

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on May 10, 2012 at 9:00 a.m.

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

ABSENT: BRIAN GARNER, COMMISSIONER
STEVEN STIENMETZ, COMMISSIONER

9:00 A.M.

Chairman Dean Bullock called the meeting to order.

Let the record reflect a quorum of three 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 Williams moved to approve the Notice of Posting. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

APPROVAL OF MINUTES

April 26, 2012 – Regular Session

May 7, 2012 – Special Session

Commissioner Williams moved to approve. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COMMISSIONER REPORTS

Commissioner Williams reported on his attendance of the NACO meeting on April 3 & 4, 2012. He also talked about trying to get the Tri-County meeting together and the continuing issues with high speed internet in Austin.

Commissioner Mason reported on the Planning Commission meeting on May 9, 2012.

Commissioner Bullock reported on his attendance of the Chairs and Mayors Committee (a newly created committee) meeting on April 26, 2012. He said the main issue discussed was on Nevada Taxes. Commissioner Bullock also reported on his attendance at the POOL/PACT meeting.

STAFF REPORTS

Executive Director, Gene Etcheverry, reported on the CTX subcommittee video conference he attended in Winnemucca on April 30, 2012. He said on May 4, 2012 he was in Las Vegas to attend the Public Lands subcommittee meeting.

PAYMENT OF THE BILLS

Commission Williams moved for the Board to approve the submitted expenditures in the amount of \$264,800.44 from check #40451 thru #40548. Seconded by Commissioner Mason the motion was voted and carried with Commissioner Williams abstaining from check number 40546. **APPROVED**

PAYROLL CHANGE REQUESTS

1. Approval of Employee number 0743, New Hire, Maintainer II, \$14.53 per hour, effective April 30, 2012.
2. Approval of Employee number 1404, New Hire, Maintainer I, \$13.44 per hour, effective May 14, 2012.

Commissioner Mason moved for the Board to approve the payroll change requests of employee number 0743 and employee number 1404. Seconded by Commissioner Bullock the motion was

voted and carried with the Commissioner Williams abstaining from the vote on Employee number 1404. **APPROVED**

PUBLIC COMMENT

Commissioner Mason commented on the insurance issue from the special meeting of May 7, 2012, and asked for the staff to work up a plan so the Commissioners are not caught short sighted next time. He wants to have plenty of time to study the figures, have the meetings and whatever else may be required.

FINANCE

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts & Financial Update & Other Matters Properly Relating Thereto:** Finance Director, Rogene Hill, addressed the Board and said there were six ambulance accounts that were sent to collections totaling \$2,615.00 in April. She said six accounts totaling \$3,837.00 were written off due to the six month rule due to no activity. There is a current account balance of \$20,261.34 at the collection agency.

Ms. Hill said accounts receivable for the month of April are as follows:

WATER: \$10,618.00
SEWER: \$13,278.00
WATER & SEWER MISC.: \$0
LANDFILL: \$14,125.00
AMBULANCE: \$31,320.00

Ms. Hill said after the meeting on May 7, 2012, she has been working with John Carlson about offering a couple more plans with higher deductibles in hopes of making insurance for the families more affordable. Open enrollment for the insurance is May 14th and 15th.

Ms. Hill also stated that she will be moving \$150,000.00 from the emergency management to the jail. She said she will be putting that \$150,000.00 into line item 001.013.53720 for prisoner medical and crediting, taking away from 001.035.53971 which is emergency management. She said this leaves a balance of \$100,000.00 in the emergency fund.

Ms. Hill also reported on her attendance at the POOL/PACT meeting and said it was stressed to look at the fiscals and make sure they are being done properly and the follow up that needs to go behind them.

Commissioner Williams expressed concerns about the water truck for Austin not being in the budget and the urgency of the need for one soon. Ms. Hill said it is still in the budget and said the special meeting for the budget will be on May 21, 2012 at 8:45 a.m.

EXECUTIVE DIRECTOR

- 2) **Discussion For Possible Action Regarding An Update & Status Report On The Battle Mountain Levee Project & Other Matters Properly Relating Thereto:** Steve Morton, Summit Engineering, addressed the Board and provided an update on the Battle Mountain Levee Project. He talked about funds, reports and the possible options to Lander County to build the Levee.

There was discussion about Lander County paying for the Levee on its own without the Army Corp and get FEMA on board. Mr. Morton said a rough preliminary cost would be between four and ten million dollars depending on what would need to be done.

Commissioner Williams moved for the Commission to establish the position that the Battle Mountain Levee Project is vital and necessary to the Town of Battle Mountain and formally request the assistance of the Nevada Congressional Delegation in obtaining Project-specific funding for the USACE Sacramento District Office to elevate the priority and continue work on the Project. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 3) **Discussion For Possible Action Regarding Award Of Bid For The Battle Mountain Civic Center Sign & Electronic Message Board Received In Response To Request For Proposal (RFP) #12-01 & Other Matters Properly Related Thereto:** Executive Director, Gene Etcheverry, said two bids were received, Young Electric Sign Company (YESCO) for \$76,895.00 and a \$275.00 monthly maintenance contract. The J.M. Stewart Corporation for \$56,790.00. He explained the differences between the two bids stating that YESCO would take down the old sign, put up the new sign and provide training and software. J.M. Stewart's bid only was to provide a sign. Mr. Etcheverry said his recommendation was to accept the best and most responsive bid from YESCO.

Tara Love said just to have a sign company come look at a sign to see if there was problem, they would charge \$500.00 and the price would go up depending on what was wrong. There was discussion about Convention and Tourism paying for the sign. Commissioner Bullock said the money has already been allocated from other funds and they should move forward.

Commissioner Williams moved to accept the proposal from YESCO for a total amount of \$76,895.00 and include the maintenance agreement for the sign. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 4) **Discussion For Possible Action Regarding Update & Status Report On The Austin Loneliest Highway Visitors Center Project & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, addressed the Board and provided them an update on the Austin Loneliest Highway Visitors Center. He said the 90% Design is due to NDOT the fourth week of May and they are willing to accept it. He said they are recommended for additional fund in the amount of \$100,000.00 and they will most likely be required a match of \$5,000.00. He said this project needs to go out to bid by August 15, 2012. He said NDOT is going to let the value of the property be used as match. Commissioner Mason said he is leaning towards giving up this project. Commissioner Williams said this project is to help clean up downtown Austin and finish up that block. **NO ACTION- UPDATE ONLY**

KINGSTON TOWN BOARD

- 5) **Discussion For Possible action To Declare Betty Kemp Elected To The Kingston Town Board Seat "A" & Ann Miles Elected To The Kingston Town Board Seat "C", Pursuant To The Provisions Of NRS 269.0205, & Other Matters Properly Relating Thereto:** Shannon Thiss, Kingston Town Clerk, addressed the Board and stated that two seat became vacant due to resignations. She said since Betty Kemp and Ann Miles are running unopposed in the election they would like to just put them into those seats early.

Commissioner Williams moved for the Commission to appoint Betty Kemp to the Kingston Town Board seat "A" and Ann Miles to the Kingston Town Board seat "C" for the balance of the unexpired terms of the respective incumbents. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

ROAD & BRIDGE SOUTH

- 6) **Discussion For Possible Action Regarding Award Of Bid For A Used Tractor/Truck, In The Amount Of \$25,754.00, & Other Matters Properly Relating Thereto:** Bert Ramos, Road and Bridge Foreman South, addressed the Board and said the bid he would like to see accepted is the one from Cashman Equipment in the amount of \$23,000.00. Mr. Ramos said it is a 1998 and has 350,000 miles.

Commissioner Williams moved for the Commission to accept the bid from Cashman Equipment for \$23,000.00 for a used tractor/truck. Seconded by Commissioner Mason, the motion was voted and carried. APPROVED

- 7) Discussion For Possible Action Regarding Award Of Bid For The Austin Road & Bridge Department Fencing Project & Other Matters Properly Relating Thereto: Bert Ramos, Road and Bridge Foreman South addressed the Board and said Glacier from Fallon, Nevada was the low bid. He recommends accepting their bid.

Commissioner Williams moved for the Commission to accept the Glacier Construction Company Bid of \$41,800.00 for the Austin Road and Bridge fencing project. Seconded by Commissioner Mason, the motion was voted and carried. APPROVED

COMMISSIONERS

- 8) Discussion For Possible Action Regarding A Grant To The Lander County Historical Society, In The Amount Of \$10,000.00, Effective July 1, 2011 & Other Matters Properly Related Thereto: Executive Director, Gene Etcheverry, said the petitioner asked for this item to be tabled. They will come back next year because they were not prepared. NO ACTION

- 9) Discussion For Possible Action Regarding Acceptance Of 82.23 Acres Of Land To Be Transferred From Lander County School District To Lander County For General Public Purposes, APN 011-080-01, & Other Matters Properly Related Thereto: Executive Director, Gene Etcheverry, said the Commission could go forward and say they would be willing to accept the land. The land would be used for personal use and could be used for the Levee project. He said this has not gone before the School Board yet but the Commission can say they are willing to accept the transfer.

Commissioner Williams moved for the Commission to authorize staff to make a formal request to the Lander County School Board for the approval and transfer of 82.23 acres of land APN 001-080-01 from the Lander County School Board District to Lander County for general public purposes. Seconded by Commissioner Mason, the motion was voted and carried. APPROVED

- 10) Discussion For Possible Action Regarding GIS Road Map Project Completed By Summit Engineering & Other Matters Properly Relating Thereto: Executive Director, Gene Etcheverry, said the research is continuing. He said the County needed a cataloging of roads as well as classification of the roads and RS2477 Rights-of-Way. Mr. Etcheverry said in the interest of Ben Veach, on behalf of Summit helping the Commission, he accepted an amendment of a contract, in the amount of \$47,000.00, that was a GIS

Project to map out the resources in Lander County. Mr. Etcheverry said there is a current contract through Yucca Mountain program to make Lander County's GIS files and all the GIS information housed in one location and able to be used. He said he doesn't know where these files exist and when he has contacted NDOT they say they don't have them. He said he is still researching. **UPDATE- NO ACTION**

11) Discussion For Possible Action Regarding Lander County's Issues/Concerns To Be Addressed During The 2013 Legislative Session & Other Matters Properly Relating Thereto: Executive Director, Gene Etcheverry, discussed with the Commission issues that may be bought up with the Legislature. He mentioned the Gold Belt Coalition, Federal Land Issues, Sage Grouse Legal Intervention by Nevada State and relief from specific statutory/regulatory requirements for counties less than 10,000 population. There was also discussion on getting the Tri-County meeting scheduled so they know where the other Counties stand on these and other issues.

12) Correspondence/Reports/Potential Upcoming Agenda Items:

The Commissioners reviewed the following correspondences that are retained in the Clerk's Office:

1. COREY T. SHUMAN, PRESIDENT, GOLD RUSH EXPEDITIONS, to Lander County Commission, letter of introduction and intent to be in Lander County in the near future to locate, assess and survey abandoned mines on BLM land.
2. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Reader, letter inviting review and comment on the Newmont Mining Corporation, Phoenix Copper Leach Project abbreviated Final Environmental Impact Statement (FEIS) prepared by the Bureau of Land Management, Mount Lewis Field Office.
3. WILLIAM J. LEADY, P.E., US ARMY CORPS OF ENGINEERS, to Dean Bullock, Chairman, Lander County Board of Commissioners, letter regarding Battle Mountain Flood Levee Project.
4. LUIS RODRIGUEZ, P.E., FEMA, to Dean Bullock, Chairman, Lander County Commissioners, letter regarding Preliminary Flood Insurance Rate Map, (FIRM) panels and Flood Insurance Study (FIS) report for Lander County.
5. RITA PALMER, SECRETARY/TREASURE, KINGSTON MANAGEMENT ASSOCIATION, to Richard & April Allen, letter regarding complaints received on conditions of property.

6. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail regarding article published in the Daily Herald in Provo, Utah concerning RS 2477 roads.

Jake Edgar, Public Work Foreman, addressed the Board concerning redoing a Capital Improvement Plan that would encompass the next fifteen years. Something developers can look at, in a working format, when planning to open a business in Battle Mountain. He also said they need to get back into the standard practices.

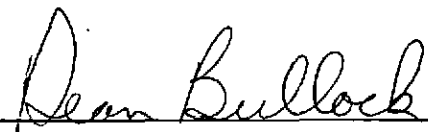
Commissioner Williams asked what the Gold Rush Expedition was. Mr. Etcheverry said this is a group that is in town that specializes in surveying.

PUBLIC COMMENT

There was no Public Comment

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Mason moved to adjourn the meeting of May 10, 2012. Seconded by Commissioner Williams, 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.