

The Honorable Board of Lander County Commissioners met in special session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on October 24, 2012 at 3:00 a.m.

**PRESENT:**     **DEAN BULLOCK, COMMISSIONER**  
                  **STEVEN STIENMETZ, COMMISSIONER**  
                  **DAVID MASON, COMMISSIONER**  
                  **RAY H. WILLIAMS JR., COMMISSIONER**  
                  **ANGIE ELQUIST, DISRICT ATTORNEY**  
                  **NICOLE TING, DEPUTY DISTRICT ATTORNEY**  
                  **GENE P. ETCHEVERRY, EXECUTIVE DIRECTOR**  
                  **ROGENE HILL, FINANCE**  
                  **SOVIEDA ROBINSON, HUMAN RESOURCES**  
                  **CATHY MYERS, DEPUTY CLERK**

**ABSENT:**     **BRIAN GARNER, COMMISSIONER**

**9:00 A.M.**

Commissioner Bullock called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Commissioner Mason led the Pledge of Allegiance.

Let the record reflect the presence of Austin via telephone conference.

**APPROVAL OF AGENDA NOTICE**

The Notice of Posting was reviewed and found to be in order. Commissioner Stienmetz moved to approve the Notice of Posting. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

**PAYMENT OF THE BILLS**

Jane Bianchi presented the Board with bills to be ratified.

**NACO**

Commissioner Stienmetz moved to approve check #042264 in the amount of \$945.00 to NACO for registrations. Seconded by Commissioner Williams, the motion was voted and carried

**APPROVED**

**WELLS FARGO REMITTANCE**

Commissioner Stienmetz moved to approve check #042283 in the amount of \$1,996.15 to Wells Fargo Remittance. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

**RODNEY L. DAVIS**

Commissioner Steinmetz moved to approve check #042288 in the amount of \$1,232.00 to Rodney L. Davis. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

**GAIL UTTER**

Commissioner Stienmetz moved to approve check #042414 in the amount of \$68.88 to Gail Utter. Seconded by Commissioner Williams, the motion was voted and carried. Commissioner Williams stated Gail Utter is his sister but has no relationship with this transaction. **APPROVED**

**PRO DOCUMENT SOLUTIONS**

Commissioner Stienmetz moved to approve check #042294 in the amount of \$1,937.15 to Pro Document Solutions. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

**MESHELL YOUNG**

Commissioner Stienmetz moved to approve check #042416 in the amount of \$65.00 to Meshell Young. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

**ARACELI STEPHENS**

Commissioner Stienmetz moved to approve check #042409 in the amount of \$65.00 to Araceli Stephens. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

**LOUANN LOGAN**

Commissioner Stienmetz moved to approve check #042398 in the amount of \$516.40 to LouAnn Logan. Seconded by Commissioner Williams, the motion was voted and carried.

**APPROVED**

**RESPONSE ENVELOPE, INC.**

Commissioner Stienmetz moved to approve check #042295 in the amount of \$1,389.84 to Response Envelope, Inc. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

Commissioner Stienmetz moved to approve the submitted expenditures in the amount of \$468,742.95 from check #42303 thru #42391. Seconded by Commissioner Mason, the motion was voted and carried with Commissioner Bullock abstaining from the vote on check #42315 and Commissioner Stienmetz abstaining from the vote on check #42374. **APPROVED**

**PUBLIC COMMENT**

No Public Comment

**Let the record reflect the Planning Commission opened their meeting at this time.**

***JOINT MEETING BETWEEN THE LANDER COUNTY BOARD OF COMMISSIONERS & THE LANDER COUNTY PLANNING COMMISSION***

- 1) **Discussion For Possible Action Regarding Proposed Water & Sewer Expansion South Of Battle Mountain To Provide For Future Development & Other Matters Properly Related Thereto:** Commissioner Mason explained Shaw Engineering drew the proposal with three options for Water & Sewer Expansion. Commissioner Mason stated we have a sewer plant that is in operation, but is only being 1/3 used. Commissioner Mason pointed out, on a map, where our infrastructure sewer is mostly maxed out. With the growth and the State pushing on us about water tables, wells, domestic wells and septic tanks in the south area of town, Commissioner Mason feels there is some liability there.

Kimberlie Davis, Lander County Planning Commission, explained if you reach the maximum density as set by the State, their thresholds for septic systems, with an area either served with municipal water or not served with municipal water, they can discontinue issuing permits. The growth will then stop.

Mickey Yarbrow commented that in the town of Pahrump there are 34,000 domestic wells and septic tanks because the water system is not in.

Ms. Davis stated from her knowledge, discussions and building, due to the density levels in Pahrump, they have seen nitrate contaminations in their water and aquifers. Having to high of a septic density the end result is contamination in your aquifers. That is why they manage the number of permits within a radial mile.

Commissioner Mason explained the proposal map drawn up by Shaw Engineering and the three options proposed. He talked about different parties who are looking to build homes and condominiums around the golf course area and would like to tie into the sewer system.

Ms. Davis commented that the growth is generally 20 to 30 houses in normal years. She said she was looking at a 30 to 50 year plan not a 20 year plan. Everything on the outside of where the sewer ends is new construction that Battle Mountain outgrew. Ms. Davis thinks this is something the county needs and she would like to see more served, with the least amount of money, so in 20 years we are not outgrowing what they did. It will cost less now then it will later. Ms. Davis pointed out the three option, but said she would be in support of an option the possibly would encompass more than one. She

suggested looking at areas that are open and need infill. If they build it we can grow, but if they don't there is every chance we will not grow. We will reach maximum capacity, for new construction, in the very near future. The higher the density the more taxes we are generating.

Commissioner Mason commented on the cost and said the highest estimated cost is \$4.5 million to put this system in.

John Williams, Planning Commission, asked to hear the general feelings from the Board of County Commissioners. He feels Ms. Davis explained where the Planning Commission stands on this issue.

Commissioner Bullock explained they are not against the sewer expansion, but feels they are pre-mature because until budget time they cannot do anything. If they are going to put in a sewer line it is going to affect the people out there because it is going to be mandatory. They will have to annex the town and those people out there may not want it. This is something that needs to be considered. People built out there because they didn't want to be part of the town. There needs to be public meetings and input from the community before they annex the town. Commissioner Bullock agreed we need a sewer line and we will be at capacity, but they need to not only determine future growth but the existing community that would be forced to be a part of this sewer system.

Mr. Williams did not agree that they would have to annex.

There was discussion on the selling point of the sewer system expansion.

Ms. Davis talked about only new construction tying in to the new system, and should the current residents have a failure with their systems they would then be required to tie in. The way this proposal was presented, to the Planning Commission, it does not extend out to the new potential areas.

Jake Edgar, Public Works Foreman, feels that Master Plan is lacking a couple of years. He suggested dealing with what they have first, as far as infrastructure. There are some things that need to be done, in the near future, before they start looking into expansions. He agrees housing is needed but stated it is in the code book on what they should be doing.

Commissioner Mason talked about Net Proceeds and the future possibility of the State taking that away. He is not asking to float a bond or raise taxes; he is just asking to set aside \$5 million in Net Proceeds in the next years 2013-14 Budget.

Mickey Yarbro said they tried to get city water out there eight plus years ago. Back then it was a \$60,000 project where the new water line is now going through Pleasant Hill Drive. He talked about the cost of tying into the water line at that time, what the cost is now, and the possible cost in the future. Mr. Yarbro also brought up residents not wanting to tie in because of the cost when they have already spent money for a well and pump. Lander County needs to spend the money to develop the community to draw people in.

Ms. Davis commented that to drive the concept it would need to be City Zoning. It is probably not cost effective to include five acre zoning in any kind of conceptual drawing. She talked about zoning and anything less than five would garner a good exchange for dollar for infrastructure. This may not be the best conceptual case, but Ms. Davis feels the expansion is necessary and does not think they have much more than ten year build. She also feels putting those trunk lines in an area that will be accessible by future development and to include in that a commercial component. Hotels and business require a sewer line and cannot function without it.

Commissioner Stienmetz stated he feel they need to do something like this, but he doesn't want to say he will just give \$4 million to go do it. He would like to see more studies done. He doesn't have a problem setting the money aside, but doesn't want to spend it until they know it is laid out there and serving the areas that need to be served.

Mr. Yarbro asked how many homes can be put on a sixteen inch line. Commissioner Mason answered by saying this proposal was calculated for 1500 homes. There was some discussion on the size of current sewer lines.

Mr. Williams talked about making a commitment to allocate some money during budget time and doing some studies. He feels a commitment needs to be made now to move this forward.

Commissioner Bullock said they are all in agreement that we need a sewer expansion, they just can't commit. There are many issues that need to be looked at.

Ms. Davis asked if they could make a statement that this is needed, that there is clearly more work to be done to define what that is going to look like, it will be topics of discussion until there is money to fund further progress on it and through this starting point everyone is on board to start to evaluate and start bringing to the table pieces that are important to the expansion.

Commissioner Bullock pointed out that they will not know what the Commission will look like come January 1<sup>st</sup>. He also asked if they put this in are they going to do a half rate for those that are already exist. There are many issues to discuss.

Commissioner Williams expressed the issue he has is that Jake Edgar's system is Battle Mountain town. All this other stuff being talked about is in Lander County. Commissioner Williams feels, like Austin did, it is still a district, but when they expanded the area they wanted to serve they expanded the district. There is no district anymore, it was given back to Battle Mountain town, so the only other option is to form another district or expand the Battle Mountain town boundaries.

Mr. Edgar said the Water and Sewer Master Plan needs to be redone. He understands the expansion but there is a lot of other goals that have been put out there first that many people would like to see done as well.

There was more discussion on allocating money from net proceeds for studies and the project and bringing it to the table during budget time. There was also more discussion to have Public Meetings to get the input from the community and the boundary lines of Battle Mountain.

Mr. Edgar also added to include Donnie Negro, Road and Bridge North into the discussions of this plan. They are trying to work together on their projects and coordinate together.

Kimberlie Davis, Planning Commission, moved to have this as a regularly occurring agenda item on the Planning Commission agenda until otherwise removed for any matters pertaining to water and/or sewer and/or road expansions. So they can talk about anything that falls within the parameters of that agenda item, water, sewer, or roads. Ms. Davis added to have a joint meeting with the Commissioners once a quarter. Seconded by John Williams, Planning Commission, the motion was voted and carried by the Planning Commission.

Mr. Yarbro explained the County didn't want to put water and sewer out in the area past Echo Bay and that is why the water and sewer development stopped.

**PUBLIC COMMENT**

No Public Comment.

**ADJOURNMENT**

***The Planning Commission adjourned their meeting at this time.***

There being no further business before the Board at this time, Commissioner Williams moved to adjourn the meeting of October 24, 2012. Seconded by Commissioner Stienmetz the motion was voted and carried. **ADJOURNMENT**

  
CHAIRMAN OF THE BOARD OF LANDER  
COUNTY COMMISSIONERS AND THE  
LANDER COUNTY LIQUOR BOARD

ATTEST:



LANDER COUNTY CLERK

*NOTE: The Board of Lander County Commissioners serves as the town Board for the unincorporated towns of Battle Mountain and Austin, Nevada.*