, Newtown,
24 Orlando, San Bernardino, Parkland, and closer to home here in
25 Las Vegas.
26 These are terrible events and have stirred up the emotions
27 of the American people -- people and rightfully so.
28 We have a problem in this country that needs addressed.
29 Unfortunately, hasty emotional responses usually lack legitimate
30 reasoning -- reasoning and sound logic.
31 We have seen this in various states, including Nevada,
32 where legislators are attempting to pass bills that, number one,
33 fail to address the real motive behind the tragic events and,
34 two, make criminals out of individuals like me, someone who has
35 dedicated much of my adult life to public service, first, as a
36 United States military member, an active member of my church,
37 and a regular community volunteer right here in Battle Mountain
38 and in other communities here in northern Nevada and southern
39 Idaho.
40 You can't fight crime by creating more criminals.

1 Our second president, John Adams, said, "Facts are stubborn
2 things; and whatever may be our wishes, our inclinations, or the
3 dictates of our passions, they cannot alter the state of facts
4 and evidence."

5 According to a 2010 CDC report and a study by the
6 Northwestern University School of Law, for every one person
7 killed by homicide, accident, or suicide using a firearm, over
8 80 are saved, whether by firing a weapon or simply by
9 brandishing it.

10 A recent study published in the Harvard Journal of Law and
11 Public Policy concluded that there is a negative correlation
12 between gun ownership and violent crime in countries
13 internationally. With just one exception -- one exception,
14 every public mass shooting in the United States since 1950 has
15 taken place where citizens are banned from carrying guns.

16 More guns equal less crime.

17 Another one of our Founding Fathers, Thomas Jefferson, said
18 the following when referring to western expansion: By enlarging
19 the empire of liberty, we multiply its auxiliaries and we
20 provide new sources of reno- -- renovation, should its
21 principles at any time gen- -- degenerate in those portions of
22 our country, which gave them birth.

23 At the time Jefferson recognized the influence of Eur- --
24 Europe's aristocratic feudalism and could have -- that
25 aristocratic feudalism could have on the eastern portions of the
26 United States. And he wholeheartedly strove to develop a nation
27 into an agrarian society that could balance out any corruption
28 through hard work and common sense.

29 Unfortunately, the principles that Jefferson spoke of are
30 eroding before our very eyes, especially in the urban areas of
31 the United States.

32 As Jefferson stated, it will be up to our rural, local
33 governments -- you -- to ensure that these principles are
34 maintained and that our rights as American citizens are secured.

35 For these reasons, I support any resolution that defends
36 our Second Amendment rights or any of our rights as outlined by
37 the United States Constitution. It's time to draw that line in
38 the sand.

39 COMMISSIONER CLARK: Thank you very much.

40 Wait. Hold on a second. Hold on.

1 SHELDON MUDD: Yes, sir.
2 COMMISSIONER CLARK: I never had the pleasure of meeting
3 you. Thank you for your presentation.
4 But I want you to meet my wife Cindy Clark.
5 We never blamed the gun for the murder of our son. Never.
6 And that's why we campaign, crusade against this gun control
7 stuff. It's not the gun.
8 UNIDENTIFIED PARTICIPANT: It's the person.
9 SHELDON MUDD: Thank you.
10 COMMISSIONER SPARKS: Thank you, Sheldon.
11 SHERIFF RON UNGER: Thank you, Sheldon.
12 CHAIRMAN WAITS: Thank you.
13 EDDYANN FILIPPINI: Thank you, Sheldon.
14 My name is Eddyann Filippini. And I support Ron. And I'm a
15 Lander County resident.
16 If you guys do not stand up for this, stand up for our
17 Constitution, and all of the rights given to us. It's not just
18 our guns. The State of Nevada gives a pinch of shit about
19 Lander County.
20 UNIDENTIFIED PARTICIPANT: Yep.
21 EDDYANN FILIPPINI: They want your water. They want your
22 gun. And they want our money.
23 So until you get it, but -- thank you for -- for -- for
24 this. But they're coming for us -
25 And this is -- this is just a -- this is a big door. It's
26 not a little door. It's a big door.
27 COMMISSIONER CLARK: They --
28 EDDYANN FILIPPINI: So please --
29 COMMISSIONER CLARK: -- think it was a big deal trying to
30 get cattle?
31 EDDYANN FILIPPINI: I -- that -- you know what? It's --
32 COMMISSIONER ALLAN: It's --
33 EDDYANN FILIPPINI: -- it's our right to make a living.
34 But you want it -- your water's next. Or it's coming. It's
35 already here.
36 UNIDENTIFIED PARTICIPANT: Yeah.
37 EDDYANN FILIPPINI: And then it's going to be your money.
38 UNIDENTIFIED PARTICIPANT: Whoa.
39 COMMISSIONER SPARKS: Thanks, --
40 SHERIFF RON UNGER: Thanks, --

1 COMMISSIONER SPARKS: -- Eddyann.
2 SHERIFF RON UNGER: -- Eddyann.
3 CHAIRMAN WAITS: Thank you.
4 COMMISSIONER CLARK: Thanks for coming today, Cliff.
5 This is Cliff Eklund from Elko County Commissioners.
6 CLIFF EKLUND: Thank you very much.
7 I wanted to recognize Commissioner Allan for
8 bringing up 291. It started out as a bump stock law, which was
9 frivolous in the first place because it had already been made
10 illegal federally.
11 But it -- it manifested itself into several other things,
12 including the -- let me quote from this bill.
13 This bill repeals such state preemption of authority of
14 counties, cities, and towns to regulate the transfer, sale,
15 purchase, possession, carrying, ownership, transportation,
16 storage, registration, licensing of firearms, firearm
17 accessories, and ammunition.
18 That takes away a lot of authority from local government,
19 like Mr. Mudd was just saying.
20 This started out as a bump stock law. It's moved into
21 accessories.
22 One lady testified on 291 last Monday when they had the --
23 when they brought it forward that it was just discriminatory
24 against women. It -- it -- because factory guns, sometimes the
25 triggers are too stiff for a -- a woman to pull the trigger and
26 they can't modify that trigger to where it'd make it easier for
27 them to pull the trigger. It -- it makes them defenseless
28 against sexual crimes or domestic violence. I don't know if --
29 that that's a fact. But that's just what she said.
30 There's several things in -- in 1- -- in 291 that have no
31 common sense, as far as I'm concerned.
32 You know, it just -- it -- NRS's 202.350 is hereby amended to
33 read as follows. Except as otherwise provided in this section and
34 to 202.3653 to 202.369, inclusive, a person within this state
35 shall not: Manufacture or cause to be manufactured, or import
36 into the state, or keep or expose for sale, or give, lend, or
37 possess any instrument or weapon of -- of the kind commonly --
38 commonly known as blackjacks, slugshot, billy, sand-club,
39 sandbags, or metal knuckles.
40 What's that got to do with guns? You know?

1 They -- they went into a real broad, encompassing
2 legislation. 153 would make it illegal for a ranch kid, for
3 example, to go out and shoot --

4 CHAIRMAN WAITS: Uh-huh.

5 CLIFF EKLUND: -- coyote or squirrels, protecting his
6 herds, unless they're in -- in -- in custody of their -- of
7 their parent, guardian, or someone that's assigned to them.

8 153 says they can be in possession of a gun if they've got
9 a hunting license and they're going to and from the area that
10 they're allowed to hunt.

11 But as far as I know, there are no licenses for predators.
12 So that ranch kid could not saddle up a horse, throw a gun in
13 his scabbard, and go out and check cows in case he seen a coyote
14 attacking a -- one of his cows. He couldn't shoot that coyote
15 because there's no license. And he wouldn't be going to and
16 from unless he's on private ground that he's got written
17 permission to be on.

18 So we voted, at the Elko County Commission, 5-0 to support
19 the Second Amendment.

20 And I've known Ron for -- since the late '80s.

21 SHERIFF RON UNGER: Early '80s.

22 COMMISSIONER CLARK: We're sorry.

23 CLIFF EKLUND: Early '80's.

24 UNIDENTIFIED PARTICIPANT: Yeah.

25 CLIFF EKLUND: And I don't think that he would propose
26 anything to you people that would hurt you or the county.

27 And -- and I think he would -- anything he proposes would be
28 to support the constituents that voted him in.

29 We took an oath, you know, to support the Constitution of
30 the United States. And that constitution says that it's the law
31 of the land. And any law that is written by state or county
32 that is -- that does not -- that is outside of the constitution
33 is not a legal law.

34 So I think this is an infringement on our Second Amendment
35 rights. I think this is going to be settled in the courts. It
36 has to be settled in the courts.

37 This is a vehicle to send con- -- Carson City a -- a very
38 strong message. And it also bonds together all the counties and
39 makes a partnership of all the counties.

40 So we're not in this alone, one county fighting. You've

1 got 14 counties fighting 14 separate battles. This makes -- in
2 my opinion -- this makes 14 counties fighting one battle, --
3 CHAIRMAN WAITS: Uh-huh.
4 CLIFF EKLUND: -- bonding together.
5 COMMISSIONER CLARK: Absolutely.
6 CLIFF EKLUND: So -- so --
7 COMMISSIONER CLARK: I agree a --
8 CLIFF EKLUND: And it --
9 COMMISSIONER CLARK: -- hundred percent.
10 CLIFF EKLUND: And it makes a stronger statement when we're
11 all making that statement.
12 COMMISSIONER CLARK: Absolutely.
13 COMMISSIONER ALLAN: Cliff, --
14 CLIFF EKLUND: So --
15 COMMISSIONER ALLAN: -- can I ask you -- correct me if I'm
16 wrong. Part of the verbiage of that talks about, as you
17 mentioned, the different weapons. It -- it mentions machine
18 guns and then it also mentions semiautomatic.
19 CLIFF EKLUND: Right.
20 COMMISSIONER ALLAN: And basically, the way I interpreted
21 it was the only guns allowed would be single pull, one bullet.
22 That -- that it -- it's -- you know, you're not getting that --
23 that gas --
24 CHAIRMAN WAITS: Uh-uh.
25 COMMISSIONER ALLAN: -- kickback.
26 CLIFF EKLUND: Right. You --
27 COMMISSIONER ALLAN: So --
28 CLIFF EKLUND: A -- a fully automatic or what they're
29 calling machine guns or fully automatics would be illegal.
30 Or if you altered that gun to make it a simulated with bump
31 stocks or any other thing that would be illegal.
32 COMMISSIONER ALLAN: But I guess what I was thinking
33 is kind of like, you know, your 10/22s.
34 CLIFF EKLUND: Yes.
35 COMMISSIONER ALLAN: Is you pull the trigger, it ejects, it
36 reloads.
37 CLIFF EKLUND: Right.
38 COMMISSIONER ALLAN: Is the way I took it -- and I'm not
39 sure, like I said, correct me if I'm wrong -- is -- is the way
40 they want it is almost like a single shot rifle is you shoot,

1 you have to reload another bullet manually.
2 CLIFF EKLUND: No.
3 COMMISSIONER ALLAN: Okay.
4 CLIFF EKLUND: It says --
5 UNIDENTIFIED PARTICIPANT: Not yet.
6 CLIFF EKLUND: -- it says you pull the trigger in --
7 UNIDENTIFIED PARTICIPANT: At least --
8 CLIFF EKLUND: -- a separate action.
9 UNIDENTIFIED PARTICIPANT: -- not yet.
10 CLIFF EKLUND: So --
11 UNIDENTIFIED PARTICIPANT: After you pulled it.
12 CLIFF EKLUND: -- you could have --
13 COMMISSIONER CLARK: That would be semiautomatic.
14 CLIFF EKLUND: -- a semiautomatic in a separate action.
15 What they're saying is the gun is loaded, considered
16 loaded, which it's not now considered a loaded gun, is if you
17 have shells in the magazine, that's considered a loaded gun.
18 If it's a revolver, if there's shells in the cylinder,
19 that's a loaded gun.
20 CHAIRMAN WAITS: Uh-huh.
21 CLIFF EKLUND: And -- and -- but a s- -- you can have a
22 semiautomatic, but it -- you can't do anything to convert it
23 where you take that separate action of pulling the trigger.
24 COMMISSIONER ALLAN: One --
25 CLIFF EKLUND: Yeah.
26 COMMISSIONER ALLAN: -- one pull, one shot.
27 CLIFF EKLUND: Right.
28 So --
29 CHAIRMAN WAITS: Thank you, --
30 COMMISSIONER CLARK: Well, I --
31 CHAIRMAN WAITS: -- Commissioner.
32 CLIFF EKLUND: Thank you.
33 COMMISSIONER CLARK: Do you have anything you'd like to
34 say?
35 Hy, I -- I couldn't hear you. You had some?
36 DEPUTY DISTRICT ATTORNEY FORGERON: Yes, I -- I -- if -- if
37 I may make my remarks from here, Madam Chairman?
38 CHAIRMAN WAITS: Please.
39 DEPUTY DISTRICT ATTORNEY FORGERON: I have two comments.
40 The -- the first is a personal comment. And I've thought

1 about this issue for a long time. I'm -- I'm a life member of
2 the NRA.

3 If anyone thinks that the remarks about saving lives with
4 firearms aren't true, all you need to do is read the Armed
5 Citizen, which appears in the front of each of the issues of the
6 NRA publications?

7 I have come to the conclusion -- and I own a number of
8 firearms -- that my government has nothing to fear from my weapons
9 as long as they are my government.

10 COMMISSIONER SPARKS: Yeah.

11 DEPUTY DISTRICT ATTORNEY FORGERON: The second remark is
12 one that has to do with the office that I happen to hold right
13 now.

14 I, like the sheriff and the folks who are sitting up here,
15 took an oath. And I think I remember most of it. I've taken it
16 a number of times.

17 Basically what it says is that I do solemnly swear that I
18 support, protect, and defend the Constitution of the United States
19 and of the state of Nevada against all enemies, foreign and
20 domestic.

21 Now, here's where I think it gets more interesting. It
22 requires me to do two more things in that oath.

23 It says that I will do what I just swore to do. Any law,
24 ordinance, or resolution to the contrary, notwithstanding.

25 And it further goes on to say that I will well and truly
26 perform the duties of the office of which I am about to enter,
27 so help me God.

28 So it's easy to say that we support, protect, and defend
29 the constitutions. They are our supreme law.

30 But it also says that if there's a law that's contrary to
31 that, it's your duty to disregard that if it conflicts with the
32 constitution.

33 And it goes on to say at the end that it's part of your
34 office to make that evaluation and perform that duty.

35 The legislators in Carson City, whom I very much disagree
36 with, who are attempting to pass these particular laws, are
37 violating their oath of office.

38 I will not violate mine because they violated theirs.

39 We appreciate your support. Thank you.

40 COMMISSIONER CLARK: I have a question for you, Hy.

1 Can your office craft a resolution to support what the
2 voters in Lander County want?

3 DEPUTY DISTRICT ATTORNEY FORGERON: I've already talked to
4 Ron about this. He has an awful lot of background information
5 on it.

6 I reviewed the resolution that he gave me. And I might
7 make a change or two. But I'll do it in consultation with the
8 sheriff.

9 There -- there was one more thing I'm sorry I neglected to
10 say. There's been some talk in the -- especially in the press
11 about sanctuary counties.

12 What I think that we're trying to do here is not create a
13 sanctuary county. We don't expect people to come to Lander County
14 because we'll treat them in a different fashion than other
15 counties do. What we're trying to do is affirm our beliefs in a
16 certain matter and express that to the rest of the state. So if
17 you have concerns about sanctuary counties, that's not what we're
18 about.

19 CHAIRMAN WAITS: Thank you.

20 COMMISSIONER CLARK: So we want to be a constitutionally
21 correct county.

22 DEPUTY DISTRICT ATTORNEY FORGERON: Yes.

23 CHAIRMAN WAITS: With that, we're going to be taking a
24 break in a moment. So I think we had a couple more people that
25 wanted to speak if you will.

26 FRANK WHITMAN: Austin here.

27 COMMISSIONER CLARK: Frank.

28 CHAIRMAN WAITS: One second, Austin. We'll be right with
29 you.

30 FRANK WHITMAN: Okay. Thank you.

31 COMMISSIONER CLARK: How you doing, Skosh?

32 RICHARD PETRUZATES: Fine. Thank you.

33 My name's Richard Petruzates, aka Skosh.

34 And I am here in support of the resolution that's being
35 drafted. And I think the majority of this county and the city
36 are also.

37 And I have more than a comment. I think I have a question.
38 And my question to each of you on the Board of Commissioners is:
39 How do you stand if this resolution comes up for a vote? I
40 think that's what we would like to know, if we're going to be

1 back on what we believe or not.
2 So at this point, if this is not inappropriate, how do each
3 of you stand on this resolution as it comes? And are you going
4 to support it?
5 COMMISSIONER CLARK: Hy?
6 DEPUTY DISTRICT ATTORNEY FORGERON: If I could make --
7 COMMISSIONER CLARK: Yeah.
8 DEPUTY DISTRICT ATTORNEY FORGERON: -- a comment here.
9 CHAIRMAN WAITS: We need a legal opinion.
10 DEPUTY DISTRICT ATTORNEY FORGERON: Because it's not down
11 for an action item on the agenda, it seems to me it would be a
12 violation of the open meeting law to poll the county
13 commissioners who are not able to discuss and -- and make a
14 ruling on it at this time.
15 There wouldn't be anything wrong, I don't think, with a
16 commissioner saying, in general, I support the Second Amendment
17 and the right of the citizens to keep and bear arms. But to
18 make a comment on, I would support a particular resolution, I
19 think we can't do that at this moment.
20 RICHARD PETRUZATES: Okay.
21 COMMISSIONER CLARK: Yeah. We -- that's a technicality.
22 But you know how I feel.
23 COMMISSIONER SPARKS: Yeah. You know where I --
24 RICHARD PETRUZATES: Yes, sir.
25 COMMISSIONER SPARKS: -- stand.
26 COMMISSIONER ANCHO: Yeah. Me too.
27 RICHARD PETRUZATES: Okay.
28 DEPUTY DISTRICT ATTORNEY FORGERON: I think it's pretty
29 obvious.
30 RICHARD PETRUZATES: Well, not totally. Okay.
31 CHAIRMAN WAITS: Thank you.
32 SHERIFF RON UNGER: Thank you, --
33 COMMISSIONER CLARK: Thanks, Skosh.
34 SHERIFF RON UNGER: -- Skosh.
35 CHAIRMAN WAITS: Yes, Austin? Frank, y'all had something?
36 FRANK WHITMAN: Frank Whitman here in Austin, a citizen of
37 Austin and Lander County and the United States.
38 I fear that had our patriots back in 1776 that had listened
39 to the lawyers, we would still be a colony of socialist England.
40 I think it's clear to anybody that the sacred document that

1 we call our constitution is as clear today -- as it was as clear
2 when they wrote it that -- that what our Second Amendment rights
3 mean then, means the same today.
4 Thank you.
5 COMMISSIONER CLARK: Thanks, --
6 COMMISSIONER SPARKS: Thanks, Frank.
7 COMMISSIONER CLARK: -- Frank.
8 CHAIRMAN WAITS: Thank you.
9 Any- -- anybody else in Austin, Miteshell?
10 FRANK WHITMAN: Nope. That's it.
11 CHAIRMAN WAITS: Okay. Thank you.
12 Anyone else?
13 COMMISSIONER CLARK: Come on up, Bert.
14 BERT RAMOS: Bert Ramos, for the record.
15 So we've seen it numerous times where they go around the
16 other way. And I've heard the constitution brought up over and
17 over again. And I think that maybe we should just become a
18 constitutional county.
19 The -- at the end of the day, if they don't get us the
20 Second, then they go to the Fourth. If they don't get us the
21 Fourth, they're going to try somewhere else.
22 I believe that we've got the right guy for the job here
23 with Ron. And -- and we have, you know, the right attorneys and
24 the right people up here. And I don't see why we can't be a
25 constitutional county and -- and uphold the oath that everybody
26 here took. That's just my only comment.
27 I don't think that it should just be Second Amendment,
28 Fourth, Fifth. I think it should be the entire constitution.
29 COMMISSIONER CLARK: Constitutionally --
30 SHERIFF RON UNGER: Will we have time --
31 COMMISSIONER CLARK: -- correct --
32 SHERIFF RON UNGER: -- to do --
33 COMMISSIONER CLARK: -- county.
34 CHAIRMAN WAITS: That's interesting because those were our
35 comments when -- when we first started talking about it a couple
36 months ago.
37 COMMISSIONER ALLAN: So --
38 CHAIRMAN WAITS: Okay.
39 COMMISSIONER ALLAN: -- I do have another --
40 CHAIRMAN WAITS: Commissioners?

1 COMMISSIONER ALLAN: -- comment, --
2 CHAIRMAN WAITS: Yes.
3 COMMISSIONER ALLAN: -- unless there's more public comment?
4 I agree with Bert. Is, you know, we -- we were elected to
5 uphold the constitution. We were up -- elected by the people to
6 represent them.
7 I think it's pretty clear what the people want in this
8 regard.
9 I just want to ask that everybody will be aware of the --
10 the retaliation and to have the community stand behind us if
11 this -- if -- well, regarding this restitution, what comes is
12 going to happen is the state is going to come back with
13 something. And we're going to be prepared for that. But we
14 also want the community to be prepared as well and to support us
15 in that decision because we are representing you. We are
16 listening to what you guys have to say. And this is what you
17 want and go from there.
18 UNIDENTIFIED PARTICIPANT: All in favor?
19 COMMISSIONER CLARK: Come on up. Come on up,
20 Marie.
21 MARIE HUTCHINGS: I just want to ask -- my name's Marie
22 Hutchings -- I just want to ask that this put on the next
23 agenda. I -- I don't think we can wait any longer.
24 COMMISSIONER CLARK: Well, I'm going to ask for it.
25 MARIE HUTCHINGS: I think it needs to be.
26 UNIDENTIFIED PARTICIPANT: Yep.
27 CHAIRMAN WAITS: Thank you.
28 COMMISSIONER SPARKS: Thanks, Marie.
29 BERT RAMOS: Thank you.
30 CHAIRMAN WAITS: Okay. With that --
31 Thank you, all. I know it's an emotional subject. But
32 we -- we understand where you are. And your commissioners
33 will -- will rise to the occasion to take care of it for you,
34 I'm sure.
35 With that, we're going to take a quick ten-minute break.
36
37 (Break taken.)
38
39 CHAIRMAN WAITS: We're going to call the meeting back to
40 order. And we're going to take another one out of order.

1 Keith, is Marcus ready?
2 MARCUS LESBO: Yes.
3 KEITH WESTENGARD: Yes, he --
4 CHAIRMAN WAITS: Okay.
5 KEITH WESTENGARD: -- is.
6 CHAIRMAN WAITS: Great. I didn't see him back there.
7 KEITH WESTENGARD: Oh.

8
9

10 **COMMISSIONERS**

11

12 11) **Discussion and possible action to approve/disapprove the**
13 **interlocal contract between the Department of Conservation**
14 **and Natural Resources, Nevada Division of Forestry, and**
15 **Lander County in the amount of \$208,044 for state fiscal year**
16 **2020 and state fiscal year 2021, and authorize the chair to**
17 **sign, and all other matters properly related thereto.**

18

19 CHAIRMAN WAITS: Okay. We are going to move on to Number
20 11.

21 He had you blocked. I thought maybe you'd stepped out.

22 Discussion and possible action to approve or disapprove the
23 interlocal contract between the Department of Conservation and
24 Natural Resources, Nevada Division of Forestry, and Lander
25 County in the amount of \$208,044 --

26 COMMISSIONER CLARK: Thank you.

27 CHAIRMAN WAITS: -- for the state fiscal year 2020 and
28 state fiscal year 2021, and authorize the chair to sign, and all
29 other matters properly related thereto.

30 KEITH WESTENGARD: So this is our wildland fire protection
31 contract that we've had for several years now.

32 MARCUS LESBO: Yeah.

33 KEITH WESTENGARD: We -- we use it every year. I think
34 you've got -- everybody's pretty aware of that. And it has
35 literally saved Lander County millions of dollars.

36 So I asked Marcus to come and discuss it with you, with the
37 board here.

38 There was an increase in the price. And they are -- they
39 have a -- a formula to show how they came up with that.

40 So with that, I'll give it to Marcus.

1 MARCUS LESBO: Thanks, Keith. For the record, Marcus
2 Lesbo, fire management officer, Division of Forestry.
3 Excuse me.
4 So I presented you a package. And I'll kind of let you
5 follow along with me and show you what exactly we're -- what we
6 did.
7 So the last couple of years we presented this, we never
8 really had a formula to show you what you were spending your
9 money on and why you were spending it.
10 So we were tasked by legislature to come up with a formula
11 that was understandable, defensible, and accurate so that you
12 guys can understand where your money's going. So --
13 Excuse me.
14 Formula used, the west wide wildfire risk assessment to
15 determine hazard fuels in each county based on low-, moderate-,
16 and high-risk acres.
17 So if you want go to this form right here, the longer --
18 COMMISSIONER ALLAN: Second --
19 MARCUS LESBO: -- one.
20 COMMISSIONER ALLAN: -- page?
21 MARCUS LESBO: Yeah. I don't -- I -- this longer one's got
22 the colors on it. So this --
23 CHAIRMAN WAITS: Excuse me.
24 MARCUS LESBO: -- will --
25 CHAIRMAN WAITS: Does Austin --
26 MARCUS LESBO: Sorry.
27 CHAIRMAN WAITS: -- have this?
28 KEITH WESTENGARD: He -- he just got it this morning. No.
29 CHAIRMAN WAITS: Okay. Austin, I'm sorry you don't have
30 this. I'll have to bring it down to you.
31 MITESHELL LANHAM: All right.
32 MARCUS LESBO: And I can leave an extra package. This one
33 I can leave for you guys if you need to. So --
34 So what we did right off the bat is we had to set a target
35 revenue. The target revenue was based on what the state NDF had
36 determined is necessary for operations in the WFPP to support
37 our operations and to s- -- and to suppress wildfires in the
38 state of Nevada.
39 So we had to set that target revenue. What we came up with
40 was 2 1/2 million dollars throughout the state, which is way

1 under what obviously the state pays for wildland fire.
2 So we took the total private acres in each county. And you
3 can see on that one that it has every county and every
4 municipality. So there's nothing hidden. This is exactly what
5 we come up with on the -- on the wildfire risk assessment.
6 So when we went to Lander County, we had 539,770 private
7 acres.
8 So what we did is we subtracted -- right off the top, we
9 subtracted 47,576 no-data acres. And no-data acres include
10 bodies of water, highways, anything that actually will not burn.
11 So 51,000 right off the top.
12 We went with low-risk acres. Those are ones that really
13 don't support wildland fire. You know, they will burn maybe
14 once in a while, but the t- -- but the conditions have to be
15 right, you know, maybe the fuels are spread out too much.
16 But those acres, there was 286,602 low-risk acres in Lander
17 County.
18 The state, we went ahead and subtracted 95 percent of those
19 acres. We came out with a total of 14,330 weighted acres is
20 what we're billing or what we're showing billable for Lander
21 County.
22 With the moderate-risk, there was 160,856. We subtracted
23 50 percent of those acres. Came out to 80,428.
24 And then the high-risk acres are the ones that support the
25 wildland fires in Lander County. That's where the vegetation's
26 high.
27 The issue we're running into across the state, as most
28 people know, is any time the fire burns through, most of the
29 time we get cheatgrass even when we do reseeding. So those
30 high-risk acres across the state are continuing to rise.
31 So we weren't able to subtract any acres off that. So your
32 high-risk acres remain at 44,735.
33 Excuse me. I'm getting over a cold. So --
34 So there was a total, when we added up all those numbers,
35 of 139,493 weighted acres, which is what we have to show as
36 billable for Lander County.
37 Those acres, that's 4.83 percent of the total a- -- total
38 weighted acres in the state of Nevada. Just over 2.8 million.
39 So the six-year average, which we'll go to another form
40 real quick, which is this one with the fiscal years on top.

1 This is the fi- -- this is the six-year average of what the
2 state of Nevada has spent to fight fire in each county.

3 So if you go ahead and look at Lander County, they're
4 almost halfway down. We only had data for fi- -- or fiscal year
5 '16, '17, '18, and '19. We didn't have anything for '14 and
6 '15.

7 So Lander County catches a pretty good break there because we
8 have to do a six-year average to keep it across the state and keep
9 it right.

10 So in -- for fiscal years '14 and '15, we're showing zero
11 dollars spent.

12 Your total average after those, the state spent 5.4 just --
13 just south of 5 1/2 million dollars in the last four years here
14 in Lander County.

15 So we took the averages -- to come up with the -- with the
16 formula, we took the risk acres, which was the 4.83 percent. We
17 added that to the cost liability. The 5 1/2 million dollars is
18 11.81 percent of what the state spent. And they spent it here in
19 Lander County.

20 That came out to a cumulative risk of .1664. We divided
21 that times 2 or -- excuse me -- divided that by two. And then
22 we timesed that times our target revenue, which brought us to
23 \$208,044 for fiscal years '20 and '21.

24 And that'll be the buy-in for those two years for Lander
25 County.

26 Questions?

27 CHAIRMAN WAITS: No. I'm so glad we're not Elko County in
28 so many ways. Goodness --

29 MARCUS LESBO: So I --

30 CHAIRMAN WAITS: -- sake.

31 MARCUS LESBO: -- presented this to five different county
32 commissions and it's pretty much the same. They've all -- Elko
33 County's -- obviously with the history that Elko County --

34 CHAIRMAN WAITS: Yeah.

35 MARCUS LESBO: -- has.

36 And if you can look there, I mean, it shows exact acres.
37 Elko County, for instance, has a lot of a- -- I mean 1.4 million
38 acres of --

39 CHAIRMAN WAITS: Yeah.

40 MARCUS LESBO: -- private land, which is great. But

1 it's --
2 CHAIRMAN WAITS: They had --
3 MARCUS LESBO: -- not --
4 CHAIRMAN WAITS: -- fires --
5 MARCUS LESBO: -- good when it --
6 CHAIRMAN WAITS: -- every --
7 MARCUS LESBO: -- comes --
8 CHAIRMAN WAITS: -- year.
9 MARCUS LESBO: -- to something like this. So --
10 CHAIRMAN WAITS: Any questions, Commissioners?
11 Okay. Hearing none...
12 COMMISSIONER SPARKS: I'll make a motion that we approve.
13 COMMISSIONER ANCHO: I'll --
14 COMMISSIONER ALLAN: I'll second.
15 CHAIRMAN WAITS: I'm sorry. Who seconded? Judie?
16 COMMISSIONER ANCHO: Judie.
17 CHAIRMAN WAITS: Thank you. Bryan made the motion. Judie
18 seconded. Any other discussion?
19 (No comment.)
20 CHAIRMAN WAITS: Public comment?
21 (No comment.)
22 CHAIRMAN WAITS: All those in favor?
23 COMMISSIONER SPARKS: Aye.
24 COMMISSIONER ALLAN: Aye.
25 COMMISSIONER ANCHO: Aye.
26 CHAIRMAN WAITS: Aye.
27 COMMISSIONER CLARK: Aye.
28 COMMISSIONER ALLAN: Thank you, Marcus.
29 CHAIRMAN WAITS: Thank --
30 MARCUS LESBO: Okay.
31 CHAIRMAN WAITS: -- you.
32 MARCUS LESBO: Thank you.
33 COMMISSIONER ANCHO: Thank you very much.
34 CHAIRMAN WAITS: You've certainly enlightened us. At least
35 we know what the formula is. And that's --
36 COMMISSIONER ANCHO: Yeah.
37 MARCUS LESBO: Yeah.
38 CHAIRMAN WAITS: -- wonderful.
39 MARCUS LESBO: Yep. That's what the --
40 CHAIRMAN WAITS: Okay.

1 MARCIA FORGERON: Thanks again.

2 CHAIRMAN WAITS: Boy, we have a lot to do. So we'll scoot
3 back and start over.

4
5
6 **RECORDER**

7
8 3) **Discussion and possible action regarding the '19/'20 fiscal**
9 **year proposed budget request from the Lander County Recorder,**
10 **and all other matters properly related thereto.**

11
12 CHAIRMAN WAITS: We are on Number 3 under the Recorder.
13 Discussion and possible action regarding the '19/'20 fiscal
14 year proposed budget request from the Lander County recorder,
15 and all other matters properly related thereto.

16 LESLEY BUNCH: Good morning, everybody. This is Lesley
17 Bunch, the Lander County recorder.

18 And in the last budget meeting a couple of things I wasn't
19 clear about that I really need to know what we're doing.

20 I never really got a clear answer about the part-time,
21 looking for a part-time in Austin to cover DMV for under 19
22 hours a week.

23 I never got an actual decision from anyone on that. So I
24 was wondering what you guys were thinking about and what you
25 needed to know from me as to why I want to put someone in there.

26 CHAIRMAN WAITS: Well, I think as far as a clarification,
27 it -- it totally was left out because it wasn't included. I
28 guess that's the -- what I would say, we did not -- we did not
29 include it. And because it wasn't picked up and mentioned, then
30 it wasn't approved.

31 But since it's on -- on the agenda again, if there's any
32 other discussion we want to continue with that because as far as
33 Austin -- and I spoke to it before and I'll speak to it again --
34 it is a part-time office.

35 We'd like to have it open all the time. We'd like to have
36 somebody training as has been the history that somebody knows
37 how to step in. It's a little bit different. And they are kind
38 of on their own.

39 And -- and I know you send people down occasionally, but --
40 but not all the time. I mean, our office is closed a lot.

1 We have -- part of it's because it's part-time. But, there
2 again, Gail has a lot of time coming. And she'd like to spend a
3 lot of time with -- with her family, I know. And there are
4 medical issues too.

5 So we'd like to have somebody in that position to step up.
6 And I think that was the basic reason.

7 So it's open --

8 COMMISSIONER ALLAN: And this is --

9 CHAIRMAN WAITS: It's on the floor again.

10 COMMISSIONER ALLAN: -- specifically for a position in
11 Austin?

12 LESLEY BUNCH: Right. However, we may bring in the
13 individual here to work with us a little bit because we're a
14 little more active to -- in training. But just so that they get
15 a little bit more trained. And there's places to stay here
16 then.

17 CHAIRMAN WAITS: Just on-the-job training.

18 LESLEY BUNCH: Yeah.

19 CHAIRMAN WAITS: It --

20 LESLEY BUNCH: -- just on-the-job training.

21 It would be -- what I'd really like is what Gail does. And
22 she works not only the DMV but she helps with recording
23 research. She also does stuff for the clerk now and then. She
24 does things for the assessor now and then. She doesn't charge
25 them, but she does do it.

26 And so I'd like somebody a little open minded that might be
27 able to help the other departments as well.

28 But DMV is very intricate and very difficult job to learn.
29 And you just don't sit down and, okay, I've got it. You don't.

30 And so I was hoping to get somebody started.

31 And though I have no one in mind and, no, I have no -- you
32 know, I haven't done anything on it other than discuss it with
33 Gail. And we just both feel it would be nice to have someone
34 that can step in when she's not going to be there.

35 And -- I'm sorry -- we haven't been going as often as we
36 should. We don't always have a lot of in- -- information about
37 when she's going to go.

38 But we will be able to cover a little bit more than we have
39 in the past now anyway until we can get someone established.

40 So it will take for someone to learn how to do it on their

1 own. So we would need to send someone to train her or bring her
2 here when Gail is there -- or him, whichever.
3 Anyway, I'm just forward thinking. I'm trying to think
4 ahead.
5 COMMISSIONER ANCHO: So Gail, is she full-time?
6 CHAIRMAN WAITS: Part-time.
7 LESLEY BUNCH: No, she's --
8 COMMISSIONER ANCHO: Part-time? She's a part-time --
9 LESLEY BUNCH: Yeah.
10 COMMISSIONER ANCHO: -- as well?
11 LESLEY BUNCH: Yeah. She works Monday through -- she's got
12 the only -- she's the only one in the county that will ever have
13 the schedule she's on. And it was kind of grandfathered in with
14 her.
15 She works Monday through Wednesday and half a day Thursday.
16 And she's not open on Thursday. She takes the deposit to
17 Fallon or to Battle Mountain, depending on what is her -- her --
18 COMMISSIONER CLARK: Yeah.
19 LESLEY BUNCH: -- pathway at the -- at the time.
20 COMMISSIONER ALLAN: Well, I think -- it -- it -- it seemed
21 like it was presented before it would be a position in Battle
22 Mountain that would go down to cover in Austin.
23 LESLEY BUNCH: No.
24 COMMISSIONER ALLAN: And as long as it's an Austin
25 position, --
26 LESLEY BUNCH: It -- that's not --
27 COMMISSIONER ALLAN: -- that person is --
28 LESLEY BUNCH: -- correct. It was not a Battle Mountain
29 position to go down and cover in Austin. No. It was just
30 Austin.
31 So I'm sorry if that came across incorrectly.
32 CHAIRMAN WAITS: Okay. And no other discussion? I'll open
33 up to public comment.
34 (No comment.)
35 CHAIRMAN WAITS: Okay. Commissioners?
36 COMMISSIONER ANCHO: Well, I'll make a motion -- I'm not --
37 that we budget a part-time for Lander County -- for the Lander
38 County Recorder's Office for Austin.
39 COMMISSIONER CLARK: Second.
40 COMMISSIONER ANCHO: Could I --

1 CHAIRMAN WAITS: Thank you. Kathy made the motion that we
2 approve that part-time office for Austin. And Commissioner
3 Clark seconded that.

4 Any other discussion?

5 (No comment.)

6 CHAIRMAN WAITS: Public comment?

7 (No comment.)

8 CHAIRMAN WAITS: All in favor?

9 COMMISSIONER SPARKS: Aye.

10 COMMISSIONER ANCHO: Aye.

11 COMMISSIONER CLARK: Aye.

12 COMMISSIONER ALLAN: Aye.

13 CHAIRMAN WAITS: Aye.

14 Okay. And you're staying for the next one; right?

15 LESLEY BUNCH: Thank you. I'm still on the same one.

16 CHAIRMAN WAITS: Oh.

17 LESLEY BUNCH: We were going to bring back that -- and
18 since it was part of the budget -- the vehicle. The vehicle
19 that the Argenta Justice Court gave to the Recorder's Office.
20 The que- -- one of the questions that the commission had at
21 the time was the funding.

22 And through research, I have found that the funding was
23 completely done by the administrative -- I don't know how else
24 to say it -- assessment fees of the Argenta Justice of the
25 Peace.

26 So it was not county funds that funded that Toyota vehicle.
27 He then assigned it to the Recorder's Office with no cost to the
28 county at all.

29 No budget change in my budget to receive the vehicle other
30 than taking \$3,000 from one account, putting it into another
31 account to open up a gas and oil fund to -- so I could basically
32 manage it.

33 The question was also asked about the vehicle as to why it
34 didn't first get approved by the commission before it came to
35 the Recorder's Office. And that is because never has any
36 vehicle that transferred within the county gone to the
37 commission as far as I know. And I did research that.

38 There's been vehicles moved from the assessor's to the
39 clerk back to the assessor's to Keith's office. There's been
40 vehicles go from the sheriff's office to -- I had heard -- now

1 this -- don't quote me -- to the hospital. And there was never
2 a question about that part of it.

3 So I do not understand why this particular vehicle would be
4 a question when we would use it for primarily going to Austin,
5 going to take our maps, going to classes, going to training.
6 And I don't see an issue.

7 CHAIRMAN WAITS: So it's -- it's covered under our
8 insurance though; right?

9 LESLEY BUNCH: Yes, it is.

10 CHAIRMAN WAITS: Okay.

11 LESLEY BUNCH: It was before, and it still is.

12 CHAIRMAN WAITS: Okay.

13 KEITH WESTENGARD: And -- and that's -- that's the primary
14 reason why it needed to come before the commission is it was
15 coming from the -- the -- thanks -- it was coming from the --
16 the JP's office to the county where the county now will be --
17 will have the responsibility of that vehicle.

18 So once you guys approve it, then it goes into the system
19 as a county vehicle, not a JP vehicle. So that's --

20 LESLEY BUNCH: Right.

21 KEITH WESTENGARD: -- why.

22 The other vehicle she's -- she's discussed, that's
23 absolutely correct.

24 We don't -- if it's -- if it's within the county, it's --
25 it's not an issue to bring it before the commission. It's --
26 it's just like when we get -- when we surplus a vehicle.
27 Same -- same process. And a surplus -- have a surplus sale, we
28 need to list out what we're going to surplus. And you guys can
29 say it's okay.

30 If we bring something in from outside, we need to have the
31 approval of the commission.

32 COMMISSIONER SPARKS: I'm fine with --

33 LESLEY BUNCH: Okay.

34 COMMISSIONER SPARKS: -- that. I don't have a problem with
35 it.

36 COMMISSIONER ANCHO: I think it probably -- the question
37 came up is when you asked for fuel for a car that was -- it was
38 brought up and nobody's used to anything being brought up. Do
39 you see what I mean? So it's like --

40 LESLEY BUNCH: Fuel. I'm sorry.

1 COMMISSIONER ANCHO: Like if you -- when you ask for your
2 gas and fuel line. So you were bringing something in front of
3 us -- well, in front of --
4 LESLEY BUNCH: Oh. I see.
5 COMMISSIONER ANCHO: -- of -- that had never been brought
6 before.
7 KEITH WESTENGARD: Right.
8 COMMISSIONER ANCHO: So you're like, well --
9 LESLEY BUNCH: And literally --
10 COMMISSIONER ANCHO: -- don't you have to do --
11 So it was the first time it would have been done.
12 So then I think that's probably where our questions. Where
13 everything else has been departmentalized and they have a fuel
14 and oil line. So nobody -- you never -- they never --
15 LESLEY BUNCH: Right.
16 COMMISSIONER ANCHO: -- see it up here.
17 LESLEY BUNCH: But I'm -- I'm actually --
18 COMMISSIONER ANCHO: Well, --
19 LESLEY BUNCH: -- transferring it within my budget so --
20 COMMISSIONER ANCHO: Oh, no.
21 LESLEY BUNCH: -- I'm not --
22 COMMISSIONER ANCHO: No.
23 LESLEY BUNCH: -- asking --
24 COMMISSIONER ANCHO: And --
25 LESLEY BUNCH: -- for --
26 COMMISSIONER ANCHO: -- that -- that's not what I'm saying.
27 LESLEY BUNCH: -- fresh dollars --
28 COMMISSIONER ANCHO: That's --
29 LESLEY BUNCH: -- or --
30 COMMISSIONER ANCHO: -- probably --
31 LESLEY BUNCH: -- anything.
32 COMMISSIONER ANCHO: -- why -- where the question, just
33 because it was like: Does that --
34 LESLEY BUNCH: It was --
35 COMMISSIONER ANCHO: -- happen?
36 LESLEY BUNCH: -- strange. The whole thing is strange.
37 I -- I'm so --
38 COMMISSIONER ANCHO: So --
39 LESLEY BUNCH: -- sorry about --
40 COMMISSIONER ANCHO: Yeah.

1 LESLEY BUNCH: -- that.
2 COMMISSIONER ANCHO: No worries. No --
3 So --
4 CHAIRMAN WAITS: Okay. So do we --
5 COMMISSIONER SPARKS: We don't need --
6 CHAIRMAN WAITS: -- do we --
7 COMMISSIONER SPARKS: -- to do --
8 CHAIRMAN WAITS: -- need a --
9 COMMISSIONER SPARKS: -- anything with that.
10 CHAIRMAN WAITS: -- motion? We don't need a motion or
11 anything. It's back to the county again; right?
12 LESLEY BUNCH: Yes.
13 KEITH WESTENGARD: Yeah. And --
14 CHAIRMAN WAITS: So we're --
15 KEITH WESTENGARD: Yeah.
16 CHAIRMAN WAITS: Okay. So it's just --
17 LESLEY BUNCH: Yeah.
18 CHAIRMAN WAITS: -- an explanation, clarification. But we
19 don't need to do anything.
20 COMMISSIONER ANCHO: Don't you need her gas and oil line,
21 though?
22 KEITH WESTENGARD: Yeah.
23 CINDY BENSON: Yes.
24 LESLEY BUNCH: It -- yeah. I would.
25 COMMISSIONER SPARKS: But we --
26 LESLEY BUNCH: But I --
27 COMMISSIONER SPARKS: -- didn't --
28 LESLEY BUNCH: -- I mean --
29 COMMISSIONER ANCHO: -- we didn't approve that, Cindy? Oh.
30 Okay.
31 CHAIRMAN WAITS: No.
32 LESLEY BUNCH: Well, I --
33 COMMISSIONER ALLAN: Well, I --
34 LESLEY BUNCH: -- asked --
35 COMMISSIONER ALLAN: -- think --
36 LESLEY BUNCH: -- her.
37 COMMISSIONER ALLAN: I think we do need to approve it,
38 though. Because if we're adding it to the county insurance,
39 then we have --
40 LESLEY BUNCH: It --

1 COMMISSIONER ALLAN: -- to approve that.
2 LESLEY BUNCH: It was already on the county insurance.
3 COMMISSIONER ANCHO: No, no, no. No.
4 LESLEY BUNCH: There's no change there.
5 COMMISSIONER ALLAN: Okay.
6 COMMISSIONER ANCHO: So just put --
7 LESLEY BUNCH: I don't --
8 COMMISSIONER ANCHO: -- gas --
9 LESLEY BUNCH: -- know how --
10 COMMISSIONER ANCHO: -- and oil --
11 LESLEY BUNCH: -- that --
12 COMMISSIONER ANCHO: -- line; --
13 LESLEY BUNCH: -- happened --
14 COMMISSIONER ANCHO: -- right?
15 LESLEY BUNCH: -- or why, but it is.
16 COMMISSIONER ANCHO: That's the only thing that needs to be
17 just figured out, put in there; right?
18 CHAIRMAN WAITS: Cindy, does this affect what's going in or
19 we're all okay because everything's under the recorder?
20 If we change a couple lines around here and use her gas and
21 oil that's in her budget and move it over to a line item?
22 LESLEY BUNCH: It was -- it was requested in the budget.
23 And then --
24 CINDY BENSON: It was.
25 LESLEY BUNCH: -- in the beginning. It's not new.
26 CHAIRMAN WAITS: Yeah. That's what I'm saying. So --
27 but -- but she has her -- her -- her reports all ready to go.
28 And I said, "Will it --
29 CINDY BENSON: Oh.
30 CHAIRMAN WAITS: -- affect it?" is what I'm asking.
31 CINDY BENSON: Cindy Benson, for the record.
32 I have already put -- put in the way that -- that you
33 approved it. So, yes, it will make a difference on the final.
34 CHAIRMAN WAITS: On the final, not on the one going --
35 CINDY BENSON: Uh-uh.
36 CHAIRMAN WAITS: -- in?
37 CINDY BENSON: No.
38 CHAIRMAN WAITS: Okay. Great. We're cool.
39 Because the new one's going in on the 15th. So --
40 The first one's going in on the 15th.

1 KEITH WESTENGARD: The 10th.
2 CINDY BENSON: Yeah. It --
3 CHAIRMAN WAITS: Okay. So --
4 CINDY BENSON: -- leaves --
5 CHAIRMAN WAITS: -- we can --
6 CINDY BENSON: -- today.
7 CHAIRMAN WAITS: Okay. So we -- we need a --
8 CINDY BENSON: Yes.
9 CHAIRMAN WAITS: -- motion for the --
10 CINDY BENSON: It's fine.
11 CHAIRMAN WAITS: -- gas and fuel, then, to change the v- --
12 line item for the recorder.
13 COMMISSIONER ANCHO: I'll make a motion that we allow
14 the -- there be a gas and oil line within her budget created
15 from one of her other funds. Correct?
16 KEITH WESTENGARD: She -- she's just moving things --
17 CHAIRMAN WAITS: Yeah.
18 KEITH WESTENGARD: -- around.
19 COMMISSIONER ANCHO: Yes.
20 CINDY BENSON: Yeah. I just --
21 KEITH WESTENGARD: We'll handle --
22 CINDY BENSON: -- moved --
23 KEITH WESTENGARD: -- the budget.
24 CINDY BENSON: -- it around.
25 COMMISSIONER SPARKS: I'll second it.
26 CHAIRMAN WAITS: Thank you. Kathy made the motion. Bryan
27 seconded.
28 Any other discussion?
29 (No comment.)
30 CHAIRMAN WAITS: Public comment?
31 (No comment.)
32 CHAIRMAN WAITS: All in favor?
33 COMMISSIONER SPARKS: Aye.
34 COMMISSIONER ANCHO: Aye.
35 COMMISSIONER ALLAN: Aye.
36 CHAIRMAN WAITS: Aye.
37 COMMISSIONER CLARK: Aye.
38 LESLEY BUNCH: Thank you.
39 CHAIRMAN WAITS: Okay. Now now.
40 LESLEY BUNCH: One --

1 CHAIRMAN WAITS: Okay.
2 LESLEY BUNCH: -- more.

3

4 4) Discussion and possible action to approve/disapprove the
5 Intrastate Interlocal Contract Amendment #1 between the
6 Department of Motor Vehicles (DMV) and Lander County,
7 extending the contract to June 30, 2021, and revising the
8 scope of work, authorizing the chair and recorder to sign,
9 and all other matters properly related thereto.

10

11 CHAIRMAN WAITS: Four. Discussion and possible action to
12 approve or disapprove the Interstate Interlocal Contract
13 Amendment Number 1 between the Department of Motor Vehicles, the
14 DMV, and Lander County, extending the contract to June 30th,
15 2021, and revising the scope of work authorizing the chair and
16 recorder to sign, and all other matters properly related
17 thereto.

18 So with the new one, other than the extension -- and I did
19 read the scope of work. But that -- I -- that didn't seem to
20 change either. And it said --

21 LESLEY BUNCH: No. The only thing that's changed in the --
22 in the document itself is having to have a training every two
23 years, which we weren't. We were doing anyway, even though it
24 wasn't in --

25 CHAIRMAN WAITS: Okay.

26 LESLEY BUNCH: -- there. And now they've listed it. So
27 there's no change at all to it.

28 CHAIRMAN WAITS: Okay. And, Counselor, did you have a
29 chance to look over that? Any other things that jumped out?

30 DEPUTY DISTRICT ATTORNEY FORGERON: My understanding is
31 that Ted took a look at it.

32 It kind of like -- I was going to say -- looking in a
33 mirror. But that's maybe not a good way to express it.

34 CHAIRMAN WAITS: Okay.

35 DEPUTY DISTRICT ATTORNEY FORGERON: It's same o', same o'.

36 CHAIRMAN WAITS: Okay. Got it.

37 Okay.

38 COMMISSIONER ALLAN: I do have a question.

39 CHAIRMAN WAITS: Yes?

40 COMMISSIONER ALLAN: Just -- Lesley, --

1 LESLEY BUNCH: Yes.

2 COMMISSIONER ALLAN: -- I -- I don't remember if it's an
3 assembly bill or a senate bill. I believe it's 401 that deals
4 with odometer readings and -- and taxing on vehicles, --

5 COMMISSIONER SPARKS: Uh-huh.

6 COMMISSIONER ALLAN: -- registration.

7 LESLEY BUNCH: Right.

8 COMMISSIONER ALLAN: Okay. Do you know anything about
9 that?

10 LESLEY BUNCH: All I -- I can tell you if your vehicle is
11 less than nine years old, you have to have an odometer reading.
12 If you buy a new vehicle, you have to have an odometer reading.
13 A vehicle greater than nine years old does not require an
14 odometer reading.

15 COMMISSIONER ALLAN: Okay. But this also deals with the
16 fuel tax.

17 LESLEY BUNCH: And, see, until -- because I'm not.

18 COMMISSIONER ALLAN: And it hasn't --

19 LESLEY BUNCH: -- at that --

20 COMMISSIONER ALLAN: -- passed.

21 LESLEY BUNCH: -- level, I get the end result.
22 So when they're done disputing and they're done with the
23 state DMV, because as a contracted person, I don't -- I'm not in
24 on their rules until it gets done. Then I get a list of all the
25 changes and what that's going to affect.

26 At this point, I'm keeping up with the Recorder's Office
27 changes. So I have no say.

28 COMMISSIONER ALLAN: I was just curious --

29 LESLEY BUNCH: And I --

30 COMMISSIONER ALLAN: -- if --

31 LESLEY BUNCH: -- don't know.

32 COMMISSIONER ALLAN: -- you knew and -- and if you had any
33 idea of how -- if there's additional costs involved in this.

34 LESLEY BUNCH: It's -- no. Right now I can -- no. I don't
35 know if there's any additional costs.

36 Nothing has been indicated to me in any way.

37 I can tell you right now we're at 83 percent of our income.
38 So we're going to exceed what I thought our revenue would be.
39 So we're doing well.

40 But I can't tell you -- I can't tell you that because I

1 don't know.

2 But the contract can be extinguished at any time. It's --
3 it does say within -- I think it's a 30-day --

4 COMMISSIONER SPARKS: Thirty-day out?

5 LESLEY BUNCH: -- time. We can -- if we find that it's not
6 going to be of benefit and it's going to hurt us in any way, we
7 can always stop it.

8 COMMISSIONER ALLAN: Well, I -- I --

9 LESLEY BUNCH: But -- but I don't -- I don't see -- I
10 haven't heard anything yet. And I don't usually until the end.

11 COMMISSIONER ALLAN: I -- I don't think it's an issue of
12 wanting to extinguish the contract.

13 I was just curious as far as workwise how much more it's
14 going to be put on the DMV plus if there'd be any additional
15 charges with the DMV services.

16 LESLEY BUNCH: From my -- from my angle from what we --
17 what we do in our office, I can't see that being an issue.

18 I will tell you that everything is computerized as far as
19 what the charges are. So it wouldn't be an inconvenience to us.

20 We do -- just -- just for your knowledge, I've asked for a
21 third window so that when two of the individuals are doing
22 titles, we don't have to keep people that are just registering.
23 So we -- I -- I -- this is off your subject, but we are opening
24 a third window so that we can help people get through faster.

25 If you look down there right now, there's like 50 people
26 sitting there and -- because I only have one employee here
27 today.

28 So it -- as far as the extra fees, I've heard nothing.

29 I -- we are getting a brand-new progra- -- computer program that
30 will create some headaches and travel and training and that kind
31 of thing.

32 But as far as income or outflow, no. We don't experience a
33 lot of that anyway. All we get at this point is, is a little
34 bit of -- how can I say it? -- interest comes our way, a few
35 percents here, there off of every transaction. No matter where
36 you do it in the state, we still get our few percent. It's all
37 --

38 CHAIRMAN WAITS: But -- but the -- the agenda is
39 specifically for the contract.

40 COMMISSIONER SPARKS: Uh-huh.

1 CHAIRMAN WAITS: And there may be --
2 LESLEY BUNCH: Yeah.
3 CHAIRMAN WAITS: -- some changes down the road. So we need
4 to look at the contract.
5 Does anybody have any other questions?
6 COMMISSIONER SPARKS: So are we --
7 LESLEY BUNCH: No. It's --
8 COMMISSIONER SPARKS: -- so are we ready for a motion?
9 LESLEY BUNCH: -- just the same.
10 COMMISSIONER SPARKS: I'll make a motion that we approve
11 the Interstate Interlocal Contract Amendment Number 1 between
12 the Department of Motor Vehicles and Lander County, extending
13 the contract to June 30, '21, and advising -- and revising the
14 scope of work, and authorizing the chair and recorder to sign.
15 COMMISSIONER ALLAN: Second.
16 CHAIRMAN WAITS: Thank you. Bryan made the motion. Art
17 seconded.
18 Any other discussion?
19 (No comment.)
20 CHAIRMAN WAITS: Public comment?
21 (No comment.)
22 CHAIRMAN WAITS: All in favor?
23 COMMISSIONER SPARKS: Aye.
24 COMMISSIONER ANCHO: Aye.
25 COMMISSIONER ALLAN: Aye.
26 CHAIRMAN WAITS: Aye.
27 COMMISSIONER CLARK: Aye.
28 CHAIRMAN WAITS: Okay.
29 LESLEY BUNCH: Thank you.
30 CHAIRMAN WAITS: Thank you.
31 LESLEY BUNCH: We have to sign it in blue ink.
32 CHAIRMAN WAITS: Goes to them.
33 LESLEY BUNCH: Okay. You -- okay.
34 UNIDENTIFIED PARTICIPANT: Yeah. (Indiscernible.)
35
36
37
38
39
40

1 **CLERK**

2
3 5) **Discussion and possible action to approve/disapprove the**
4 **addition of one full-time position to the Lander County**
5 **Clerk's Office, and all other matters properly related**
6 **thereto.**
7

8 CHAIRMAN WAITS: Okay. We are under the Clerk.

9 Discussion and possible action to approve or disapprove the
10 addition of one full-time position to the Lander County Clerk's
11 Office, and all other matters properly related thereto.

12 SADIE SULLIVAN: Good morning.

13 CHAIRMAN WAITS: Good morning.

14 SADIE SULLIVAN: Sadie Sullivan. Lander County Clerk. I'm
15 just coming back to you in regards to adding additional
16 full-time position.

17 And I have a little more information here or clarification
18 if you'd like me to read it or if you want to go with questions
19 first?

20 CHAIRMAN WAITS: I'll go with a question because I -- I was
21 confused. I thought you were asking for a full-time or a
22 part-time to go full-time.

23 SADIE SULLIVAN: Correct. In the --

24 CHAIRMAN WAITS: That's not --

25 SADIE SULLIVAN: -- original one.

26 CHAIRMAN WAITS: -- that -- that's --

27 SADIE SULLIVAN: When I --

28 CHAIRMAN WAITS: -- not --

29 SADIE SULLIVAN: -- when I met with Keith and Ted, we had
30 sat down. And Ted said, What would work best for your office?

31 And I said, Well, I'm open to either one.

32 And he said, if you need the full-time, you need to ask for
33 the full-time.

34 And so that's what we've done.

35 CHAIRMAN WAITS: Okay. Thank --

36 COMMISSIONER CLARK: So --

37 CHAIRMAN WAITS: -- you.

38 COMMISSIONER CLARK: -- how many -- how many employees do
39 you have?

40 SADIE SULLIVAN: Okay. So I have two and a half employees

1 right now.

2 So I have -- if -- I'll read this in here. So the Clerk's
3 Office is covered by two full-time employees and a part-time
4 employee that works 19 hours a week with no benefits.

5 That 19 hour person a week covers during the lunch hour so
6 the office can stay open.

7 So the way the Clerk's Office is currently staffed, we have
8 to close for short periods of time when employees have
9 appointments or take vacations. Some out-of-town trainings
10 require two people to attend, which leaves the office
11 understaffed and mandatory trainings that are becoming more
12 frequent due to the election changes in the cybersecurity that's
13 increased by state. This includes many webinars and conference
14 calls also. And our office has missed some opportunities on
15 being able to -- to attend those or need to have those due to
16 being understaffed.

17 Our office is overloaded with -- not just during the
18 election hours, but year-round. An additional employee would
19 bring the work down to a more manageable level.

20 When I've hired temp staff for the elections prior, during,
21 or post elections, it's ineffective because each time we have to
22 train a new person coming on. And during that extreme busy time
23 while trying to train them, we still struggle to meet the
24 deadlines. And the employees in the Clerk's Office has a high
25 level of technology training with all the equipment -- so the
26 special equipment and computer programs that a temp person does
27 not have the time to grasp.

28 So basically I will go out and if I have a previous
29 employee or a previous temp or, you know, 1099 or whatever --
30 which I did get with Ted and Keith on those -- I have said, Hey,
31 you know, you're not working, are you -- work part-time
32 somewhere else? You know, you've done elections on the other
33 level, are you able to come in and train and work that? But
34 we're also training that person constantly.

35 So last year, I had a gal that said, yep, I can do the
36 primary, and then I'm -- I'm totally open to do the general.
37 And she much rather watched her grandkids, which I can't blame
38 her on that part. But also you plan on a person coming that's
39 already worked that primary and has learned that knowledge
40 during that time and then you're grasping for another person

1 So each election, you know, I'm -- I'm bringing great
2 people in. But also it's not a consistency to stay on top of
3 things and have that knowledge.

4 So that's why I've asked for one full-time position --
5 COMMISSIONER CLARK: So that --
6 SADIE SULLIVAN: -- for my --
7 COMMISSIONER CLARK: -- would --
8 SADIE SULLIVAN: -- office.
9 COMMISSIONER CLARK: -- give you three and a half
10 positions?
11 SADIE SULLIVAN: Correct.
12 CHAIRMAN WAITS: Well, by the time the legislature gets
13 done, you'll probably have some more work to do too.
14 SADIE SULLIVAN: Yes. And a possible recall this fall if
15 things go through on Sisolak. I mean, you just don't know.
16 So, anyway, the legislature is definitely changing things
17 at all times.
18 I would like to point out that all other elected offices,
19 they do have three to four full-time staff, employees.
20 And I'm --
21 COMMISSIONER CLARK: Well, you --
22 SADIE SULLIVAN: -- the only one that has --
23 COMMISSIONER CLARK: -- lost 70 --
24 SADIE SULLIVAN: -- 2 1/2.
25 COMMISSIONER CLARK: -- percent of your work.
26 SADIE SULLIVAN: It was not 70 percent.
27 COMMISSIONER CLARK: You lost a full-time secretary. And
28 he has two full-time secretaries taking care of his work. And
29 now you need three and a half, go back to what you had, and you
30 don't have as much work.
31 SADIE SULLIVAN: That's incorrect, but thank you for your
32 opinion.
33 COMMISSIONER SPARKS: So you were -- before you -- so this
34 time you're asking for one full-time where prior you were asking
35 possibly just for another part-time person?
36 SADIE SULLIVAN: I'm willing to take what I can get. So if
37 my part-time can go to full-time, I would be more than happy.
38 The reason why it was on the agenda this way is with the --
39 the -- the discussion that Ted and Keith and I had and -- and
40 Ted said, you know, What is going to help you the most? And --

1 CHAIRMAN WAITS: She -- she asked for an either/or the
2 first --
3 COMMISSIONER SPARKS: Either/or?
4 CHAIRMAN WAITS: -- time.
5 SADIE SULLIVAN: Yeah. So I was --
6 COMMISSIONER CLARK: Either/or --
7 SADIE SULLIVAN: -- trying to --
8 COMMISSIONER CLARK: -- is fine.
9 CHAIRMAN WAITS: And now she's --
10 COMMISSIONER CLARK: I'm --
11 CHAIRMAN WAITS: -- been asked --
12 COMMISSIONER CLARK: -- fine with --
13 CHAIRMAN WAITS: -- to go --
14 COMMISSIONER CLARK: -- that.
15 CHAIRMAN WAITS: -- with this.
16 COMMISSIONER CLARK: I'll give you an -- I'll give you a
17 full-time, --
18 SADIE SULLIVAN: Or --
19 COMMISSIONER CLARK: -- but not three and a half.
20 SADIE SULLIVAN: -- or if I could even -- and I don't know.
21 We would have to look this up through POOL/PACT or what have
22 you. If I had a part-time as archives and a part-time as
23 election, you know, then there's not the benefits. That's
24 something we would have to look into. There wouldn't be any
25 benefits on either side, but it would be splitting. Is it --
26 KEITH WESTENGARD: As long as they're not --
27 SADIE SULLIVAN: -- PERS?
28 KEITH WESTENGARD: -- both doing the same job.
29 SADIE SULLIVAN: Right.
30 KEITH WESTENGARD: It --
31 SADIE SULLIVAN: And so that's --
32 KEITH WESTENGARD: That's where --
33 SADIE SULLIVAN: -- the problem --
34 KEITH WESTENGARD: -- the problem --
35 SADIE SULLIVAN: -- is --
36 KEITH WESTENGARD: -- comes.
37 SADIE SULLIVAN: -- I do need to cross train.
38 CHAIRMAN WAITS: Yeah.
39 KEITH WESTENGARD: If --
40 CHAIRMAN WAITS: We're okay.

1 KEITH WESTENGARD: -- any employee's -- if you have two
2 secretaries, so to speak, doing two half-time jobs, --
3 COMMISSIONER CLARK: Yeah. That's --
4 KEITH WESTENGARD: -- then PERS is going to want to know
5 why you have --
6 COMMISSIONER CLARK: Yeah.
7 KEITH WESTENGARD: -- two halftimes --
8 SADIE SULLIVAN: Right.
9 KEITH WESTENGARD: -- instead of one full.
10 And it --
11 SADIE SULLIVAN: Right.
12 COMMISSIONER CLARK: Well --
13 KEITH WESTENGARD: -- and it -- there's --
14 COMMISSIONER SPARKS: But we --
15 KEITH WESTENGARD: -- an issue.
16 COMMISSIONER SPARKS: -- could make that part-time she has
17 a full-time.
18 CHAIRMAN WAITS: Just a full-time.
19 COMMISSIONER CLARK: Yeah.
20 COMMISSIONER SPARKS: And then we can always -- we can look
21 at it on an oncoming basis or needed basis, you know, every year
22 as we do our budget. If there's --
23 COMMISSIONER CLARK: Right.
24 COMMISSIONER SPARKS: -- changes in the state that requires
25 more work out of the Clerk's Office. Rather than adding a
26 full-time, I just -- I would feel better just increasing that
27 full-time into a --
28 COMMISSIONER ANCHO: The half-time to a --
29 COMMISSIONER SPARKS: Half-time --
30 COMMISSIONER ANCHO: -- full-time.
31 COMMISSIONER SPARKS: -- to a full-time.
32 KEITH WESTENGARD: Okay. And --
33 CHAIRMAN WAITS: Okay.
34 KEITH WESTENGARD: -- and I --
35 CHAIRMAN WAITS: Since that -- ex- -- oh, --
36 COMMISSIONER CLARK: For a --
37 CHAIRMAN WAITS: -- excuse me.
38 COMMISSIONER CLARK: -- total of three.
39 COMMISSIONER SPARKS: Right.
40 KEITH WESTENGARD: I don't know if -- if you brought this

1 up, but when we -- we had our meeting, you and I and Ted, you
2 had some new mandates that were going to go into effect or -- or
3 there was a chance they'd go into effect, which in our meeting,
4 we thought it was -- it would be justified to -- to show
5 the either/or.

6 SADIE SULLIVAN: Are you -- yeah. So on the mandates are
7 you --

8 I had mentioned in the previous budget meeting that there
9 can be that possibility that's gone to the legislature that our
10 early vote -- are you speaking on the early vote? How many --

11 KEITH WESTENGARD: Yes.

12 SADIE SULLIVAN: There'll be additional days that they're
13 requiring for early vote.

14 CHAIRMAN WAITS: Uh-huh.

15 SADIE SULLIVAN: The -- there could be --

16 CHAIRMAN WAITS: Last-minute registration.

17 SADIE SULLIVAN: Yeah. For -- yeah. Same day registration
18 is another thing that will be. And then also -- I don't know.
19 They tried to put it through log- -- last legislature. They're
20 trying to put through a third election to where it'd be a
21 presidential. I haven't followed that bill where they would
22 have a presidential election by itself, a primary, and a
23 general.

24 So I think those were the three topics that we spoke --

25 KEITH WESTENGARD: Yes.

26 SADIE SULLIVAN: -- of. So --

27 KEITH WESTENGARD: Uh-huh.

28 SADIE SULLIVAN: -- it'd be extending early vote for longer
29 than what we already have of 12 days. The same-day voter
30 registration. So they can come in and -- and register that day
31 and then go sign and carry on and vote. And then also the
32 possibility of the presidential, separate election.

33 CHAIRMAN WAITS: Okay.

34 COMMISSIONER SPARKS: But all those --

35 COMMISSIONER ANCHO: (Indiscernible.)

36 COMMISSIONER SPARKS: -- things are handled with your 1099
37 workers; right?

38 SADIE SULLIVAN: Not with what we've looked into as far as
39 the hours. You can't go over a certain amount of hours. And so
40 that's something that Ted and I and Keith went over.

1 So the 1099s -- well, yes and no. There's two parts to
2 your question, actually.
3 So, yes, the early voting in that is through my 1099s.
4 COMMISSIONER SPARKS: Okay.
5 COMMISSIONER ALLAN: Hy, I have a question about the
6 agenda.
7 So as it's written, she's asking for an additional
8 full-time person. But if we were to allow her to take her
9 part-time position and make it full-time that she has to
10 eliminate that part-time position. Is -- is the verbiage okay
11 with for that?
12 I mean, if we say, okay, fine, we'll give you the full-time
13 but you've got to --
14 COMMISSIONER ANCHO: Your --
15 COMMISSIONER ALLAN: -- in essence --
16 COMMISSIONER SPARKS: Well, no --
17 COMMISSIONER ALLAN: -- fire your part-time --
18 COMMISSIONER SPARKS: The motion would --
19 COMMISSIONER ALLAN: -- or --
20 COMMISSIONER SPARKS: -- be --
21 COMMISSIONER ALLAN: -- your full-time.
22 COMMISSIONER SPARKS: -- to make her -- her part-time --
23 COMMISSIONER ANCHO: I'm going to do --
24 COMMISSIONER SPARKS: -- person a --
25 COMMISSIONER ANCHO: -- them at --
26 COMMISSIONER SPARKS: -- a full-time --
27 COMMISSIONER ANCHO: -- that time.
28 COMMISSIONER SPARKS: -- person, --
29 COMMISSIONER ALLAN: Right. And --
30 COMMISSIONER SPARKS: -- which would be the addition of a
31 full-time.
32 COMMISSIONER CLARK: For the total of three.
33 COMMISSIONER SPARKS: Three people.
34 COMMISSIONER ALLAN: Well, no. I --
35 COMMISSIONER CLARK: Yeah.
36 COMMISSIONER ALLAN: -- understand that.
37 But -- but as it's written, it really doesn't give you that
38 option.
39 DEPUTY DISTRICT ATTORNEY FORGERON: I -- I think your first
40 remarks were probably to the point. And that is -- if you

1 choose to, for lack of a better way of characterizing it, make a
2 third full-time position within the Clerk's Office, it would
3 have to include the elimination of any ex- -- of the existing
4 part-time, otherwise you'd have to reagentize it.

5 COMMISSIONER ANCHO: Okay.

6 COMMISSIONER CLARK: Right.

7 COMMISSIONER ALLAN: Thank you.

8 COMMISSIONER CLARK: Well, I'll make a motion that we add
9 one full-time position to the Lander County Clerk's Office for a
10 total of three positions for day-to-day operations in the
11 Clerk's Office.

12 COMMISSIONER SPARKS: I'll second.

13 CHAIRMAN WAITS: Art made the motion for a full-time.
14 Bryan seconded that.

15 Any other discussion?
16 Pu- --

17 COMMISSIONER ANCHO: We don't have to say with the
18 elimination of the half-time?

19 DEPUTY DISTRICT ATTORNEY FORGERON: I think you'd --
20 SADIE SULLIVAN: I think --
21 DEPUTY DISTRICT ATTORNEY FORGERON: -- be better --
22 SADIE SULLIVAN: -- you --
23 DEPUTY DISTRICT ATTORNEY FORGERON: -- off doing that.

24 COMMISSIONER ANCHO: That's why.

25 COMMISSIONER CLARK: With the elimination of the halftime?
26 Well, I said three full-time.

27 CHAIRMAN WAITS: He did say three full-time. Yeah.

28 COMMISSIONER ANCHO: With the elimination.

29 COMMISSIONER SPARKS: From that --

30 COMMISSIONER CLARK: Would that -- that would eliminate it.

31 CHAIRMAN WAITS: You okay with the amendment?

32 COMMISSIONER SPARKS: Yes. I'll --

33 CHAIRMAN WAITS: Okay.

34 COMMISSIONER SPARKS: Yeah.

35 CHAIRMAN WAITS: All right. We're all clear on that.
36 Any other public comment?
37 (No comment.)

38 CHAIRMAN WAITS: All in favor?

39 COMMISSIONER SPARKS: Aye.

40 COMMISSIONER ANCHO: Aye.

1 COMMISSIONER ALLAN: Aye.
2 COMMISSIONER CLARK: Aye.
3 CHAIRMAN WAITS: Aye.
4 Okay. Thank you.
5 SADIE SULLIVAN: Okay. Thank you much.

6
7
8 **COMMISSIONERS**

- 9
10 7) **Discussion and possible action to approve/disapprove a**
11 **request by Lori Price, president of the Lander County**
12 **Historical Society, to place a women's suffrage centennial**
13 **marker at the Lions Club Park or beside the Welcome to Battle**
14 **Mountain sign, and all other matters properly related**
15 **thereto.**
16

17 CHAIRMAN WAITS: Brings us under Commissioners. Number 7.
18 Discussion and possible action to approve or disapprove a
19 request by Lori Price, president of the Lander County
20 Historical Society to place a women's suffrage centennial marker
21 at the Lions Club Park or beside the Welcome to Battle Mountain
22 sign, and all other matters properly related thereto.

23 Good morning, --

24 LORI PRICE: Hello.

25 CHAIRMAN WAITS: -- Lori.

26 LORI PRICE: Lori Price, president of Lander County
27 Historical Society.

28 I gave you a -- hopefully some pictures that you can
29 understand. I gave you a little information about the Capital
30 Hotel and the -- it's significance to Battle Mountain.

31 And the other one is -- I'm -- I'm assuming you understand
32 I was trying to show you where the Capital Hotel would have
33 been.

34 COMMISSIONER SPARKS: Uh-huh.

35 LORI PRICE: So what I would like is permission to put the
36 marker at either location because at this point we don't know
37 exactly where the committee that this is coming from would like
38 it to be.

39 She told me that it didn't have to be right where the
40 Capital Hotel was.

1 So our thinking is where the Capital Hotel is, where the
2 sign would be would probably be, like, in front of the fence by
3 the bathroom.
4 I'm thinking the hotel might have been right in front of
5 those trees, those big trees.
6 There's not a lot of people that will see the sign if it's
7 put there.
8 So if you put it right by the welcome sign, Welcome to Battle
9 Mountain, it's only within yar- -- you know, maybe 200 yards.
10 So people would be able to pull in, look at it, take
11 pictures or whatever.
12 And so what I'm asking for is permission from the
13 commissioners to allow us to put that sign there.
14 And Bert kind of indicated that he would be willing to do
15 that for us when the -- the time comes.
16 BERT RAMOS: Yes, I would.
17 LORI PRICE: Sorry. Hopefully I'm not putting --
18 BERT RAMOS: No, no.
19 LORI PRICE: -- you on the --
20 BERT RAMOS: No --
21 LORI PRICE: -- spot.
22 BERT RAMOS: -- sweat. No.
23 LORI PRICE: So I didn't have to get out there and dig and
24 put that --
25 COMMISSIONER ANCHO: Yes.
26 LORI PRICE: -- sign in.
27 CHAIRMAN WAITS: Well, I think it's kind of -- kind of
28 exciting historywise to think that it all happened right here in
29 Battle --
30 LORI PRICE: Yes.
31 CHAIRMAN WAITS: -- Mountain.
32 LORI PRICE: Uh-huh.
33 COMMISSIONER ALLAN: I'll make a motion to authorize the
34 historical socie- -- society to place a women's suffrage
35 centennial marker located near the Welcome to Battle Mountain
36 sign on Front Street.
37 COMMISSIONER ANCHO: I'll second.
38 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy
39 seconded. Any other discussion?
40 LORI PRICE: Did you say or near? Or in the park?

1 COMMISSIONER ALLAN: If you want "or near the park."
2 LORI PRICE: Yeah.
3 COMMISSIONER ALLAN: Okay. I'll add that. Put it where
4 you want it.
5 CHAIRMAN WAITS: Kathy, you okay with the amendment?
6 COMMISSIONER ANCHO: Uh-huh. Yes, I am.
7 CHAIRMAN WAITS: Okay. All right. Any other public
8 comment?
9 (No comment.)
10 CHAIRMAN WAITS: All in favor?
11 COMMISSIONER CLARK: Aye.
12 COMMISSIONER SPARKS: Aye.
13 COMMISSIONER ALLAN: Aye.
14 CHAIRMAN WAITS: Aye.
15 Okay. Thank you.
16 LORI PRICE: Thank you.
17 COMMISSIONER CLARK: Thanks, Lori.
18 CHAIRMAN WAITS: Who's actually paying for the sign?
19 LORI PRICE: The -- oh, what is it called? It's a
20 foundation.
21 CHAIRMAN WAITS: Because I saw some with the information in
22 there saying maybe you should ask for money. And I thought,
23 didn't say so on the agenda. But I did wonder. They --
24 LORI PRICE: Well, what they -- they want us to have a
25 little ceremony. I -- I didn't ask for money for that. So --
26 CHAIRMAN WAITS: Okay.
27 LORI PRICE: -- I'll probably come back and let you know
28 when that's happening. And --
29 CHAIRMAN WAITS: Great. Thank you.
30 LORI PRICE: Or send an invitation.
31 CHAIRMAN WAITS: Yep.
32 LORI PRICE: And they want us to put in The Bugle or
33 whatever.
34 And -- and if Bert puts it in, then that's --
35 CHAIRMAN WAITS: Great.
36 LORI PRICE: -- that's the only cost, I guess, is the --
37 CHAIRMAN WAITS: Thank you, --
38 LORI PRICE: -- cement --
39 CHAIRMAN WAITS: -- Lori --
40 LORI PRICE: -- and the -- the labor.

1 **8) Discussion and possible action to approve/disapprove posting**
2 **an advertisement in the Battle Mountain Bugle for an**
3 **alternate board member for the Central Nevada Regional Water**
4 **Authority Board, and all other matters properly related**
5 **thereto.**

6
7 CHAIRMAN WAITS: Number 8. Discussion and possible --

8 LORI PRICE: Thanks.

9 CHAIRMAN WAITS: -- action to approve or disapprove posting
10 an ad- -- advertisement -- an advertisement -- in the Battle
11 Mountain Bugle for an alt- -- alternate board member for the
12 Central Nevada Regional Water Authority Board, and all other
13 matters properly related thereto.

14 COMMISSIONER SPARKS: Ready for a motion?

15 COMMISSIONER ALLAN: So I asked for this.

16 Actually, Lou Lani asked if he could be put on
17 the Central Nevada Regional Water Authority Board as an
18 alternate.

19 And it's -- in speaking with the executive director of the
20 board, you -- we can have 50 alternates if we would like. We
21 didn't have a problem with that.

22 But also, in light of -- of Frank leaving the board,
23 that would -- would also create a -- a vacancy.

24 So I think we can kind of kill two birds with one stone
25 with that.

26 CHAIRMAN WAITS: So we need to get going on an
27 advertisement. Okay.

28 COMMISSIONER ALLAN: Yep.

29 So I'll make a motion that we approve posting an
30 advertisement in the Battle Mountain Bugle for an alternate
31 board member for the Central Nevada Regional Water Authority.

32 COMMISSIONER ANCHO: I'll second.

33 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy
34 seconded it. We'll be advertising.

35 Any other discussion?

36 Public comment?

37 (No comment.)

38 CHAIRMAN WAITS: All those in favor?

39 COMMISSIONER SPARKS: Aye.

40 COMMISSIONER CLARK: Aye.

1 CHAIRMAN WAITS: Aye.

2

3 9) Discussion and possible action to approve/disapprove the
4 closure of Cedar Street in Austin on April 27, 2019, from
5 1:00 p.m. to 3:00 p.m. for the Lincoln Highway Car Show, and
6 all other matters properly related thereto.

7

8 CHAIRMAN WAITS: Okay. Number 9.

9 Discussion and possible to approve or disapprove the
10 closure of Cedar Street in Austin on April 27th, 2019, from
11 1:00 p.m. to 3:00 p.m. for the Lincoln Highway Car Show, and all
12 other matters properly related thereto.

13 And we do have some information in here. And it looks like
14 everything's been signed off, Ron and all of them.

15 Miteshell, anybody there in Austin?

16 MITESHELL LANHAM: Sure. There's people here, but nobody
17 from the chamber.

18 CHAIRMAN WAITS: No- -- nobody that's -- okay. Well, I --
19 I think it's self-explanatory unless anybody has any questions
20 and I'll try and answer. It's for our big car show.

21 COMMISSIONER ALLAN: I'll make a motion that we approve the
22 closure of Cedar Street on April 27, 2019, from 1:00 p.m. to
23 3:00 p.m. for the Lincoln Highway Car Show.

24 COMMISSIONER ANCHO: I'll second.

25 CHAIRMAN WAITS: Do we need -- do we need authorization to
26 sign on that one, I think.

27 COMMISSIONER ALLAN: And authorize --

28 CHAIRMAN WAITS: Thank you.

29 Kathy?

30 COMMISSIONER ALLAN: -- to sign.

31 CHAIRMAN WAITS: Okay. Made by Judie. Seconded by Kathy.
32 Any other discussion?

33 (No comment.)

34 CHAIRMAN WAITS: Public comment?

35 (No comment.)

36 CHAIRMAN WAITS: All in favor?

37 COMMISSIONER SPARKS: Aye.

38 COMMISSIONER ANCHO: Aye.

39 COMMISSIONER ALLAN: Aye.

40 COMMISSIONER CLARK: Aye.

1 CHAIRMAN WAITS: Aye.

2

3 10) Discussion and possible action regarding the Nevada opioid
4 litigation and whether Lander County should consider
5 obtaining representation for the litigation process, and all
6 other matters properly related thereto.

7

8 CHAIRMAN WAITS: Okay. Thank you. Number 10.

9 Discussion and possible action regarding Nevada opioid
10 litigation and whether Lander County should consider obtaining
11 representation for the litigation process, and all other matters
12 properly related thereto.

13 This came up actually at NACO when all the other counties
14 had the same information we did and if they were going to
15 continue with this.

16 And I did talk to Ted. I asked him how that affected our
17 county. It has not affected it a whole lot.

18 However, we -- we did receive the information from the
19 attorneys that were handling it. And there's a list in there of
20 those in there of those who have already certain little gone
21 with it.

22 There is no cost to us whatsoever. And Washoe has just
23 recently signed on, I think, last week. I don't know if anybody
24 else has or not.

25 So I brought it up to you to decide whether you at least
26 you wanted to be named on there. And there may be some -- some
27 money that comes accordingly. And if it does, then of course we
28 can use it for our services for EMS and whatever we might
29 decide --

30 COMMISSIONER CLARK: So NACO's --

31 CHAIRMAN WAITS: -- it has cost us.

32 COMMISSIONER CLARK: -- asking for our help.

33 CHAIRMAN WAITS: No.

34 No.

35 COMMISSIONER CLARK: No? This -- this -- didn't --

36 CHAIRMAN WAITS: No.

37 COMMISSIONER CLARK: -- we just say NACO?

38 CHAIRMAN WAITS: I said NACO gave us this presentation.

39 COMMISSIONER CLARK: Oh, okay.

40 CHAIRMAN WAITS: He was there.

1 COMMISSIONER CLARK: So NACO's sponsoring this, I know.

2 CHAIRMAN WAITS: No. NACO is not sponsoring this.

3 This was just a presentation to NACO that these attorneys
4 gave to advise the counties of what they were doing and if we
5 wanted to go along with it. Period.

6 COMMISSIONER CLARK: So the information came via --

7 CHAIRMAN WAITS: No.

8 COMMISSIONER CLARK: -- NACO?

9 CHAIRMAN WAITS: No, actually the -- I did not. I -- I
10 gave it to you as a r- -- as a report.

11 But this information came directly to all of us from the
12 attorneys' office that is handling the lawsuit for the counties.

13 COMMISSIONER CLARK: And NACO's position on this is what?

14 CHAIRMAN WAITS: NACO took no position on opioid.

15 COMMISSIONER CLARK: Oh, okay.

16 I don't know.

17 We don't have an opioid crisis in Lander County. That --
18 that was said on the record by the DA. I don't see any reason
19 to join this.

20 COMMISSIONER SPARKS: I agree with that.

21 CHAIRMAN WAITS: Well, the other consideration, as I
22 mentioned, is if there is some amount of money that comes back
23 to us at no cost and you see the -- the different counties that
24 are joining, we could use that for our EMS or for the sheriff's
25 office, whoever is handling it.

26 We don't have a crisis like many of the counties do. But
27 on the other hand, it's something that we can prepare for and
28 have a little additional funds for if you choose --

29 COMMISSIONER ANCHO: But --

30 CHAIRMAN WAITS: -- to.

31 COMMISSIONER ANCHO: -- if we're not in -- within the
32 crisis now, would it be wrong to jump on something that's not
33 affecting us at this time?

34 CHAIRMAN WAITS: It's called vision.

35 COMMISSIONER ANCHO: No. No.

36 CHAIRMAN WAITS: Up to you.

37 COMMISSIONER ANCHO: I'm just say- -- I mean, if it's not
38 affec- -- if it's not directly affecting us right now, is it
39 wrong for us to jump on something that's -- on the bandwagon
40 that's not affecting us right now?

1 COMMISSIONER SPARKS: That's how I feel about it. But --
2 CHAIRMAN WAITS: Okay. No motion? No action?
3 Okay. No -- no action on that.
4

5 **12) Discussion and possible action to create a pay scale for**
6 **part-time/seasonal employees' wages to begin at the same rate**
7 **as the same position as a full-time employee, and all other**
8 **matters properly related thereto.**
9

10 CHAIRMAN WAITS: We move on to Number 12.

11 Discussion and possible action to create a pay scale for
12 part-time, seasonal employees' wages to begin at the same rate
13 as the same position as a full-time employee, and all other
14 matters properly related thereto.

15 KEITH WESTENGARD: So what we've done, we've sat down and
16 looked at our part-time employees. And we took the part-time
17 employees -- for instance, a -- a seasonal lifeguard or a
18 part-time lifeguard, and we've put them to start in the sa- --
19 in the same wage as a full-time lifeguard.

20 They're doing the same job. They have the -- have to have
21 the same requirements as the full-time position. They're just
22 working less hours.

23 So we brought them up to the base scale, base wage of a --
24 of a starting lifeguard --

25 COMMISSIONER SPARKS: So is it --

26 KEITH WESTENGARD: -- as an example.

27 COMMISSIONER SPARKS: I think -- but if like just in the
28 working world, I -- I don't think that's the case.

29 So, I mean, I see how maybe with the lifeguard situation,
30 but what about every other situation where you hire a part-time
31 person for your golf course. They're going to make the same
32 wage as your full-time.

33 COMMISSIONER CLARK: I did when I worked for Ron. I --

34 COMMISSIONER SPARKS: Oh.

35 COMMISSIONER CLARK: -- I started out and --

36 COMMISSIONER ANCHO: Oh.

37 COMMISSIONER CLARK: -- then progressed. As raises came, I
38 got every raise.

39 COMMISSIONER SPARKS: As a --

40 COMMISSIONER CLARK: So --

1 COMMISSIONER SPARKS: -- part-time?
2 COMMISSIONER ANCHO: Uh-huh.
3 COMMISSIONER CLARK: As a part-time.
4 KEITH WESTENGARD: And -- and I was going to -- I -- I was
5 going to mention that, yeah, the sheriff's department does that
6 currently.
7 COMMISSIONER ANCHO: Uh-huh.
8 KEITH WESTENGARD: They take their part-times and they
9 start them at the same wage as their full-time. So I would like
10 to address the gol- -- golf course employees.
11 They do the same job, but it's just in that short period of
12 time. So they have to have all the same requirements or -- or
13 meet all the same requirements or obligations as the full-time.
14 It's just less hours per week or pay period.
15 COMMISSIONER CLARK: I -- I'm just surprised that it's --
16 hasn't been this way because when I worked part-time at the
17 sheriff's office, I started at that entry level for that
18 position.
19 CHAIRMAN WAITS: Oh.
20 COMMISSIONER ANCHO: And --
21 CHAIRMAN WAITS: Okay. Do --
22 COMMISSIONER ANCHO: -- did they -- you know, there's --
23 from somebody who started at the sheriff's office making 3.35 an
24 hour, I'm --
25 COMMISSIONER ALLAN: Good dating of yourself.
26 COMMISSIONER ANCHO: No, seriously. You know, it took
27 forever to go -- to them to be like they are now. And I think
28 it's wonderful. Because when you do get people in, you get --
29 for the most part, serious and you'd be able to keep those
30 part-time people. Where if they don't make enough to do any
31 good, then they don't stay.
32 COMMISSIONER CLARK: Yeah.
33 COMMISSIONER ANCHO: Where if they do -- if they're making
34 what everybody else is making, it also is a comfort that they're
35 making what everybody else is. And they're not -- it's not like
36 this.
37 So you're able to retain people, I think, a little bit
38 better when they're pulling the same weight.
39 KEITH WESTENGARD: And -- and we had -- I -- I use the
40 lifeguards because they are a -- a good example.

1 Our part -- we had part-time lifeguards doing the same job
2 as the full-times at just over \$9 an hour.
3 And our full-times are in the 15- to 17-dollar range. They
4 started at around 15-. So --
5 COMMISSIONER CLARK: Well, we have this legislation facing
6 us for \$12 an hour minimum wage.
7 KEITH WESTENGARD: Right. Exactly. Yes.
8 CHAIRMAN WAITS: So how then -- this does affect the
9 budget. Have we adjusted the budget accordingly? Is it --
10 KEITH WESTENGARD: I --
11 CHAIRMAN WAITS: -- money --
12 KEITH WESTENGARD: -- I believe --
13 CHAIRMAN WAITS: -- in there?
14 KEITH WESTENGARD: -- it's all been looked at. Right,
15 Cindy? You and Liz went over that?
16 CINDY BENSON: I honestly don't remember exactly.
17 KEITH WESTENGARD: All right.
18 CINDY BENSON: But I will --
19 KEITH WESTENGARD: Go -- but --
20 CINDY BENSON: -- double-check and make sure.
21 KEITH WESTENGARD: We will make sure before you -- before
22 the board signs --
23 CHAIRMAN WAITS: In May's.
24 KEITH WESTENGARD: -- the final budget --
25 CINDY BENSON: Yes.
26 KEITH WESTENGARD: -- that it's -- it's all in --
27 CHAIRMAN WAITS: Okay.
28 KEITH WESTENGARD: -- order. Be- -- like I say, before the
29 final budget's --
30 CHAIRMAN WAITS: Okay.
31 KEITH WESTENGARD: -- sent --
32 CHAIRMAN WAITS: Because --
33 KEITH WESTENGARD: -- in.
34 CHAIRMAN WAITS: -- that is a big difference.
35 KEITH WESTENGARD: It'll make a difference. Yes.
36 COMMISSIONER ALLAN: I will make a motion that we create a
37 pay scale for part-time, seasonal employees' wages to begun --
38 to begin at the same rate as the same position as a full-time
39 employee.
40 COMMISSIONER ANCHO: I'll second.

1 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy
2 seconded.

3 Any other discussion?

4 (No comment.)

5 CHAIRMAN WAITS: Public comment?

6 (No comment.)

7 CHAIRMAN WAITS: All in favor?

8 COMMISSIONER ALLAN: Aye.

9 COMMISSIONER ANCHO: Aye.

10 COMMISSIONER SPARKS: Aye.

11 COMMISSIONER CLARK: Aye.

12 CHAIRMAN WAITS: Aye.

13 Okay.

14 KEITH WESTENGARD: Thank you.

15 CHAIRMAN WAITS: Thank you.

16 KEITH WESTENGARD: Our part-times will be very happy.
17 Thank you.

18
19 **13) Discussion and possible action recognizing the month of April**
20 **as National County Government Month as presented by the**
21 **National Association of Counties (NACo), and all other**
22 **matters properly related thereto.**

23
24 CHAIRMAN WAITS: Number 13.

25 Discussion and possible action recognizing the month of
26 April as National County Government Month as presented by the
27 National Association of Counties and NACo, and all other matters
28 properly related thereto.

29 NACo's, of course, mantra is Counties Matter and April is
30 set aside as National County Month to do several things.

31 I -- I don't think there's a whole lot that we're going to
32 do at this point.

33 They have different coloring books that you can have for
34 the children. And they even have a website that you can go on
35 for interaction, which is kind of fun, that might be fun to at
36 least advertise.

37 But do you want to put it on to see if -- I think it's a
38 little late for a resolution, but perhaps we could put an
39 article, not one on an article, but -- but some kind of format
40 in the paper about some of the things that counties are

1 responsible for, for our citizens?
2 I mean, we -- we serve every citizen every day. And some
3 of the things that we might do, I mean --
4 COMMISSIONER SPARKS: So excite -- how does NACo work?
5 I mean, it -- it seem- -- you would think that they represent
6 every county.
7 CHAIRMAN WAITS: They do.
8 COMMISSIONER SPARKS: They do? So how do they do that?
9 Explain that to me.
10 I want to -- like a -- a better understand of NACo.
11 Because I'm not sold on NACo. Because I think there's --
12 probably be more -- I don't know what the word is, but just --
13 with -- with Clark County, Washoe county, I just -- I mean, we
14 pay a lot of money to them. And are they representing us for
15 the money that we spend on them?
16 So I'm just trying to get -- gain an understanding --
17 CHAIRMAN WAITS: Okay.
18 COMMISSIONER SPARKS: -- of that.
19 CHAIRMAN WAITS: Yes. There is a -- every county has a
20 representative that sits on NACo.
21 If they -- if they are on the executive board, they
22 actually have another representative.
23 But the rural counties certainly outnumber Washoe and
24 Clark, but everybody is represented.
25 The main things that they do on a statewide level is try and
26 watch a lot of different things that are mandated in the
27 legislature and -- and testify on our behalf.
28 They are our lobbyist (indiscernible) basically with a lot
29 of different bills that affect all of us.
30 If they're not a hundred percent -- if Clark County is
31 against something or Douglas County is against something, we
32 stay neutral.
33 COMMISSIONER SPARKS: So if you have a bill that comes
34 in --
35 CHAIRMAN WAITS: Uh-huh.
36 COMMISSIONER SPARKS: -- that favors, let's say, the big
37 counties but it's not -- doesn't favor us, so these
38 representatives that represent them, it becomes like this --
39 this deliberation of which way it should go? I don't understand
40 that working. Do you see what I'm --

1 CHAIRMAN WAITS: Well, no.
2 COMMISSIONER SPARKS: -- saying?
3 CHAIRMAN WAITS: At a NACo meeting, I mean, we -- we -- we
4 look at different bills to see if we're -- if we're going to
5 testify.
6 Because -- I don't want to say this as a -- as a rule --
7 because Clark County has changed everything this year. But --
8 but as a rule, the way it -- it usually works -- and it does
9 work on the federal level this way -- if a bill comes up and
10 they are known to NACo, and they are, that's why we had our --
11 our association has the --
12 KEITH WESTENGARD: Commissioner?
13 CHAIRMAN WAITS: No.
14 KEITH WESTENGARD: May --
15 CHAIRMAN WAITS: No.
16 KEITH WESTENGARD: May I step --
17 CHAIRMAN WAITS: What to --
18 KEITH WESTENGARD: -- in --
19 CHAIRMAN WAITS: -- we have? We just --
20 KEITH WESTENGARD: -- for a --
21 CHAIRMAN WAITS: -- had --
22 KEITH WESTENGARD: -- second?
23 CHAIRMAN WAITS: -- we just had a hospitality evening for
24 them --
25 KEITH WESTENGARD: Yeah.
26 CHAIRMAN WAITS: -- to introduce them. We do. We go
27 before the different committees and we tell them what we do, how
28 we do it, and then they -- if they want to know how that's going
29 to affect the counties, they will call NACo.
30 They say, what -- what kind of fiscal impact is this -- is
31 this bill going to have?
32 And all the counties give the information to NACo and NACo
33 tells them. And we testify accordingly.
34 It's the same way with the federal government.
35 Our lobbyists there are very familiar with all of the
36 cabinet members and the senate people and all of them.
37 And so if something goes up federally, they'll do the same
38 thing. They'll call NACo in that state or whoever the
39 representative is and say, I want to know how this is going to
40 affect us.

1 COMMISSIONER SPARKS: I'd like to hear from our --
2 CHAIRMAN WAITS: Okay.
3 COMMISSIONER SPARKS: -- county --
4 KEITH WESTENGARD: I --
5 COMMISSIONER SPARKS: -- manager.
6 KEITH WESTENGARD: -- I -- I just want to point out
7 that's -- it's not the agenda item. If the commission would
8 like to discuss NACo, national or Nevada NACo --
9 COMMISSIONER SPARKS: Well, I was just -- you were asking
10 for the support. And I just -- I wanted --
11 CHAIRMAN WAITS: No. No, --
12 COMMISSIONER SPARKS: -- a better understanding --
13 CHAIRMAN WAITS: -- I'm not.
14 COMMISSIONER SPARKS: -- of NACo. So --
15 KEITH WESTENGARD: I'm just saying we can actually put it
16 on --
17 COMMISSIONER CLARK: Yeah.
18 KEITH WESTENGARD: -- the agenda --
19 COMMISSIONER CLARK: Let's do --
20 KEITH WESTENGARD: -- for --
21 COMMISSIONER CLARK: -- that.
22 KEITH WESTENGARD: -- a full-blown discussion if you'd --
23 COMMISSIONER SPARKS: Yeah.
24 KEITH WESTENGARD: -- like.
25 CHAIRMAN WAITS: No, --
26 COMMISSIONER CLARK: Yeah.
27 CHAIRMAN WAITS: -- I'm --
28 COMMISSIONER CLARK: Let's --
29 CHAIRMAN WAITS: -- not --
30 COMMISSIONER CLARK: -- do that.
31 CHAIRMAN WAITS: -- asking for support. I'm asking if we
32 would like to put --
33 COMMISSIONER SPARKS: And to recognize this, I underst- --
34 CHAIRMAN WAITS: To recognize us, the county government,
35 not to recognize NACo.
36 No, no, no. I want to know if we can recognize us because
37 this is county government month.
38 COMMISSIONER SPARKS: Okay.
39 CHAIRMAN WAITS: Yeah. I'm not recognizing NACo.
40 COMMISSIONER SPARKS: I got you.

1 CHAIRMAN WAITS: They're the ones that gave us the
2 information.
3 COMMISSIONER SPARKS: All right. Okay.
4 CHAIRMAN WAITS: And it is declared --
5 COMMISSIONER CLARK: Did you write that down?
6 CHAIRMAN WAITS: -- government month. Okay.
7 COMMISSIONER SPARKS: Okay.
8 CHAIRMAN WAITS: And I'm sorry. You're absolutely right.
9 It's off -- off the subject.
10 And, no, that isn't where we should have gone.
11 But I said, since it's too late, thank you. No, it's a --
12 COMMISSIONER SPARKS: I --
13 CHAIRMAN WAITS: -- resolution.
14 COMMISSIONER SPARKS: -- apologize. I just -- I had read
15 it incorrectly.
16 CHAIRMAN WAITS: Yeah. If it's too late for resolution,
17 could we just get together with Keith and just do something that
18 says, these are the services to our people that we provide you,
19 as a government. And I'd like to do that this month. That's
20 all.
21 KEITH WESTENGARD: We could put it in paper. I mean, how-
22 -- however, you'd like to advertise it, we could --
23 CHAIRMAN WAITS: Yeah. I mean, --
24 KEITH WESTENGARD: Yeah.
25 CHAIRMAN WAITS: -- over --
26 KEITH WESTENGARD: I think that's --
27 CHAIRMAN WAITS: -- the whole area, we -- what county
28 governments do, over 40 percent -- 46 percent of the -- of the
29 American roads, and we handle over 38 percent of the bridges.
30 And I'd like to know -- I'd like to just tell them some of the
31 services that --
32 COMMISSIONER SPARKS: What we do --
33 CHAIRMAN WAITS: -- we provide.
34 COMMISSIONER SPARKS: -- for them?
35 CHAIRMAN WAITS: Yeah.
36 I wondered why I had so much --
37 Okay.
38 No. It -- it says presented by NACo. And NACo is the --
39 the one that's giving us information on --
40 COMMISSIONER SPARKS: Yeah. You're right.

1 CHAIRMAN WAITS: -- things that we --
2 COMMISSIONER SPARKS: I --
3 CHAIRMAN WAITS: -- do --
4 COMMISSIONER SPARKS: -- may have --
5 CHAIRMAN WAITS: -- (indiscernible).
6 COMMISSIONER SPARKS: -- read it. So --
7 CHAIRMAN WAITS: Okay.
8 COMMISSIONER SPARKS: -- thank you for the clarification.
9 KEITH WESTENGARD: And that --
10 CHAIRMAN WAITS: So --
11 KEITH WESTENGARD: -- is -- it's the national that is
12 actually presenting this. It's not the --
13 COMMISSIONER SPARKS: Right.
14 KEITH WESTENGARD: -- Nevada NACo. So --
15 CHAIRMAN WAITS: No? We don't want to do anything?
16 COMMISSIONER ANCHO: Well, so are we needing a motion?
17 Because I'll make a motion for --
18 CHAIRMAN WAITS: Okay.
19 COMMISSIONER ANCHO: -- the county to be recognized.
20 CHAIRMAN WAITS: Maybe Keith and --
21 COMMISSIONER ANCHO: (Indiscernible.)
22 CHAIRMAN WAITS: -- a couple of you that would like to sit
23 it on it will draft something?
24 KEITH WESTENGARD: Yes.
25 COMMISSIONER ALLAN: I'll second it.
26 CHAIRMAN WAITS: Okay. Kathy made the motion. Judie
27 seconded it.
28 As long as it's in this month, we're okay. So we could get
29 together and do that.
30 Any other discussion?
31 SADIE SULLIVAN: I have a question.
32 CHAIRMAN WAITS: Question?
33 SADIE SULLIVAN: Sadie Sullivan, for the record.
34 CHAIRMAN WAITS: Public -- yeah -- public comment.
35 SADIE SULLIVAN: Okay.
36 On this item too, I can put it in our notes. And I believe
37 it would go under our proclamations, as we recognize the radon
38 and that type of thing. And maybe we can catch it a little
39 sooner for next year for April so that way we can bring it
40 before the board in January, February, so then that way we are a

1 little bit ahead of those. And we've done the radon and a
2 couple of other ones. And they're under --
3 COMMISSIONER SPARKS: Right.
4 SADIE SULLIVAN: -- our proclamations. Would --
5 KEITH WESTENGARD: Fire prevention --
6 SADIE SULLIVAN: -- that be --
7 KEITH WESTENGARD: -- week.
8 SADIE SULLIVAN: Yeah. Would that be the proper --
9 KEITH WESTENGARD: Yeah.
10 CHAIRMAN WAITS: Resolution --
11 KEITH WESTENGARD: That would be --
12 CHAIRMAN WAITS: -- yeah --
13 KEITH WESTENGARD: -- (indiscernible).
14 CHAIRMAN WAITS: -- resolution is what we usually do. But
15 like I said, it's too late to do that. So I thought we'd just
16 do a media bullet.
17 SADIE SULLIVAN: Okay. So this isn't a proclamation?
18 CHAIRMAN WAITS: No, no.
19 SADIE SULLIVAN: Recogni- -- recognizing, like, our radon
20 and that type of thing?
21 No?
22 Okay. Thank you.
23 CHAIRMAN WAITS: All in favor?
24 COMMISSIONER ANCHO: Aye.
25 COMMISSIONER ALLAN: Aye.
26 COMMISSIONER SPARKS: Aye.
27 COMMISSIONER CLARK: Aye.
28 CHAIRMAN WAITS: Aye.
29 Any opposed?
30 Thank you.
31
32
33
34
35
36
37
38
39
40

1 **FINANCE**

2
3 **14) Discussion and possible action to approve/disapprove Amended**
4 **Resolution #2019-01, directing apportionment of the marijuana**
5 **establishment tax, and all other matters properly related**
6 **thereto.**
7

8 CHAIRMAN WAITS: Finance. Discussion and possible action
9 to approve or disapprove the Amended Resolution 2019-01,
10 directing apportionment of the marijuana establishment tax, and
11 all other matters properly related thereto.

12 And if you all remember at budget, we changed that, saying
13 we need to have a resolution making that right for Ms. Cindy to
14 put the proper amounts to the proper places.

15 COMMISSIONER ALLAN: I will make a motion to approve the
16 Amended Resolution Number 2019-01 of the Board of Lander County
17 Commissioners, the resolution directing appointment of marijuana
18 establishment tax received in the month of January 2019; whereas
19 on January 25th, 2019, the Lander County treasurer received
20 \$88,235.29 in marijuana establishment tax; and whereas it is the
21 desire of the Lander County Board of Commissioners to
22 appropriate the marijuana establishment tax to the Lander
23 County -- Lander Economic Development Authority Fund 015 \$20,000
24 and to the General Fund 001 \$66,235.29; and be it further
25 resolved that future distributions for the marijuana
26 establishment tax be apportioned to the General Fund. Passed
27 and adopted this 11th day of Jan- -- April 2019.

28 COMMISSIONER CLARK: Do the numbers add up?
29 We come up with 88,235.9. And we got 20,000 and 66,000.
30 That's --

31 COMMISSIONER ALLAN: And that's 86,000.

32 COMMISSIONER CLARK: -- 86-.

33 COMMISSIONER SPARKS: Oh.

34 COMMISSIONER ANCHO: You read all of that.

35 CINDY BENSON: Cindy Benson, for the record.

36 Sorry. I made a mistake.

37 COMMISSIONER ALLAN: So can I amend my motion to read:
38 Whereas it is the desire of the Lander County Board of
39 Commissioners to appropriate the marijuana establishment tax to
40 the Lander Economic Development Authority Fund 15 -- 015,

1 \$20,000 and to General Fund 001, \$68,235.29.
2 COMMISSIONER CLARK: There you go.
3 CHAIRMAN WAITS: That will --
4 COMMISSIONER CLARK: Thank you --
5 CHAIRMAN WAITS: -- do it.
6 COMMISSIONER ALLAN: -- Art.
7 KEITH WESTENGARD: Is that math back run?
8 CHAIRMAN WAITS: Do I have a --
9 COMMISSIONER CLARK: That's --
10 CHAIRMAN WAITS: -- second?
11 COMMISSIONER CLARK: -- okay.
12 COMMISSIONER ANCHO: I'll second.
13 CHAIRMAN WAITS: Thank you. Judie made the motion. Art
14 corrected it. And Kathy seconded.
15 COMMISSIONER ALLAN: Do you want me to add "and authorize
16 the chair to sign"?
17 SADIE SULLIVAN: Yes, please.
18 COMMISSIONER ALLAN: Amended.
19 CINDY BENSON: All right. Thank you.
20 CHAIRMAN WAITS: Amended. Thank you.
21 Actually, do we all -- we all sign that; don't we?
22 SADIE SULLIVAN: No.
23 CINDY BENSON: You -- you --
24 SADIE SULLIVAN: Sadie --
25 CHAIRMAN WAITS: Just the --
26 SADIE SULLIVAN: -- Sullivan, --
27 CHAIRMAN WAITS: -- chair?
28 SADIE SULLIVAN: -- for the record.
29 CHAIRMAN WAITS: Oh, you just --
30 SADIE SULLIVAN: What we do is --
31 CHAIRMAN WAITS: -- put down how they -- how we vote.
32 SADIE SULLIVAN: Correct.
33 CHAIRMAN WAITS: Got it.
34 CINDY BENSON: Uh-huh.
35 CHAIRMAN WAITS: Thank you.
36 Any other public comment?
37 (No comment.)
38 CHAIRMAN WAITS: All in favor?
39 COMMISSIONER ALLAN: Aye.
40 COMMISSIONER CLARK: Aye.

1 CHAIRMAN WAITS: Aye.
2 Any --
3 COMMISSIONER CLARK: I --
4 CHAIRMAN WAITS: -- opposed?
5 COMMISSIONER CLARK: -- I've got -- I've got a --
6 CHAIRMAN WAITS: Thank you.
7 COMMISSIONER CLARK: -- question on this, Keith.
8 KEITH WESTENGARD: I'm sorry, --
9 COMMISSIONER CLARK: How come --
10 KEITH WESTENGARD: -- Commissioner.
11 COMMISSIONER CLARK: Obviously they sold more pot this last
12 year than before. And how come we got the same amount?
13 KEITH WESTENGARD: Believe it will --
14 CHAIRMAN WAITS: It's a set -- the same amount that's set
15 aside for all the people that would -- that don't have
16 establishments. That was set aside. Was it 5 million?
17 COMMISSIONER CLARK: Okay.
18 KEITH WESTENGARD: I think it --
19 CHAIRMAN WAITS: But the amount --
20 KEITH WESTENGARD: Yeah.
21 CHAIRMAN WAITS: -- was the same they set aside.
22 KEITH WESTENGARD: Well, that's --
23 CHAIRMAN WAITS: So --
24 KEITH WESTENGARD: -- that -- that same amount is
25 divided --
26 CHAIRMAN WAITS: Yeah.
27 COMMISSIONER CLARK: Okay.
28 KEITH WESTENGARD: -- the same every year.
29 CHAIRMAN WAITS: So wouldn't make any difference.

30
31 **15) Discussion and possible action to approve/disapprove**
32 **Resolution #2019-02 setting the fiscal year 2019-2020 tax**
33 **rate for the General Fund (001) and the Youth Services Fund**
34 **(001), and all other matters properly related thereto.**
35

36 CHAIRMAN WAITS: Number 15.
37 Discussion and possible action to approve, disapprove
38 resolution 2019-02, setting the fiscal year 2019-2020 tax rate
39 for the General Fund 001 and the Youth Services Fund 001 --
40 they're all the same?

1 COMMISSIONER ALLAN: Oh, there's no math in this one so --
2 CHAIRMAN WAITS: And all other matters properly related
3 thereto.

4 COMMISSIONER ALLAN: I will make a motion to approve
5 Resolution Number 2019-02 of the Board of Lander County
6 Commissioners, a resolution setting the fiscal year 2019-2020
7 tax rate for the General Fund 001 and the Youth Services, also
8 in Fund 001.

9 Whereas, Lander County Board of Commissioners use the tax
10 rate of 1.2650 per \$100 of assessed value in calculating
11 estimated revenue to be apportioned to the General Fund for the
12 2018-2019 fiscal year and a tax rate of 0.0029 for a hundred
13 dollars of an assessed value in calculating estimated revenue to
14 be apportioned to the Youth Services also in the General Fund
15 for the 2018-2019 fiscal year.

16 And whereas, the levy on Youth Services mandates a tax rate
17 of 0.0009 per \$100 of assessed value needed to fund Youth
18 Services.

19 And now, therefore, be it resolved that the Lander County
20 Board of Commissioners hereby approve the rate of \$1.267 per
21 \$100 for assessed value for the General Fund, excluding the net
22 proceeds of mines, and the tax rate of 0.0009 per \$100 of
23 assessed value for the Youth Services also in the General Fund
24 for use in the General Fund for the 2019-2020 fiscal year.

25 Passed and adopted this 11th day of April 2019 and
26 authorize the chair to sign.

27 COMMISSIONER ANCHO: I second it.

28 CHAIRMAN WAITS: Thank you. Judie made the motion. Kathy
29 seconded.

30 Any other discussion?

31 (No comment.)

32 CHAIRMAN WAITS: Public comment?

33 (No comment.)

34 CHAIRMAN WAITS: All in favor?

35 COMMISSIONER CLARK: Aye.

36 COMMISSIONER ANCHO: Aye.

37 COMMISSIONER SPARKS: Aye.

38 COMMISSIONER ALLAN: Aye.

39 CHAIRMAN WAITS: Aye.

40 Thank you.

1 **CORRESPONDENCE**

2
3 **16) Correspondence, reports, potential upcoming agenda items.**

4
5 CHAIRMAN WAITS: Now move into correspondence.
6 Do we have to take action on the Navy letter?

7
8 (The following correspondence was received:

9 1. Monthly reports to the Lander County Commissioners,
10 January 2019, from the Lander County Clerk, Austin Justice of
11 the Peace, Argenta Justice Court, and Lander County Recorder.

12 2. Monthly reports to the Lander County Commissioners,
13 February 2019, from the Lander County Clerk, Austin Justice of
14 the Peace, Argenta Justice Court, and Lander County Recorder.

15 3. Monthly reports to the Lander County Commissioners,
16 March 2019, from the Lander County Clerk, Austin Justice of the
17 Peace, Argenta Justice Court, and the Lander County Recorder.

18 4. Notice of Decision dated March 7, 2019, from the
19 Nevada Division of Environmental Protection, regarding the Water
20 Pollution Control Permit Number NEV0094110 for Newmont USA
21 Limited for the Mule Canyon Mine.

22 5. Letter from Ken Brown, the executive director of
23 Western Counties Alliance, dated March 2, 2019, regarding
24 announcement of grazing fees for 2019 by the BLM and Forest
25 Service.

26 6. Weekly blackfly and mosquito abatement report, dated
27 March 17, 2019, from Robin Gray.

28 7. United States Department of the Interior, Bureau of
29 Land Management, Tonopah Field Office, letter to Matt Flores of
30 the Nevada Department of Wildlife regarding proposed decision
31 for the Stonewall Mountain Bighorn Sheep Water Development.

32 8. Quarterly Report from the Lander County public
33 defender.)

34 KEITH WESTENGARD: No. I -- that was an informational
35 thing.

36 CHAIRMAN WAITS: Okay.

37 KEITH WESTENGARD: We'll watch it. If it needs to be
38 brought up or if there's any comments that --

39 CHAIRMAN WAITS: And --

40 KEITH WESTENGARD: -- need to be made.

1 CHAIRMAN WAITS: -- NACo's -- NACo's doing our response
2 on -- on that anyway there. Representative on that.
3 Okay. Any other que- -- I -- I just have one notice down
4 here. Actually, it was from Austin. When they sent in their
5 money, they didn't fill out their check. But I'm -- I assume
6 somebody filled it out and they cashed it anyway. But that's
7 not what was in here.
8 KEITH WESTENGARD: Okay. All right. I -- I don't --
9 CHAIRMAN WAITS: Because I don't think it's cashable the
10 way it was written. But anyway --
11 KEITH WESTENGARD: Okay.
12 CHAIRMAN WAITS: -- that was just a note.
13 KEITH WESTENGARD: All right.
14 CHAIRMAN WAITS: Okay.
15 COMMISSIONER ALLAN: I would like it on the agenda to
16 discuss the roads.
17 I agree with Robin -- I feel for her -- that this has been
18 brought up enough times, for so long, that it needs to be
19 addressed.
20 KEITH WESTENGARD: I have it -- I have it as -- as an item.
21 COMMISSIONER CLARK: Discuss the what?
22 KEITH WESTENGARD: The speed --
23 CHAIRMAN WAITS: Roads.
24 ROBIN YORK: We do have --
25 KEITH WESTENGARD: -- limits.
26 ROBIN YORK: -- it on.
27 CHAIRMAN WAITS: Robin.
28 KEITH WESTENGARD: Robin York's speed limit request.
29 ROBIN YORK: I do have them.
30 COMMISSIONER ALLAN: Hey, Robin. Can you wait to public
31 comment?
32 ROBIN YORK: Yeah.
33 KEITH WESTENGARD: And -- and I still have her -- her
34 original agenda request if those will work.
35 ROBIN SMITH: Right. I just want to let
36 the (indiscernible) --
37 KEITH WESTENGARD: Okay.
38 ROBIN YORK: -- (indiscernible).
39 KEITH WESTENGARD: I have the speed limit.
40 I have the Second Amendment discussion and action

1 resolution. As long as Ron's ready for it, we'll have it on the
2 next agenda.

3 We -- do you want to discuss any more on the budget at the
4 next meeting?

5 We -- we'll do a final, final first meeting in May --
6 May 9th, I think. Have that -- have to have it in May 15th.

7 CINDY BENSON: No. I -- the last com -- the last
8 commission meeting in --

9 KEITH WESTENGARD: The last commi- --

10 CINDY BENSON: The 23rd.

11 KEITH WESTENGARD: May. Okay. All right. So we're --

12 CINDY BENSON: We don't have to --

13 CHAIRMAN WAITS: The state.

14 CINDY BENSON: -- wait till --

15 CHAIRMAN WAITS: Yeah. The state --

16 CINDY BENSON: -- June (indiscernible).

17 CHAIRMAN WAITS: -- gives us that -- that window to do
18 that.

19 KEITH WESTENGARD: Okay.

20 And then I had the NACo discussion on there as a discussion
21 item. I got one more --

22 CHAIRMAN WAITS: Okay. Anything --

23 KEITH WESTENGARD: -- I want (indiscernible).

24 CHAIRMAN WAITS: -- else under that?

25 KEITH WESTENGARD: We got that.

26 COMMISSIONER ANCHO: Keith?

27 KEITH WESTENGARD: That's all.

28 COMMISSIONER ANCHO: Do you have somewhere that a question
29 you had about the next meeting that you wanted brought up?

30 KEITH WESTENGARD: Yes. I -- I -- so I'm going through
31 this -- the training at UNR to receive my HR certification. I
32 have a class next week. And then I have a class the following
33 week. On the following week, it's on a Thursday, which is a
34 commission meeting.

35 I can reschedule it. They only give two a year. I can
36 reschedule it to next year. Or I won't be at the next meeting. I
37 just wanted to --

38 COMMISSIONER CLARK: When -- when this year? When could
39 you reschedule it?

40 KEITH WESTENGARD: It would be next year. They give two --

1 COMMISSIONER CLARK: Yeah.
2 KEITH WESTENGARD: -- a year. So --
3 COMMISSIONER CLARK: I think you need to finish it, even
4 though we need you here.
5 KEITH WESTENGARD: I will double-check. If there's one a
6 little later in the summer, I -- I can look into that. But I
7 wanted to make --
8 COMMISSIONER CLARK: Yeah.
9 KEITH WESTENGARD: I don't want any surprises.
10 CHAIRMAN WAITS: Depending on your time frame, maybe you
11 could even call in and just give us a report or something?
12 KEITH WESTENGARD: Well, once the class starts -- and they
13 start at --
14 COMMISSIONER CLARK: Yeah.
15 KEITH WESTENGARD: -- 9:00 --
16 COMMISSIONER ANCHO: Okay. Then write it.
17 KEITH WESTENGARD: Okay.
18 CHAIRMAN WAITS: Just --
19 KEITH WESTENGARD: I could --
20 CHAIRMAN WAITS: -- write your --
21 KEITH WESTENGARD: -- probably -- okay.
22 CHAIRMAN WAITS: -- report to us.
23 KEITH WESTENGARD: And I'll check to --
24 CHAIRMAN WAITS: Yeah. But --
25 KEITH WESTENGARD: -- see.
26 CHAIRMAN WAITS: -- I'm --
27 KEITH WESTENGARD: So I wanted to --
28 CHAIRMAN WAITS: -- I'm fine with that.
29 COMMISSIONER SPARKS: And then if maybe we can just set the
30 agenda based around, you know, if there's something you felt
31 that you need to, we could just put it off for a different --
32 KEITH WESTENGARD: Okay. And -- and I'll check. I'll
33 check with UNR and see. But, like I say, I'm down to my last
34 two. It was a total --
35 CHAIRMAN WAITS: No.
36 KEITH WESTENGARD: -- of twelve classes. So I'm down --
37 CHAIRMAN WAITS: Apparently --
38 KEITH WESTENGARD: -- to my last two.
39 CHAIRMAN WAITS: -- we feel you should go; right?
40 KEITH WESTENGARD: Right.

1 COMMISSIONER ANCHO: Uh-huh.
2 CHAIRMAN WAITS: Okay.
3 KEITH WESTENGARD: And then the -- the -- not agenda, but
4 the litigation. I just needed to --
5 CHAIRMAN WAITS: I've got it.
6 KEITH WESTENGARD: -- discuss -- okay.
7
8

9 **PUBLIC COMMENT**

10
11 CHAIRMAN WAITS: Next is public comment for nonagendized
12 items only.

13 Persons are invited to submit comments in writing and/or
14 attend and make comments on any nonagenda item at the board
15 meeting, if any, and discussion of those comments at the
16 discretion of the board. All public comment may be limited to
17 three minutes per person, again at the discretion of the board.
18 Reasonable restrictions may be placed on public comments based
19 upon time, place, manner, but public comment based upon
20 viewpoint may not be restricted.

21 ROBIN SMITH: Robin York, --

22 CHAIRMAN WAITS: Robin.

23 ROBIN SMITH: -- for the record.

24 I just wanted to let you guys know a little bit more about
25 what -- what this is.

26 The 1800 East Hill Top Road has approximately 20 kids on
27 that road, little to high school. Right? They ride the bus.
28 So they're walking to and from. We have a day care center out
29 there.

30 Right now in the stipulations in the county books, the
31 speed limit is 55 miles an hour. And it's a residential area.

32 That's why I'm asking for it to be reduced down to 25
33 because these kids are walking to and from school.

34 We do have an issue with a gentleman out there that says
35 he's not going to abide by any rules until it's posted 25 miles
36 an hour.

37 And by law, we can't prosecute him or sign a complaint
38 against him because Ron's deputies can't, you know, until
39 there's a sign posted.

40 And that is why all of the people of 1800 -- and I did turn

1 in the packet to Keith several years ago.
2 And like I said before, it does take time. But I don't
3 think it takes six years.
4 And, like you said, he's going to try to get it on the
5 agenda.
6 But this I wanted you to know a little bit more about
7 what's going on on that road because it is 55 miles an hour in a
8 residential area out on Hill Top. And it's 1800 East.
9 CHAIRMAN WAITS: Thank you, --
10 ROBIN YORK: That's --
11 COMMISSIONER SPARKS: Thank you.
12 CHAIRMAN WAITS: -- Robin.
13 ROBIN YORK: Uh-huh.
14 COMMISSIONER ALLAN: Thanks, --
15 KEITH WESTENGARD: So --
16 COMMISSIONER ALLAN: -- Robin.
17 KEITH WESTENGARD: -- just as a little background. It --
18 that was -- that was discussed at a meeting last year.
19 ROBIN YORK: Uh-huh.
20 KEITH WESTENGARD: And that there needed to be some
21 research done on it --
22 ROBIN YORK: Right.
23 KEITH WESTENGARD: -- and that the DA was going to look at
24 how to write the resolution.
25 ROBIN YORK: Right.
26 KEITH WESTENGARD: So I'd actually like to get it back on
27 just to see where --
28 COMMISSIONER ALLAN: Well, I think the --
29 KEITH WESTENGARD: -- things are at.
30 COMMISSIONER ALLAN: -- thing is too is -- is I think it
31 was also wanting to include part of Muleshoe.
32 ROBIN YORK: Right.
33 KEITH WESTENGARD: (Indiscernible.)
34 COMMISSIONER ALLAN: That there was some other roads to
35 add. And -- and, you know, that was kind of one of the things
36 that also delayed it was --
37 COMMISSIONER ANCHO: Are they for -- we're not going to get
38 all those added in. If we have to deal with one road at a time,
39 then why can't we deal with one road at a time when we know --
40 KEITH WESTENGARD: And we --

1 COMMISSIONER ANCHO: -- what it --
2 KEITH WESTENGARD: -- can. Yes. And -- and that -- that
3 can be done. At -- at -- last year when it was discussed, it
4 was -- the discussion was --
5 CHAIRMAN WAITS: It was --
6 KEITH WESTENGARD: -- that it would --
7 CHAIRMAN WAITS: -- grouped --
8 KEITH WESTENGARD: -- it would be all grouped together.
9 CHAIRMAN WAITS: Yeah.
10 KEITH WESTENGARD: We can certainly look at individual
11 roads.
12 COMMISSIONER CLARK: Keith?
13 ROBIN YORK: Okay.
14 KEITH WESTENGARD: That's fine. Yes?
15 COMMISSIONER CLARK: I thought that the ordinance for
16 Lander County was 45 in outlying and 55 on the Frontage Road and
17 other roads that the state controlled.
18 COMMISSIONER ALLAN: Forty -- fifty-five in the county.
19 And then --
20 COMMISSIONER CLARK: Bert?
21 COMMISSIONER ALLAN: -- the state --
22 BERT RAMOS: Yeah. Bert Ramos, for the record. It's 55 on
23 all county roads except for Hill Top, which is at 45.
24 COMMISSIONER CLARK: Okay.
25 BERT RAMOS: And everything outside of town boundary is
26 55 --
27 ROBIN YORK: Yes.
28 BERT RAMOS: -- by ordinance.
29 CHAIRMAN WAITS: Okay. We have a litigation meeting
30 directly. And we have POOL/PACT at 1:00 o'clock.
31 KEITH WESTENGARD: Yes. That is correct. It'll be on,
32 Robin.
33 ROBIN SMITH: Thank you.
34 COMMISSIONER SPARKS: Thank you.
35 KEITH WESTENGARD: You're welcome.
36 CHAIRMAN WAITS: Thank you. No other --
37 ELIZABETH BARELA: Sadie, --
38 CHAIRMAN WAITS: -- public --
39 ELIZABETH BARELA: -- your (indiscernible).
40 CHAIRMAN WAITS: -- not other public comment? Okay.

1 **ADJOURNMENT**

2
3 CHAIRMAN WAITS: Motion to adjourn?

4 COMMISSIONER ALLAN: Motion to adjourn.

5 COMMISSIONER SPARKS: Second.

6 COMMISSIONER ANCHO: Okay.

7 CHAIRMAN WAITS: Thank you. Judie made the motion. Bryan
8 seconded.

9 COMMISSIONER CLARK: Aye.

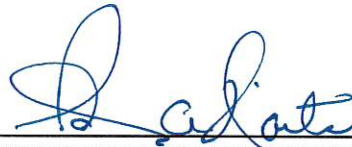
10 CHAIRMAN WAITS: Open it up?

11 All in favor?

12 COMMISSIONER ANCHO: Aye.

13 COMMISSIONER ALLAN: Aye.

14 CHAIRMAN WAITS: Aye.

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23 **CHAIRMAN OR VICE CHAIRMAN OF THE**
24 **BOARD OF LANDER COUNTY**
25 **COMMISSIONERS AND THE LANDER**
26 **COUNTY LIQUOR BOARD**

27
28
29
30
31 **ATTEST:**


32 **LANDER COUNTY CLERK**

33
34
35
36
37
38
39 *Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of*
40 *Battle Mountain and Austin, Nevada.*

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

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A DIGITAL AUDIO
10
11 RECORDING OF A MEETING WHICH TOOK PLACE THE 11TH DAY OF APRIL,
12
13 2019, AND SAID RECORDING AND INFORMATION PERTAINING TO PARTICIPANT
14
15 NAMES WAS PROVIDED TO ME BY THE LANDER COUNTY CLERK SULLIVAN; THAT
16
17 THE SAME IS FULL, TRUE, AND AS CORRECT AS THE AUDIO RECORDING
18
19 ALLOWED.
20

21
22 DATED AT _____
23 THIS _____ DAY OF _____
24

25
26 _____
27 TIFFANY ELKINGTON, CCR #930
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<p>BERT RAMOS: [9] 48/14 49/29 77/16 77/18 77/20 77/22 103/22 103/25 103/28 CHAIRMAN WAITS: [450] CINDY BENSON: [27] 61/23 62/24 62/29 62/31 62/35 62/37 63/2 63/4 63/6 63/8 63/10 63/20 63/22 63/24 85/16 85/18 85/20 85/25 93/35 94/19 94/23 94/34 99/7 99/10 99/12 99/14 99/16 CLIFF EKLUND: [25] 41/6 42/5 42/23 42/25 43/4 43/6 43/8 43/10 43/14 43/19 43/26 43/28 43/34 43/37 44/2 44/4 44/6 44/8 44/10 44/12 44/14 44/21 44/25 44/27 44/32 COMMISSIONER ALLAN: [127] COMMISSIONER ANCHO: [105] 1/26 7/14 7/27 7/32 8/4 8/24 8/31 9/9 16/18 22/32 23/17 23/20 23/29 23/40 34/7 47/26 54/13 54/16 54/25 54/33 54/36 57/5 57/8 57/10 57/36 57/40 58/10 59/36 60/1 60/5 60/8 60/10 60/16 60/18 60/20 60/22 60/24 60/26 60/28 60/30 60/32 60/35 60/38 60/40 61/2 61/20 61/29 62/3 62/6 62/8 62/10 62/12 62/14 62/16 63/13 63/19 63/34 67/24 72/28 72/30 73/35 74/14 74/23 74/25 74/27 75/5 75/17 75/24 75/28 75/40 77/25 77/37 78/6 79/32 80/24 80/38 82/29 82/31 82/35 82/37 83/36 84/2 84/7 84/20 84/22 84/26 84/33 85/40 86/9 91/16 91/19 91/21 92/24 93/34 94/12 96/27 96/36 99/26 99/28 100/16 101/1 102/37 103/1 104/6 104/12 COMMISSIONER CLARK: [213] COMMISSIONER SPARKS: [173] DAN REID: [8] 25/17 25/20 25/35 34/9 34/14 36/3 36/5 36/12 DEPUTY DISTRICT ATTORNEY FORGERON: [17] 8/11 33/19 44/36 44/39 45/11 46/3 46/22 47/6 47/8 47/10 47/28 64/30 64/35 74/39 75/19 75/21 75/23 EDDYANN FILIPPINI: [8] 38/6 38/8 40/13 40/21 40/28 40/31 40/33 40/37 ELIZABETH BARELA: [3] 24/6 103/37 103/39 FEMALE VOICE RECORDING: [1] 25/5 FRANK WHITMAN: [4] 46/26 46/30 47/36 48/10 KEITH WESTENGARD: [162] KYLE BRIGHT: [3] 25/10 25/12 25/22 LEONARD SHEPHERD: [50] 14/27 14/29 14/38 15/1 15/4 15/6 15/12 15/14 15/18 15/23 15/25 15/35 15/37 15/39 16/1 16/4 16/6 16/26 16/28 16/30 16/32 16/34 16/38 17/2 17/4 17/7 17/9 17/14 17/17 17/19 17/21 17/24 17/27 17/33 18/11 18/14 18/17 18/20 18/26 18/28 18/30 18/35 18/37 19/8 19/10 19/13 19/19 19/21 19/23 19/26 LESLEY BUNCH: [74] 55/16 56/12 56/18 56/20 57/7 57/9 57/11 57/19 57/23 57/26 57/28 58/15 58/17 59/9 59/11 59/20 59/33 59/40 60/4 60/9 60/15 60/17 60/19 60/21 60/23 60/25 60/27 60/29 60/31 60/34 60/36 60/39 61/1 61/12 61/17 61/24 61/26 61/28 61/32 61/34 61/36 61/40 62/2 62/4 62/7 62/9 62/11 62/13 62/15 62/22 62/25 63/38 63/40 64/2 64/21 64/26 65/1 65/7 65/10 65/17 65/19 65/21 65/29 65/31 65/34 66/5 66/9 66/16 67/2 67/7 67/9 67/29 67/31 67/33 LORI PRICE: [22] 76/24 76/26 76/35 77/17 77/19 77/21 77/23 77/26 77/30 77/32 77/40 78/2 78/16 78/19 78/24 78/27 78/30 78/32 78/36 78/38 78/40 79/8 MARCIA FORGERON: [1] 55/1 MARCUS LESBO: [20] 50/2 50/32 51/1 51/19 51/21 51/24 51/26 51/32 53/29 53/31 53/35 53/40 54/3 54/5 54/7 54/9 54/30 54/32 54/37 54/39 MARIE HUTCHINGS: [2] 49/21 49/25 MITESHELL LANHAM: [4] 25/11 25/24 51/31 80/16 RICHARD PETRUZATES: [5] 46/32 47/20 47/24 47/27 47/30 ROBIN SMITH: [4] 98/35 101/21 101/23 103/33 ROBIN YORK: [15] 5/19 5/37 98/24 98/26 98/29 98/32 98/38 102/10 102/13 102/19 102/22 102/25 102/32 103/13 103/27 SADIE SULLIVAN: [53] 68/12 68/14 68/23 68/25 68/27 68/29 68/40 70/6 70/8 70/11 70/14 70/22 70/24 70/26 70/31 70/36</p>	<p>71/5 71/7 71/18 71/20 71/27 71/29 71/31 71/33 71/35 71/37 72/8 72/11 73/6 73/12 73/15 73/17 73/26 73/28 73/38 75/20 75/22 76/5 91/31 91/33 91/35 92/4 92/6 92/8 92/17 92/19 94/17 94/22 94/24 94/26 94/28 94/30 94/32 SAMME ENGELSON: [3] 37/26 37/38 38/3 SHANNON BERUMEN: [1] 37/11 SHELDON MUDD: [4] 38/7 38/9 40/1 40/9 SHERIFF RON UNGER: [58] 24/30 24/36 24/39 25/39 26/27 26/30 26/32 26/35 26/39 27/2 27/15 27/19 27/21 27/28 27/30 27/32 27/36 27/38 27/40 28/8 28/10 28/12 28/14 28/40 30/23 30/25 30/35 30/37 31/23 31/27 31/29 31/32 31/36 31/39 32/2 32/21 32/36 33/14 33/16 33/18 33/20 33/24 33/26 33/28 33/34 33/36 33/39 34/2 34/4 37/9 40/11 40/40 41/2 42/21 47/32 47/34 48/30 48/32 TOM GALLAGHER: [64] 9/34 10/4 10/6 10/19 10/40 11/2 11/5 11/10 11/14 11/32 11/34 11/37 12/14 12/22 12/27 13/15 13/23 13/30 14/5 14/7 14/9 14/11 14/18 14/20 14/22 14/36 14/40 15/2 15/5 15/10 15/13 15/17 15/20 15/24 15/34 15/36 15/38 15/40 16/2 16/5 16/17 17/29 19/25 19/28 19/30 19/32 19/34 19/36 19/38 20/1 20/3 20/5 20/8 20/10 20/12 20/14 20/16 20/18 20/23 20/27 20/29 20/35 20/39 21/15 UNIDENTIFIED PARTICIPANT: [19] 29/13 29/14 29/19 29/20 29/21 29/32 29/34 40/8 40/20 40/36 40/38 42/24 44/5 44/7 44/9 44/11 49/18 49/26 67/34</p> <p>\$</p> <p>\$1.267 [1] 96/20 \$100 [4] 96/10 96/17 96/21 96/22 \$12 [1] 85/6 \$13 [1] 4/36 \$1300 [1] 11/28 \$175,000 [1] 10/23 \$20,000 [2] 93/23 94/1 \$208,044 [3] 50/15 50/25 53/23 \$2275 [1] 11/10 \$3,000 [1] 58/30 \$500 [1] 11/18 \$66,235.29 [1] 93/24 \$68,235.29 [1] 94/1 \$7 [5] 11/30 12/17 14/31 15/30 18/17 \$88,235.29 [1] 93/20 \$9 [1] 85/2</p> <p>'</p> <p>'14 [2] 53/5 53/10 '15 [2] 53/6 53/10 '16 [1] 53/5 '17 [1] 53/5 '18 [1] 53/5 '19 [3] 53/5 55/8 55/13 '19'20 [2] 55/8 55/13 '20 [3] 53/23 55/8 55/13 '21 [2] 53/23 67/13 '64 [1] 12/34 '70s [1] 10/24 '80s [1] 42/23 '80s [2] 42/20 42/21</p> <p>.</p> <p>.1664 [1] 53/20</p> <p>0</p> <p>0.0009 [2] 96/17 96/22 0.0029 [1] 96/12 001 [8] 93/24 94/1 95/33 95/34 95/39 95/39 96/7 96/8 01 [3] 93/4 93/9 93/16</p>
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<p>0</p> <p>015 [2] 93/23 93/40</p> <p>02 [3] 95/32 95/38 96/5</p>	<p>6/34 80/4 80/10 80/22 93/18 93/19 93/27 96/12 96/15 96/25</p> <p>97/10 97/13 97/16 97/18 97/23 97/24 97/27 105/13</p> <p>2019-01 [3] 93/4 93/9 93/16</p> <p>2019-02 [3] 95/32 95/38 96/5</p>
<p>1</p> <p>1.2650 [1] 96/10</p> <p>1.4 million [1] 53/37</p> <p>1/2 [4] 51/40 53/13 53/17 70/24</p> <p>10 [3] 36/16 81/3 81/8</p> <p>10/22s [1] 43/33</p> <p>100 [3] 3/4 27/26 32/1</p> <p>1099 [2] 69/29 73/36</p> <p>1099s [2] 74/1 74/3</p> <p>10:00 [1] 24/4</p> <p>10th [1] 63/1</p> <p>11 [4] 1/4 22/27 50/12 50/20</p> <p>11.81 percent [1] 53/18</p> <p>11th [4] 6/32 93/27 96/25 105/11</p> <p>12 [6] 13/33 18/25 31/16 73/29 83/5 83/10</p> <p>120 [1] 34/25</p> <p>13 [2] 86/19 86/24</p> <p>1300 [3] 4/2 10/39 11/27</p> <p>139,493 [1] 52/35</p> <p>14 [4] 43/1 43/1 43/2 93/3</p> <p>14,330 [1] 52/19</p> <p>143 [4] 27/15 30/38 30/39 37/34</p> <p>14th [1] 6/14</p> <p>15 [11] 19/14 32/38 32/39 33/9 33/11 33/37 85/3 85/4 93/40</p> <p>95/31 95/36</p> <p>150 [1] 4/22</p> <p>150th [1] 3/7</p> <p>153 [2] 42/2 42/8</p> <p>15th [3] 62/39 62/40 99/6</p> <p>16 [5] 30/28 31/14 32/38 33/9 97/3</p> <p>160,856 [1] 52/22</p> <p>17 [1] 97/27</p> <p>17-dollar [1] 85/3</p> <p>175,000 [1] 10/28</p> <p>1776 [1] 47/38</p> <p>18 [1] 31/13</p> <p>1800 [4] 5/22 101/26 101/40 102/8</p> <p>18th [1] 6/15</p> <p>19 [3] 55/21 69/4 69/5</p> <p>1950 [1] 39/14</p> <p>1970 [1] 11/15</p> <p>1980 [1] 11/15</p> <p>1980s [1] 35/5</p> <p>19th [1] 6/15</p> <p>1:00 [3] 4/12 4/14 80/5</p> <p>1:00 o'clock [1] 103/30</p> <p>1:00 p.m [2] 80/11 80/22</p> <p>1st [1] 6/29</p>	<p>2019-2020 [4] 95/32 95/38 96/6 96/24</p> <p>202.350 [1] 41/32</p> <p>202.3653 [1] 41/34</p> <p>202.369 [1] 41/34</p> <p>2020 [6] 50/16 50/27 95/32 95/38 96/6 96/24</p> <p>2021 [4] 50/16 50/28 64/7 64/15</p> <p>202610 [3] 7/24 8/40 9/6</p> <p>207202 [2] 7/24 8/28</p> <p>209827 [4] 7/24 7/40 8/1 8/18</p> <p>22,000 [1] 11/21</p> <p>2200 [1] 11/22</p> <p>22s [1] 43/33</p> <p>23rd [1] 99/10</p> <p>24th [1] 3/10</p> <p>25 [2] 101/32 101/35</p> <p>25 percent [1] 37/16</p> <p>25th [1] 93/19</p> <p>27 [2] 80/4 80/22</p> <p>27th [1] 80/10</p> <p>28 [2] 6/13 6/34</p> <p>286,602 [1] 52/16</p> <p>28th [5] 2/19 2/19 2/23 6/16 6/25</p> <p>291 [8] 26/18 26/20 26/21 27/15 34/27 41/8 41/22 41/30</p> <p>293 [1] 26/36</p> <p>2965 [1] 11/17</p> <p>297 [1] 26/36</p> <p>29th [2] 2/19 2/26</p> <p>2nd [1] 1/33</p>
<p>2</p> <p>2.8 million [1] 52/38</p> <p>20 [5] 2/10 17/11 17/35 19/14 101/26</p> <p>20,000 [1] 93/29</p> <p>200 [1] 19/9</p> <p>200 yards [1] 77/9</p> <p>2000 [1] 36/15</p> <p>2000s [1] 35/7</p> <p>2010 [1] 39/5</p> <p>2016 [4] 27/40 35/11 36/18 37/9</p> <p>2017 [1] 36/24</p> <p>2018-2019 [2] 96/12 96/15</p> <p>2019 [28] 1/4 6/12 6/13 6/14 6/15 6/16 6/17 6/25 6/29 6/32</p>	<p>3</p> <p>3.35 [1] 84/23</p> <p>30 [3] 15/25 64/7 67/13</p> <p>30-day [1] 66/3</p> <p>305 [1] 1/4</p> <p>30th [1] 64/14</p> <p>38 [1] 90/29</p> <p>397 [4] 4/6 4/10 26/37 26/39</p> <p>3:00 [1] 80/5</p> <p>3:00 p.m [2] 80/11 80/23</p> <p>4</p> <p>4.83 [2] 52/37 53/16</p> <p>40 [1] 90/28</p> <p>400 [2] 1/34 37/13</p> <p>401 [1] 65/3</p> <p>42,000 [1] 22/27</p> <p>44,735 [1] 52/32</p> <p>45 [3] 35/22 103/16 103/23</p> <p>46 [1] 90/28</p> <p>47,576 [1] 52/9</p> <p>5</p> <p>5 million [1] 95/16</p> <p>5-0 [1] 42/18</p> <p>5.4 [1] 53/12</p> <p>50 [5] 1/4 18/30 52/23 66/25 79/20</p> <p>51,000 [1] 52/11</p> <p>539,770 [1] 52/6</p> <p>55 [5] 101/31 102/7 103/16 103/22 103/26</p> <p>5:00 p.m [1] 36/33</p>

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