

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 June 9, 2011 at 9:00 A.M.

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

ABSENT: **STEVEN STIENMETZ, COMMISSIONER**

9:00 A.M.

Vice Chairman Ray H. Williams, Jr. called the meeting to order.
Let the record reflect the presence of a quorum of four Commissioners.
Commissioner Garner 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 Bullock moved to approve the Agenda Notice, as posted. Seconded by Commissioner Mason the motion was voted and carried. **APPROVED**

APPROVAL AND ACCEPTANCE OF MINUTES

Regular Session of May 26, 2011

Commissioner Bullock moved to approve the minutes of the regular session of May 26, 2011, as presented. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**



CORRESPONDENCE

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

1. ROBERT M. GROVES, United States Department of Commerce, to Chuck Chapin, Chairmen, letter expressing appreciation for Lander County's efforts in making 2010 Census a success
2. DOUGLAS W. FURTADO, Bureau of Land Management, to Interested Parties, letter regarding Ormat Nevada Inc.'s Utilization Plan and Plan of Development for McGinness Hills Geothermal Development Project.
3. DOUGLAS W. FURTADO, Bureau of Land Management, to interested Public, letter regarding proposed decision for transfer of grazing preference and issuance of a term grazing permit from Richard and Claudia Hutchings to Truckee River Ranch for the Potts Allotment.
4. NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, Division of Environmental Protection, Bureau of Air Pollution Control, letter regarding Director's Review and Preliminary Determination to Issue Permit for Newmont Mining Corporation - Phoenix Mine.

Commissioner Garner asked for some clarification on the Douglas W. Furtado #2 correspondence.

REPORTS

There were no reports to review at this time.

COMMISSIONER REPORTS

Commissioner Mason reported the Planning Commission on June 8, 2011 was interesting. He also commented on a new Power Plant coming into Lander County. Commissioner Mason said he felt there needed to be a way to "spot zone" to secure investments in land and not have your permits withdrawn. Commissioner Garner stated if you purchased land you could have a



variance on it for the life of your business. Commissioner Mason explained this power plant was going to put up forty acres of solar panels.

Commissioner Williams reported they had another meeting to attend, this day, at 12:00. Commissioner Williams also reported on information from the EPA that pertains to the ground water in Battle Mountain. Executive Director, Gene Etcheverry, stated he had contacted NDEP and they are willing to send two representatives to speak with the Commission. Commissioner Bullock stated the reports are to inform how they are fixing the issue. Commissioner Williams also reported on the broadening of the EPA's definition of navigable water. There was a request for a map or some other information that may identify the areas of concern by a few of the Commissioners. Commissioner Williams also stated there would be a meeting in Austin on June 10, 2011 with the Central Rural Water Association (CWRA) and ORMAT. He also commented on the upcoming Fourth of July events on Austin.

STAFF REPORTS

Executive Director, Gene Etcheverry, reported on Austin Loneliest Highway Visitor Center 60% design being submitted to NDOT. He stated NDOT requires a 45 day review period and then the design will be submitted to the Historic Preservation Office that requires a minimum of 30 days to review. Stantec has stayed in contact with both agencies. Mr. Etcheverry stated there was just over \$400,000.00 on the grant that would be used to build the facility with. Commissioner Garner shared concerns about the cost of this project to the County. Mr. Etcheverry explained the County would be reimbursed for the majority through grants, but the County would need to make up about \$18,000.00. Mr. Etcheverry also stated that the Legislature died at 1:00 a.m. on the morning of June 7, 2011. He stated he sent all the Commissioners an estimate of how much of the programmatic costs will be shifted down to the County from the Health and Human Services Department. Mr. Etcheverry informed the Board on the passing of Mike Ayers, who was a Local 3 negotiator, and when the services would be held. Mr. Etcheverry stated that the person who usually coordinates the Fourth of July events, from the Chamber of Commerce, has chosen not to this year. He did state that there are some who may be willing to coordinate for this year with the help of the Commissioners. He also re-announced the Central Nevada Water Authority Meeting in Austin. Commissioner Williams asked if the High School Rodeo went on as planned. Mr. Etcheverry stated yes it did, and commented on the Equine Herpes Virus and the minimal risk to the horses in this area. Commissioner Williams also commented on the mosquito problem in Battle Mountain.

PAYMENTS OF BILLS



Commissioner Garner moved to approve the submitted expenditure in the amount of \$320,488.72 from check #36884 thru #36988. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

LEGACY CONSTRUCTION

Commissioner Garner moved to ratify check #37000 in the amount of \$93,666.44 to Legacy Construction. Seconded by Commissioner Bullock, the motion was voted and carried. **APPROVED**

9:27 A.M.

PAYROLL CHANGE REQUESTS

1. Employee Change Request for employee number 0744, New Hire, Assistant Pool Manager, \$11.65 per hour, effective May 16, 2011.
2. Employee Change Request for employee number 1113, New Hire, Third Year Lifeguard, \$8.75 per hour, effective May 16, 2011.
3. Employee Change Request for employee number 1107, New Hire, Water Safety Instruction, \$9.50 per hour, effective June 6, 2011.
4. Employee Change Request for employee number 1117, New Hire, Third Year Lifeguard, \$8.75 per hour, effective June 6, 2011.
5. Employee Change Request for employee number 0743, New Hire, Third Year Lifeguard, \$8.75 per hour, effective June 6, 2011.
6. Employee Change Request for employee number 1240, New Hire, First Year Lifeguard, \$8.25 per hour, effective June 6, 2011.
7. Employee Change Request for employee number 1288, New Hire, First Year Lifeguard, \$8.23 per hour, effective June 6, 2011.
8. Employee Change Request for employee number 1318, New Hire, First Year Lifeguard. \$8.25 per hour, effective June 6, 2011.
9. Employee Change Request for employee number 1390, New Hire, First Year Lifeguard, \$8.25 per hour, effective June 6, 2011.
10. Employee Change Request for employee number 1434, New Hire, First Year Lifeguard, \$8.25 per hour, effective June 6, 2011.
11. Employee Change Request for employee number 2060, New Hire, Part-Time Deputy Clerk, \$12.72 per hour, effective June 6, 2011.
12. Employee Change Request for employee number 1325, Full-Time Deputy Clerk, \$12.72 per hour, effective May 16, 2011.



13. Employee Change Request for employee number 1189, Promotion, Senior Deputy Clerk, \$15.48 per hour, effective May 16, 2011
14. Employee Change Request for employee number 1403, New Hire, First Year Lifeguard, \$8.25 per hour effective June 6, 2011.
15. Employee Change Request for employee number 1500, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective June 6, 2011.
16. Employee Change Request for employee number 1565, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective June 6, 2011.
17. Employee Change Request for employee number 1460, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective June 6, 2011.
18. Employee Change Request for employee number 1207, New Hire, Seasonal Groundskeeper, \$10.00 per hour, effective June 6, 2011.
19. Employee Change Request for employee number 1444, New Hire, Civic Center Executive Director, \$1,480.77 bi-weekly, effective June 6, 2011.
20. Employee Change Request for employee number 1476, New Hire, Maintainer II, \$14.31 per hour, effective May 31, 2011.

Commissioner Bullock questioned why the Groundskeepers made more than the Lifeguards, and if the County paid the wages of the Civic Center Executive Director. Rogene Hill, stated the County does not pay their wages it comes out of the Fair and Recreation budget.

Commissioner Garner moved to approve the twenty payroll change requests. Seconded by Commissioner Bullock, the motion was voted and carried with Commissioner Williams abstaining from the vote on employee #1117 and #1403. **APPROVED**

PUBLIC COMMENT

There was no one present for comment.

FINANCE

9:36 A.M.

- 1) **Budget Review & Update:** Rogene Hill, Finance Director, updated the board on the May Green Fee Revenue for the Golf Course was \$7596.00 or \$660.00 over prior year. Trail Fees were \$490.00 or \$420.00 over prior year. Storage Fees are \$50.00 less than prior



year which is \$6050.00. Ms. Hill stated she would be doing a budget augmentation for the next Commission meeting for 2011.

Accounts receivable for the month of May are as follows; Landfill \$14,158.00, Ambulance \$42,744.00, Water and Sewer \$25,284.00, Miscellaneous Water and Sewer \$51.00 for a total of \$82,237.00.

9:37 A.M.

- 2) **Discuss & Approve/Disapprove Resolution No. 2011-07, A Resolution Setting The FY 2011-2012 Tax Rate For The Cooperative Extension (Agricultural Extension & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, gave clarification of this Resolution.

Commissioner Bullock moved to approve Resolution No. 2011-07, Resolution of the Board of Lander County Commissioner setting the FY 2011-2012 tax rate for the Cooperative Extension (Agriculture Extension) at \$0.0150 per \$100.00 of assessed value. Seconded by Commissioner Garner, the motion was voted and carried. Commissioner Bullock amended his motion to authorize the Commission to sign. **APPROVED**

9:41 A.M.

- 3) **Discuss & Approve/Disapprove Resolution 2011-08, A Resolution Of The Lander County Board Of Commissioners To Establish Fund Balance Policies As Required By Governmental Accounting Standards Board (GASB) Statement Number 54 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, reviewed and explained this Standard Practice and the Resolution with the Board. Mr. Etcheverry stated this Resolution establishes the fund balance policies for Lander County, as required by GASB Statement 54, and implements Lander County Standard Practice No. 2001-02 that sets forth the authority of the Lander County Board of Commissioners to set aside funds as "committed" for specific purposes.

Commissioner Garner moved to approve and adopt Resolution No. 2011-08, a Resolution of the Lander County Board of Commissioner to establish fund balance policies, as required by Governmental Accounting Standards Board (GASB) Statement Number 54 and, thereby, implement Lander County Standard Practice No. 2011-02 and authorize the Vice Chair to sign. Seconded by Commissioner Bullock, the motion was voted and carried. **APPROVED**



9:54 A.M.

- 4) **Discuss & Approve/Disapprove Resolution No. 2011-09, A Resolution Of The Lander County Board Of Commissioners To Designate Balance Of 'Retiree Insurance Fund' As "Committed Fund Balance" Within The Lander County General Fund As Required By Governmental Accounting Standards Board (GASB) Statement Number 54 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, explained this Resolution to the Board.

Commissioner Garner moved to approve and adopt Resolution No. 2011-09, a Resolution of the Lander County Board of Commissioners to designate the balance of the Retiree Insurance Fund as "committed fund balance" within the Lander County General Fund as required by Governmental Accounting Standards Board (GASB) Statement Number 54 and authorize the Vice Chair to sign. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

10:00 A.M.

- 5) **Discuss & Approve/Disapprove Resolution No. 2011-10. A Resolution Of The Lander County Board Of Commissioners To Designate Ad Valorem (Property) Tax Receipts As The Dedicated Revenue Source To The 'Lander County Landfill' Fund & Designate The Fund As "Committed Fund Balance" As Required By Governmental Accounting Standards Board (GASB) Statement Number 54 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, explained this Resolution to the Board and stated if these funds are "committed" they cannot be used for anything else.

Commissioner Bullock moved to approve and adopt Resolution No. 2011-10, a Resolution of the Lander County Board of Commissioners to designate ad Valorem (property) tax receipts as the dedicated revenue source to the Lander County Landfill Fund and designate the fund balance as "committed fund balance" as required by Governmental Accounting Standards Board (GASB) Statement Number 54 and authorize the Vice Chair to sign. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

10:03 A.M.

- 6) **Discuss & Approve/Disapprove Resolution No. 2011-11. A Resolution Of The Lander County Board Of Commissioners To Designate Ad Valorem (Property) Tax Receipts As The Dedicated Revenue Source To The 'Lander County Airport Fund' & Designate The**



Fund Balance As "Committed Fund Balance" As Required By Governmental Accounting Standards Board (GASB) Statement Number 54 & Other Matters Properly Relating Thereto: Executive Director, Gene Etcheverry, explained this Resolution to the Board.

Commissioner Garner moved to approve and adopt Resolution No. 2011-11, a Resolution of the Lander County Board of Commissioners to designate Ad Valorem (property) tax receipt as the dedicated revenue source to the Lander County Airport Fund and designate the fund balance as "committed fund balance" as required by Governmental Accounting Standards Board (GASB) Statement Number 54 and authorize the Vice Chair to sign. Seconded by Commissioner Bullock, the motion was voted and carried. **APPROVED**

10:05 A.M.

- 7) **Discuss & Approve/Disapprove Resolution No. 2011-12, A Resolution Of The Lander County Board Of Commissioners To Designate Payments In Lieu Of Taxes (PILT) Receipts As The Dedicated Revenue Source To The 'Lander County Culture & Recreation Fund' & Designate The Fund Balance As "Committed Fund Balance" As Required By Governmental Accounting Standards Board (GASB) Statement Number 54 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, explained this Resolution to the Board.

Commissioner Garner moved to approve and adopt Resolution No. 2011-12, a Resolution of the Lander County Board of Commissioners to designate Payments In Lieu of Taxes (PLIT) receipt as the dedicated revenue source to the Lander County Culture and Recreation Fund and designate the fund balance as "committed fund balance," as required by Governmental Accounting Standards Board (GASB) Statement Number 54 and authorize the Vice Chair to sign. Seconded by Commissioner Bullock, the motion was voted and carried. **APPROVED**

COMMISSIONERS

10:05 A.M.

- 8) **Discuss & Approve/Disapprove Draft FY 2012-2021 Annual Work Program (AWP) Containing Proposed Betterment Projects From The Nevada Department Of Transportation (NDOT) & Other Matters Properly Relating Thereto:** Let the record



reflect the presence of NODT, Scott Rawlins, Deputy Director for the Department of Transportation. Let the record also reflect the presence of Kevin Lee District 3 Engineer, Mike Murphy Assistant District 3 Engineer, Randy Hesterly Assistant District Engineer in Ely, Kevin Gallio Highway Maintenance Superintendent from Winnemucca, and Todd Goodale. Bill Hoffman, Assistant Director-Engineering; Jason Van Havel, Planning-Assistant Division Chief; Jennifer Cooper, Heather Manzo, and Terri Compton of Planning. Mr. Scott Rawlins addressed the Board to bring forth the annual work program of NDOT for comments and approval. Mr. Rawlins expressed the values of the agency and their commitment to follow those values. Mr. Rawlins also stated that the fatalities in the State of Nevada have decreased since 2006 from 434 to 256 in 2010, which is part of the Statewide Strategic Highway Safety Plan. Mr. Rawlins also stated there was a new program out, the "Zero Fatalities" it is about saving lives and there will be an education campaign this year across the State to improve safety. NDOT is looking to expand the Traffic Incident Management Program across the State. Mr. Rawlins said the 511 System has been very successful in providing information to drivers, and are looking to expand this system. Mr. Rawlins touched on some studies being done in regards to transportation and Highways. Mr. Rawlins stated there was difficulty filling the vacancies with the Department, and stated it could be due to not being able to compete with the wages of the Mines and due to changes made in the Legislature. Mr. Rawlins talked about funding, and the projects that are being proposed for Fiscal Year 2012-2019. The current proposed projects are various areas of I-80 and US 50, and a section of SR 305, SR 376, and SR 722. There was discussion on some of the project questions raised about bike paths and if the road could be raised for the Lander County Levee Project. Dee Helming, Austin Chamber of Commerce, also commented on adding a bike path from Fallon to Ely.

Commissioner Garner moved to accept and approve the Nevada Department of Transportation (NDOT) Lander County DRAFT Fiscal Year 2012-2021 Transportation System Projects (TSP) document containing the proposed Lander County Work Program. Seconded by Commissioner Bullock, the motion was voted and carried. **APPROVED**

10:47 A.M.

- 9) **Discuss & Approve/Disapprove Draft Amendment Number 1 To The Project Cooperation Agreement Between The Department Of The Army & Lander County, Nevada For Construction Of The Battle Mountain Levee Project & Other Matters**



Properly Relating Thereto: Ben Veach, Summit Engineering, addressed the Board and presented a draft of the Amendment made to the existing agreement signed in 2000. Mr. Veach stated his understanding of the amendment draft, but encouraged to the Board to rely on Legal Counsel to make sure there are no loopholes or problems.

Commissioner Garner moved to direct Ben Veach to work with the staff and Angie Elquist, District Attorney, to work on this amendment and bring it back before the Board. Mr. Etcheverry gave some clarification and shared some concerns in regards to this amendment. Seconded by Commissioner Bullock, the motion was voted and carried.

APPROVED

10:56 A.M.

- 10) **Discussion & Possible Action Regarding Franklin B. Whitman's Request Regarding The Safe School Title II Funding Appropriated For Lander County & Other Matters Properly Relating Thereto:** Theresa Frolli, Humboldt Toiyabe National Forest and Capital City Coordinator for the State of Nevada, addressed the Board and presented a Power Point regarding the Secure Rural School and Community Self-Determination Act. Ms. Frolli reviewed the Power Point hand out with the Board and explained the programs to the Board. Ms. Frolli also discussed proposed projects for Lander County and other ways for the County to spend the Title III Funds. There was discussion on how the funds could be allocated between Title I, II, III and IIII. Joy Brandt, from Austin, stated in Austin there is a Fire Safe Counsel. Ms. Frolli stated it was important to have the funds committed so it doesn't go back to the Treasury. A letter was written by Franklin B. Whitman, requesting Lander County to participate with White Pine and Nye Resource Advisory Council (RAC) and allocate some funds to Title II and commit funds to the projects being proposed for Lander County. The Board directed Gene Etcheverry to agendize the action to allocate funds into Title II for the June 23, 2011 Commission meeting.

Commissioner Williams recessed the meeting of the Lander County Board of Commissioners to convene the meeting of the Lander County Liquor Board.

SHERIFF

11:42 A.M.

- 11) **Discuss & Approve/Disapprove Issuance Of Liquor License To Tara Lynn Manzini For The Golden Club Located At 81 Main Street, Austin, Nevada & Other Matters Properly Relating Thereto:** Sheriff Ron Unger stated he saw no issues with granting this liquor license.



Commissioner Bullock moved to approve the issuance of a Liquor License to Tara Lynn Manzini for the Golden Club located at 81 Main Street, Austin, Seconded by Commissioner Garner, the motion was voted and carried. **APPROVED**

Commissioner Bullock moved to adjourn the meeting of the Lander County Liquor Board and reconvene the meeting of the Lander County Board of Commissioners. Seconded by Commissioner Mason, the motion was voted and carried

SHERIFF

11:44 A.M.

- 12) **Discuss & Approve/Disapprove Participation Agreement Between Government Payment Services, Inc. & The Lander County Sheriff's Office For The Acceptance Of Bail & Other Fees:** Under Sheriff Robert Quick addressed the Board to explained that this was a service to allow the Sheriff's Department to accept Credit and Debit Cards for various services they provide, and to allow a higher dollar amount to be added to an inmate's commissary.

Commissioner Garner moved to approve the Participation Agreement between Government Payment Services, Inc. and other Lander County Sheriff's Office for the acceptance of bail and other fees and authorize the Sheriff to sign. Seconded by Commissioner Bullock, the motion was voted and carried. **APPROVED**

11:47 A.M.

- 13) **Discuss & Approve/Disapprove Forensic Support Services Agreement Between Washoe County On Behalf Of The Washoe County Sheriff's Office & Lander County On Behalf Of The Lander County Sheriff's Office For Forensic Laboratory Services:** Undersheriff Robert Quick addressed the Board and explained this is a yearly agreement and the funds for this service are budgeted.

Commissioner Bullock moved to approve the Forensic Support Services Agreement between Washoe County on behalf of the Washoe County Sheriff's Office and Lander County on behalf of the Lander County Sheriff's Office for forensic laboratory services at a total cost of \$6,416 for Fiscal Year 2011-2012. Seconded by Commissioner Garner the motion was voted and carried. **APPROVED**

11:48 A.M.



- 14) **Discuss & Approve/Disapprove Interlocal Contract Between The Department Of Information Technology (DoIT) & The Lander County Sheriff's Office For Radio Rack Rental Space In The DoIT Facility In Austin, Nevada, & Other Matters Properly Related Thereto:** Undersheriff Robert Quick informed the Board this is a Bi-Yearly contract the Sheriff's Department has with the Department of Information Technology for radio rack space in Austin were the Sheriff's Office and the Road and Bridge Department have radio equipment. The rental fee for this contract is also budgeted.

Commissioner Garner moved to approve the Interlocal Contract between the Department of Information Technology (DoIT) and the Lander County Sheriff's Office for radio rack rental space in the DoIT facility located on Austin Mountain at a total cost of \$1,791.45 for Fiscal Year 2011-2012 and \$1,983.93 for Fiscal Year 2012-2013 and authorize the Vice Chair to sign. Seconded by Commissioner Bullock, the motion was voted and carried. **APPROVED**

11:53 A.M.

- 15) **Discussion & Possible Action Regarding The Transfer Of Communication Building From Commnet Wireless, LLC To Lander County Sheriff's Office On Behalf Of Lander County Located On Austin Summit For The Purpose Of Communications & Other Matters Properly Relating Thereto:** Undersheriff Robert Quick addressed the Board to explain that Commnet Wireless is no longer going to be using this building and are willing to give it to the Sheriff's Department for radio equipment. Mr. Quick explained there was no more rack space, with the State, for the new repeater in Austin. Mr. Quick also stated he spoke with the Forest Service and there is a permit fee of \$120.00, and they do not typically charge local government lease space.

Commissioner Garner moved to approve the proposed ownership transfer of the communication building located on the Austin Summit from Commnet Wireless, LLC to the Lander County Sheriff's Office, on behalf of Lander County, for the purpose of communications, subject to a plan for the use of the facility and application for a Special Use Permit from the U.S.D.A.-Forest Service. Seconded by Commissioner Bullock, the motion was voted and carried, **APPROVED**

PUBLIC WORKS

1:00 P.M.



- 16) **Discussion & Possible Action Regarding The Battle Mountain Arsenic Project & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, addressed the Board and informed them they had received a letter regarding the looping main of this project, but was not able to include it in the agenda due to the timing, and wanted to know if it should be included on the next agenda. Commissioner Williams stated the County has gone through many processes and issues to have the line put where they are putting it, and he was unaware of any other proposal. Commissioner Mason stated there was ample opportunity for this other party to come forth with his complaints. Commissioner Mason asked if there was more to this letter, to which Mr. Etcheverry stated it was a proposal. Commissioner Bullock asked if the pipe had already been purchased. Jake Edgar, Public Works Foreman, said yes and they were just waiting for word back from State Historic Preservation Office (SHPO) and they could start laying the pipe for the looping main. Mr. Edgar also stated if the Board was going to take any action in regards to the letter they received, he felt the Engineer should be present to share his thoughts and explain himself on this issue.

Mr. Edgar updated the Board on progress of the Arsenic Project. He stated there was a little painting to do on the inside and were in the process of filling the tanks. He stated there was a four day hold time for the Volatile Organic Compounds (VOCs). After the four days there will be VOCs testing and once those tests pass they can send the water down the line. Commissioner Mason asked if the old tanks will be turned off when the new tanks start to operate so there won't be any contamination. Mr. Edgar replied yes, and they would double check to make sure everything was operational before they started to avoid any problems. **UPDATE ONLY-NO ACTION**

BOARD APPOINTMENTS

1:09 P.M.

- 17) **Discuss & Approve/Disapprove Appointments To The 2011-2012 Advisory Board, Categories 1,2,3, & 4 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry addressed the Board on a letter received from Mr. Jerry Annis requesting appointment to the Lander County Public Land Use Advisory Committee. Mr. Annis has served on the Board in the past, but had some scheduling issues. He has cleared those scheduling issues and would like to be put back on the Board.



Commissioner Bullock moved to appoint Mr. Jerry Annis to a vacant seat on the Lander County Public Lands Use Advisory Planning Commission. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

EXECUTIVE DIRECTOR

1:11 P.M.

- 18) **Discussion & Possible Action Regarding Revision Of The Lander County Drug & Alcohol Policy & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, addressed the Board and stated that the Safety Committee would like for the Lander County Drug and Alcohol Policy to include ALL Lander County Employees not just the Safety Sensitive Classification. Mr. Etcheverry said the current Policy does meet the standards for Housing and Urban development, Department of Transportation, Department of Energy and other contract, as a Drug Free work place. Mr. Etcheverry commented on the pros and cons of changing this policy. Marla Sam informed the Board that those being tested would be able to state what medications they are on or they have taken prior to testing. Angie Elquist, District Attorney, stated that, on the Federal Level for grants, there was nothing that requires random testing to say you are a "Drug Free" work place. Ms. Sam stated many County employees drive County vehicles at times, and there have been some CDL holding employees that have asked why other County employees don't have to be drug tested. Commissioner Williams is against changing this policy. Commissioner Mason said this action should be put off for a year and see if there is any reporting of drug and alcohol issues with County employees. Commissioner Bullock stated he felt if anyone operates any kind of County equipment, not just heavy equipment. Ms. Sam said all that was being asked was for a little bit of the language to be changed to make it equal for everyone and to be random tested twice a year. If it comes out that someone does have a problem, the County can offer help to those people. Commissioner Mason stated he would like to see facts that there is a problem before they change the policy. Gene Etcheverry suggested through the safety committee, bring the random testing policies from last year (2010) and try to get a cost. After more discussion the Commission asked for the Policy to be brought back to the Board with the words "Safety Sensitive" taken out, which would make the policy include all County employees.

Commissioner Bullock moved to direct staff to get with the Safety Committee and come up with a recommendation for what they feel the Drug and Alcohol Testing Policy

should be. Seconded by Commissioner Mason the motion was voted and carried.

APPROVED

Let the record reflect the absence of District Attorney, Angie Elquist, and Deputy District Attorney, James Barnes, for the remainder of the meeting.

1:43 P.M.

- 19) **Discussion & Approval/Disapproval Of Proposed Roster Of Members For The Joint Lander County-Lander County District Emergency Medical Service Committee & Other Matters Properly Relating Thereto:** There was discussion between the Board and Mr. Etcheverry on the Proposed Emergency Medical Services Committee Roster. Commissioner Bullock stated there cannot be three Hospital Board members, and Karlene Andreola cannot represent the Hospital Board and the UNR School of Medicine. Mr. Etcheverry pointed out that Commissioner Stienmetz is also on the Hospital Board and that would make four Hospital Board members. It was suggested the Commissioner Bullock take over Commissioner Stienmetz position on the Board. There was other discussion on possible changes. Commissioner Bullock stated the Committee should answer to the Lander County Board of Commissioners. Commissioner Bullock said he would take Commissioner Stienmetz position, but the Hospital Board need to drop Karlene Andreola or one of the other Hospital Board members.

Commissioner Bullock moved to approve the Commission Representatives Dave Mason and Dean Bullock; The Hospital Board Representatives Kathy Ancho and Karlene Andreola; Battle Mountain Ambulance Services Medical Director Dr. John Peters; State EMS to be determined; Liaison Members Gene Etcheverry and Philip Hanna; and Consulting Sheriff Ron Unger and EMS Coordinator Bob Theuret for the Emergency Medical Services Committee. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COMMISSIONERS

1:58 P.M.

- 20) **Discuss & Approve/Disapprove Reconciliation, Contract Renewal & Proposal Between Lander County & Valley TV For Austin TV Translator & Other Matters Properly Relating Thereto:** Mr. Etcheverry addressed the Board on the details of the updated contract



7with Mr. Norm Powell, and stated the only difference was the "per trip" charge that went from \$350.00 to \$400.00.

Commissioner Bullock moved to approve the renewal of the Valley TV Contract for the maintenance, upgrade and repair of the television translator equipment and related appurtenances thereto for the Town of Austin, for a one year period from July 14, 2011 through June 30, 2012 under the terms currently in effect with an increase in the "Per Trip" charge to \$400.00 and authorize the Vice Chair to sign. Seconded to Commissioner Mason, the motion was voted and carried. **APPROVED**

2:02 P.M.

- 21) **Discussion & Possible Action Regarding The Greater Austin Chamber Of Commerce's Request To Allow The Chamber To Use The Visitor's Center Lots For A Bandstand On July 1-3, 2011 & Other Matters Properly Relating Thereto:** Commissioner Williams said Stantec had been contacted and stated they didn't have a problem as long as no equipment was moved or any holes were dug.

Commissioner Bullock moved to approve the request of the Greater Austin Chamber of Commerce and allow the use of the vacant *Austin Loneliest Highway Visitor Center* site for a bandstand during the Old Fashioned Fourth of July and Rueil Gridley Days Celebration, July 1 – 3, 2011. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

2:03 P.M.

- 22) **Discussion & Possible Action Regarding Lander County's Issues/Concerns To Be Addressed By Gene P. Etcheverry Or Ray H. Williams, Jr. For The 2011 Legislative Session & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, informed that the Board the Legislative Session is over. Mr. Etcheverry also updated the Board on the costs from NACO on Health and Human Services. SJR 15 the measure to amend the Nevada Constitution went through, now it goes to the Governor to sign or veto. The Sunset tax has also gone through with some changes. There was some discussion on Net proceeds and various aspects of County funding. **DISCUSSION-UPDATE ONLY**

2:30 P.M.

- 23) **Discussion & Possible Action To Approve Interlocal Contract Between Lander County & Division Of Health Care Financing & Policy (DHCFP) To Provide Administrative Services**

Necessary To Implement Medical Assistance Program: Executive Director, Gene Etcheverry, addressed the Board to review this contract that has been before the Board four other times. Mr. Etcheverry stated it was ok for the board to sign this contract at this time.

Commissioner Bullock moved to accept and approve the Interlocal Contract between Lander County and the State of Nevada Division of Health Care Financing and Policy (DHCFP) to provide administrative services necessary to implement the medical assistance program and authorize the Chairman to sign the Contract. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

2:32 P.M.

24) **Update On The Following Departments/Services:**

Airports: Executive Director, Gene Etcheverry stated it looked like the Airport grant would not be signed until mid-July, and shared his concerns on this issue. **UPDATE ONLY**

Ambulance Services: Nothing more to report

Economic Development: Executive Director, Gene Etcheverry informed the Board he signed the Grant application for LEDA, that was due May 6, 2011, but LEDA had acquired an extension. Mr. Etcheverry said that Grant was for \$50,000.00 and was used for Lander County marketing. There was discussion about what the responsibilities and purpose of LEDA, Battle Mountain Chamber of Commerce, Convention and Tourism, and Sustainable Development. Commissioner Bullock suggested there be a meeting with all these organizations to decide or assign what these organizations will or should be responsible for. **UPDATE ONLY**

Public Lands: Executive Director, Gene Etcheverry informed the Board that the School District is involved in a Wind Turbine Program. Mr. Etcheverry stated that since Lander County is not entertaining special use permits for Wind Turbines, because of the Antelope Valley issue, the School District has an October 7, 2011 deadline to get Wind Turbines up at the Austin, Battle Mountain High School and Eleanor Lemaire Schools. Mr. Etcheverry said Central Nevada Water Authority will be in Austin on June 10, at 10:00 a.m. **UPDATE ONLY**

Road & Bridge Departments: Nothing to Report



Water & Sewer Departments: Let the record reflect Jake Edgar, Public Works Foreman, updated the Board on a water leak at McDonalds due to a main break. Mr. Edgar said this was the seventeenth or eighteenth time this Fiscal Year. He stated it could be a possible result from the Fire Department opening all the hydrants to do their flow test, and it is causing the water to hammer those pipes that have been in the ground for over twenty years, and it is taking a toll on them. Mr. Edgar said it was probably a good thing for it to happen now instead of later when they start up the new water tanks. Wilson Street is almost finished. There are a few water and sewer services left to do and should be wrapped up in less than two weeks. There was question of when the paving for Wilson Street may begin, to which Mr. Edgar stated he was not sure and had not heard anything but would guess maybe in July. Gold Creek project is also getting ready to begin in July. Mr. Edgar said the sewer would be laid directly in place so there would be some pumping issues but it will make it easier and help avoid as many crossing problem, and the hydrants will be placed on the same side of the street as the waterline. Mr. Edgar has been in contact with the Fish and Game and they seem to be on Board to do the wetlands for the sewer plant, they just needed to check on the funds they have and the kinds of projects they can put together as far as mosquito fish, cottonwood trees, and things like that. Mr. Edgar said when they get the plan together they will bring it before the Board. He also stated they are getting a new computer out at the sewer plant because the old one was struck by lightning for the second time. Mr. Edgar updated on the Cashman project and hoped to be done by June 30th. **UPDATE ONLY**

Culture & Recreation: Let the record reflect Jake Edgar, Public Works Foreman, updated the Board that the Rodeo went fine. Commissioner Williams stated that Kingston's Town Cleanup was June 25th. **UPDATE ONLY**

Contracts: The contracts past due for renewal and upcoming are as follows:

Past Due:

- | | |
|---|------------|
| 1. Bank of America/ATM Rental Agreement | 11/30/2010 |
|---|------------|

Up Coming:

- | | |
|--|------------|
| 1. B.M. General Hospital/Health Nurse Facility | 06/30/2011 |
| 2. Ted Herrera/Public Defender | 06/30/2011 |
| 3. Love Cleaning | 06/30/2011 |
| 4. Vaisala/AWOS Maintenance for B.M. Airport | 06/30/2011 |
| 5. Dr. John Peters – Inmate Medical | 06/30/2011 |




- | | |
|--------------------------------------|------------|
| 6. Preschool/ Kids in Motion | 06/30/2011 |
| 7. Armstrong Teasdale/DOE | 06/30/2011 |
| 8. Campbell's Appliance/Shop Rental | 07/07/2011 |
| 9. Valley TV/Austin T.V. Maintenance | 07/13/2011 |
| 10. Gnomon | 07/31/2011 |
| 11. Robin Gray – Mosquito Abatement | 10/31/2011 |

Commissioner Bullock asked what the issue with the Bank of America Contract was. Mr. Etcheverry said Bank of America Legal would not return the contract. Commissioner Bullock asked if Bank of America could be locked out of that building. Ms. Hill did state they have been paying their rent. Commissioner Williams asked if there could be an automatic roll over on some of the contracts that come up every year. Ms. Hill said they were put on the agenda yearly so the Commission could review and address any concerns they may have with the services that are being provided. **DISCUSSION - UPDATE ONLY**

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Bullock moved to adjourn the meeting of June 9, 2011. Seconded by Commissioner Mason the motion was voted and carried. **MEETING ADJOURNED**


RAY H. WILLIAMS
CHAIRMAN OF THE BOARD OF LANDER
COUNTY COMMISSIONER 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.