STATE OF NEVADA  
COUNTY OF ELKO  

The Board of Elko County Commissioners met in regular session on Wednesday, December 3, 2014, at 1:30 p.m., in Suite 102 of the Nannini Administrative Building at 540 Court Street, Elko, Nevada.

There were present:

- County Commissioners: Charlie Myers, Chair  
  Demar Dahl  
  Glen Guttry  
  R. Jeff Williams  

- County Manager: Robert Stokes  
- CFO/Asst. Co. Mgr.: Cash Minor  
- NRMAC/Asst. Mgr.: Randy Brown  
- Deputy District Attorney: Kristin McQueary  
- Deputy Clerk: Marilyn Tipton  
- Sheriff: James Pitts  
- Public Works Director: Lynn Forsberg  

Chairman Myers called the meeting to order at 1:30 p.m.  
Chairman Myers led the meeting participants in the Pledge of Allegiance.

1:31:47 PM:

1. COMMENTS BY THE GENERAL PUBLIC:

Tyler Livingstone stated he could not stay but would like to comment regarding the Stonier agenda item. He was a neighbor to the north. He stated the reason he was living in Ruby Valley was due to the character of the community where you can depend upon the neighbors and know the neighbors. Mr. Livingstone had talked to Mr. Stonier about purchasing the property but was unsuccessful so he assumed he was targeting particular buyers such as wealthy people for a vacation spot or a second home. He believed if a subdivision was allowed to go forward it would change the character of Ruby Valley.
Jim Connelley stated Grant Gerber was a friend of his and supported the ranching industry. He stated the farmers, property owners, livestock owners, water rights owners were under fire and there were various congressional acts being used to drive us into the ground. Jim Connelley asked the Commission, during their deliberation for who they would nominate for the Commission, to consider someone well versed in the issues affecting rural Nevada and the ranching, farming, water rights, and property owners, and someone who has their heart in it.

1:36:36 PM:

II. ELKO COUNTY VETERANS DAY PARADE AWARDS:

A. Discussion and consideration of the presentation of awards for the 2014 Veterans Day Parade: This year’s winners are: Family Division – Tie Enrique Gonzalez and Manuel Couchum; Commercial Division – Al Park Petroleum; Adult Division – Tie Morroders Car Club and POW*MIA/V Bar L Rodeo Productions.

MOTION: Commissioner Williams moved to approve the awards for the 2014 Veterans Day Parade. Commissioner Dahl seconded the motion. The motion passed unanimously.

B. Elko County thanks VFW 2350, Assemblyman John Ellison, Delmo Andreozzi, Michele Petty, Sara Benoit, Michelle Ellison Moseley, Kitty Nash, Amy Bowler Symes, Kaylin Sanchez, Nicole Beshea, Nicole Bergeron, Anna Immenschuh, Elko Fire Department and all those who took part in the 2014 Veterans Day Parade.

Chairman Myers awarded the certificates to the recipients.

1:54:32 PM:

III. ELKO COUNTY DISTRICT 5 COMMISSION SEAT:

Discussion and consideration of the review of applications to be sent to the Governor’s Office for appointment to the remaining term of the District 5 Commission Seat due to the untimely death of Commissioner Grant Gerber. The Commission may or may not rank applications. By Nevada Statute, the Governor fills County Commission vacancies. The County Commission expresses its appreciation to Governor Sandoval for allowing the Commission to review applicants. Commissioner Gerber’s term expires December 31, 2016.

Applications were received from the following: Bruce Kerr, David Hough, Edward Buckner, Eugene Manning, Jack Larason, Jason Moon, Larry Rob, Matthew McCarty, Michael Stirm, Otis Tipton, Rex Steninger, Thomas Hamilton, Ward Guenin, and Warren Russell.

Commissioner Myers thanked the Grant Gerber family for being present.
Kristin McQueary noted several commissioners have told her they have a conflict and she directed them to disclose that conflict on the record. Commissioner Guttry stated with reference to Kelly Buckner he had been on the Board at the Elko Federal Credit Union over 10 years ago and stated that would not affect his judgment in this appointment. Commissioner Williams disclosed he had business dealings with the Elko Federal Credit Union and legal counsel suggested he abstain from actions concerning Kelly Buckner in this appointment. Commissioner Myers disclosed he has an account at the Elko Federal Credit Union and had an ATV loan. He sat upon the ECVA Board with Matt McCarty and had worked with Otis Tipton. He noted Warren Russell had sat upon the Commission previously. He stated these associations would have no bearing on how he votes during this process. Commissioner Dahl stated he was in the same situation in working with Otis Tipton and Warren Russell. Kristin McQueary suggested they just disclose and they do not need to abstain unless they were close personal friends. Commissioner Myers stated the staff drew the names randomly for the order of presentation. David Hough stated his interest in becoming an Elko County Commissioner was to continue to see that Elko County was financially well managed and that it was a great place to work, invest money, and to see that the services that the County currently provides was continued to be provided. David Hough stated the responsibility of a County Commissioner was to make good decisions. He could bring to the table an education and experience as a land surveyor and civil engineer. He believed Elko County spends a lot of money on contracts. David Hough also had experience in communications and electronics and held a commercial radio, telephone and telegraph license. He had experience in the field of security and was in the service from 1966 until 1999. He stated as commander of a tank unit he was experienced with order, discipline and security. David Hough stated was a battalion intelligence officer and a battalion operations officer. He stated one of his duties as an intelligent officer was to ensure the security of weapons, ammunition and equipment for the battalion. David Hough had submitted a resume and noted he was a graduate of Minnesota. He had been on the County Planning Commission since 2001 and also participates in community activities such as the Elko Amateur Radio Club as well as the southern chapter of the Association of Land Surveyors. He has held a position of Treasurer in those organizations for many years. Otis Tipton had resided at 427 Lipparelli Lane in Spring Creek, Nevada since 1983. He worked 15 years for Helms Construction as a plant engineer and
retired from the Operating Engineers. He worked over 20 years for Elko County as the Road Supervisor and had retired. Otis Tipton owns and operates Tipton’s Pest Control and has been in business in Elko County for over 30 years. He was an honorably discharged veteran. He stated as Road Supervisor he had seen a lot of County Commissioners and felt there was a learning curve. Otis Tipton understood this was only a two year appointment but there were already two new commissioners coming onto the Board. He stated there was not much time to learn about the legislative session, budget, 2015 sage grouse issue, and the NDF issue. He believed NDF was a big financial issue because they would have to remodel their facilities. He was offering his services because he knew Elko County, the towns and cities, hunted and fished the back country and knew the people. He stated there was not a mile of County road that he had not driven, not a bridge he hasn’t been under, not a culvert he hadn’t looked at and a cattleguard he hasn’t inspected. Otis Tipton was already trained in NRS, the Open Meeting Law, purchasing, bidding, knew County Code, knew the process of a budget and knew the issues facing Elko County. He stated one of the issues was in Jarbidge and he was in South Canyon. Otis Tipton stated he attended the Commissioner meetings for over 20 years and knew a lot of the history of Elko County. He asked that they consider him as a person with a lot of experience and lot of history here. He assured them that because of his wife’s ranching family the ranchers will never be forgotten. Otis Tipton commented that he, Grant Gerber, Demar Dahl, John Carpenter and Mike Lattin did a lot of things together in Jarbidge. He stated it would be an honor to take Grant Gerber’s place on the Commission.

Commissioner Myers disclosed he bought a car from Ward Guenin in the past.

Ward Guenin stated he grew up on a farm in northeastern Indiana. He and his Dad farmed 700 acres raised an average of 400 hogs, 30 head of milk cows, 7,000 chickens. He spent his first 22 years on the farm so he knew farming, equipment and conservation. Ward Guenin went to work in a bank and received a degree in International Business and Accounting. He had prepared two budgets over the last 3 years for the Holiday Inn and his church. He stated this last year he was responsible for four major projects at the church. He noted they had a member who had a stroke so they had to put in a handicap bathroom at the church to meet the federal regulations. Ward Guenin noted they put in a parking pad which had to meet the specifications and they expanded the parking lot. He stated he had experience in a lot of different areas. He said when he first came to Elko thirty-four years ago he became the desk manager of the Holiday Inn and moved up to Assistant Manager and Manager Pro-Tem. Ward Guenin stated he had run two different departments for Dewy Chevrolet in the last twenty years.
Until he retired, he had worked for Gallagher Ford in various areas. Ward Guenin stated he had worked with a lot of people and had a background in money and management of money. Ward Guenin thanked them for their time.

Eugene Manning stated it was an honor to put in an application to possibly fill the shoes of Grant Gerber. He told the family he was sorry for their loss. He stated he moved here when he was sixteen, graduated from Elko High School, and graduated from Great Basin College. He still lived here and raised his family here. He stated he had a deep connection to this community over a long period of time. Eugene Manning stated his girls both graduated from Elko High School. He would like to, as part of the Commission, continue to see the growth that this County has had as well as working to keep it a good community to raise your kids in, go to school and attract the type of people that make this community what it was. He stated he was in the Marine Corps for the past 26 years. He enlisted, was an officer and currently serves in the reserves. He had been deployed several times on independent duty and worked on an international level in establishing training in Africa, establishing a naval gun range over there. He had military training with the Ethiopian government and other organization including correspondence. He had worked in Africa with the French Ministry of Defense so he had done a lot of coordination on an international and national level. He stated under his Marine Corps career he was Fourth Marines Division’s Chemical Officer as well as the Fourth Tank Battalion’s Chemical Officer which he was currently filling now because it was easier to travel to San Diego than travel to New Orleans once a month. Eugene Manning stated he had done a lot of work in the community and with his church. He was with Student Body at Great Basin College so he had some experience with money. He stated when it comes to coordination and getting things done that was what he had worked hard at. He thanked them for their consideration for this position. He noted he was one of the youngest persons applying.

Michael Stirm thanked them for the opportunity to speak with them today. He and his wife moved to Elko 26 years ago. He came to Elko in a retail management position and opened and ran a department store for three years in Elko. He stated as his children started school he felt Elko was a good community to raise his children. Michael Stirm had put down roots and he and his wife have raised four children. He stated now three of his children married and has seven grandchildren. He stated after his term in retail of ten years with three years in Elko he has been in a sales position working for Rocky Mountain Brake. He attended Great Basin College from 2003 to 2007 to achieve his Bachelor’s Degree in Business Administration and Management Technology. He stated when raising children in Elko you were very involved in many activities such as Boy Scouts, softball, etc. He had coached many teams and had been involved
with the new school in Spring Creek when they built the Middle School. He was the Treasurer for 4 years trying to fund the Library and getting it brought up to certification levels. Michael Stirm enjoyed working with school administration and the other parents during fund raising. He would bring common sense to the council. He stated when looking at what was going on in the community currently he loved the lifestyle of Elko. Michael Stirm believed it was a wonderful place to raise a family. However, we do have threats not only to individual liberties but to business liberties and to County sovereignty. He thought the biggest threat was federal regulation and federal agencies regulating without accountability. Michael Stirm stated we all have to deal with the EPA; we have to deal with the Endangered Species Act on many levels. He stated we have to learn to work with them and work within their regulations and laws. Michael Stirm stated the only way we can protect our citizens, ourselves, the businesses was to have a full understanding of those areas and to work with them. He thought it was very unfair that Nevada was mainly owned by the federal government, especially in Elko County. He applauded Commissioner Gerber’s efforts that he undertook to fight on those fronts and he would love the opportunity to continue those fights.

Warren Russell stated when the loss of Grant Gerber occurred he had a sense of this was his County he loved his County, and wanted things to move ahead so he threw his hat in the ring for this position. He knew there was one technicality that might affect his submission. Warren Russell stated he had written something to express what he learned about politics and people and about himself over these years. He stated they knew his resume. He read into record his written statement: “Commissioners, as a past commissioner, I have learned some important lessons. I have learned about citizens. If I invest time in them by truly hearing what they are saying I can always learn something. I have learned about politicians. If they are dishonest about one thing then all their words and motives need to be carefully examined. I have learned about cooperation. A person who is forthright and open about his beliefs will probably be trustworthy and dependable. I have learned about agendas. There are ego-driven agendas and benevolent agendas. I have learned about decision making. Most of these can be put off until one gets all the facts, however, delayed votes are often for political reasons. I have learned about principles. They are never to be compromised, but most work is done between men who agree on principle but differ in the means to accomplish an end. I have learned about accomplishment by giving others the credit. I have learned about promises. Make only those you can keep to citizens, for it is better to be thought weak, than to be known as a liar. I was blessed with a growing confidence by the citizens of Elko County in my work. By my third election 80 plus percent of the voters showed this confidence.
If you share this confidence as well, I would appreciate your vote for this appointment as Commissioner.”

Rex Steninger stated he never before considered seeking public office and was reluctant to accept the idea that he volunteered to fill Grant’s seat. He stated Grant’s untimely death has caused him to change his way of thinking. In his mind it was not Grant’s time; his business was not done. He thought Grant’s death left a huge void in this community and this commission. Rex Steninger stated if they think he can fill that void someway then he stood ready to serve. He would also make it clear that he did not view this vacancy as an opportunity to begin a political career but rather as a responsibility to continue the efforts of an old friend and ally. He had worked with Grant on many of his projects over the years all the way back to Kelly Springs, Jarbidge and Klamath Falls. Rex Steninger stated most recently Grant recruited me this past spring to tell the story of the abuses that was occurring in Lander County which led to the Grass March and Cowboy Express. He thought a lot about Grant and his projects over the past several weeks and he couldn’t think of a single issue that he championed that he did not agree with. Rex Steninger stated if he was appointed to fill his seat on this Commission, he felt Elko County would be getting a very likeminded person to the man the voters elected. He said he would never be doing this without the blessing of Grant’s family. He stated one of the first contacts he made after being approached with this idea was to the Gerber family and they have given him their full support. He thanked them for that vote of confidence and vowed to do his best to continue Grant’s amazing work. Rex Steninger also realized there were many more important issues that come before them on a regular basis and he stood prepared to give them his attention as well. He would look forward to working with the other members of this Commission to find solutions that would allow our County as proud traditions. He represented the fifth generation of his family to live and work here in Elko County. He believed he could contribute a good understanding of what has made us so exceptional over all those years.

Larry Robb stated about a week ago he prepared a Powerpoint because he was not sure what was expected from him. He was recently the Chief of Police with the Western Shoshone Department of Public Safety. He stated prior to that he served for twenty-five years in social work and dealt primary with children and families during the most difficult periods of their life. Larry Robb stated he had experience firsthand the problems association with growth, drug use, addiction, and domestic violence, some of these being important social issues. He stated ranching and mining was our lifeblood here. It was a given that those would be issues, that as a Commissioner I would take on. Larry Robb stated the reason he wanted to serve as a Commissioner was that it was all about people. He stated some of the issues, as he saw it, facing the Commission were constitutional
liberties and governmental restrictions. Larry Robb stated in particular when talking about governance it was the First, Second, the Fourth and the Fourteenth Amendments that need to be on their radar the most. He stated health of the community, economical, physical, mental health of the citizens was important because we need a good solid workforce to be able to keep our unemployment low and our community viable for new businesses coming in. Larry Robb saw the health, safety and wellbeing of the community as really predominant issues that the County Commission needs to continue to undertake. He stated specifically protection of the vulnerable population, the children, the seniors, veterans, homeless and the wellbeing which can be measured in a variety of ways. Larry Robb considered himself a compassionate and conservative person. He stated he has boots on the ground experience in human services for almost thirty years. He worked with the youth, children and families during difficult periods and had experienced the negative impact of drug and alcohol abuse, mental health, domestic violence, and homelessness in the community. Larry Robb stated he worked very aggressively toward those solutions. He stated as a District Manager he worked at a regional level in the largest geographical district for the State. He could bring firsthand experience in working with the tribal communities, along with common sense approach, and considered himself open minded, teachable and trainable. Larry Robb thanked them for their time and attention and for their good work as well.

Jason Moon stated he as well as a lot of ladies and gentlemen in this room had been at Grant’s side in so many things. He had been sitting here listening and had talked to Travis last week and told him I was going to submit my application. He stated Travis told him he had his support. Jason Moon stated he had listened to Rex speak and he would step down and give his support to Rex Steninger because he was aware of things that Rex had worked on with Grant which was some of the same things that he had worked on with Grant. He believed Rex would do a great job. He would love to carry on Grant’s work and would try to help out in other areas where he knew he could support. He gave his support to Rex and thanked the Board.

Matt McCarty, of 598 Flowing Wells Lane in Spring Creek, thanked the Commission and expressed his gratitude toward Grant Gerber’s family for allowing him to serve this County, the State and this Nation. He regretted the circumstances for them meeting today for the purpose of filling this seat. He loved the area that we live in and wanted to be part of the success and that was why he had chosen to serve in a number of capacities over the past two decades. Matt McCarty believed as a result of his involvement he had been encouraged to run for elected offices for a number of years by a number of members of our community including members of this Board, former Assemblyman Carpenter,
Assemblyman Ellison, and Commissioner Gerber himself. Matt McCarty stated these encouragements and his desire to serve was the reasons why he submitted his name for application to fill the remaining term of Commissioner Gerber. He stated it was his intention to run for this seat two years ago but he had a new hotel he was operating and at that time there was concerns with regards to his ability to fulfill his commitment to the Commission. He did run for seat C of the Elko Convention & Visitors’ Authority Board and was elected in 2012. He stated the past two years have been very good to our hotel which has helped provide his employer’s blessing on this endeavor. Matt McCarty stated he did not have an agenda in serving this Board. He did not have any key issue that he wished to resolve should he be so honored as to be appointed. He, in speaking with Commissioner Gerber’s sons Travis and Zach, told them of his intention to apply in order to serve the remainder of their father’s term. He had promised them that he would commit to the support of the American Lands Council in principle as Commissioner Gerber died spreading these principles himself. Matt McCarty not only supported those ideals but felt it would be disrespectful to continue to serve his in seat without representing them. Matt McCarty believed that he was qualified for this position being a lifelong Nevadan and nearly a thirty year resident of Elko County. He has been active in multiple areas throughout the County including being elected to the ECVA Board, as well as volunteering with the Elko Area Chamber of Commerce the Chamber of Governmental Affairs Committee, the Elko Host Lions Club, the Great Basin College President’s Advisory Council, Boy Scouts of America, Cub Scouts Pack 850, Ruby Mountain Little League and the Elko County Republican Central Committee. He stated additionally he participated in NNRDA Sector Council meetings and various workshops, as invited. Matt McCarty stated he had the pleasure of working for an outstanding hotel company for the last three and one-half years and in the preceding eleven years before that he was able to work with multiple hospitality and gaming entities throughout the City representing nearly 40% of Elko’s hotel rooms. He said these experiences gave him the opportunity to meet with a great deal of the citizens as well as our visitors and gave him the opportunity to work with budgets in the millions of dollars. Matt McCarty stated in speaking with each of them he had been informed of the many commitments that were required of the Commission. He stated his employer was aware of these commitments and aware that he would not be able to manage the hotel in a typical 9 to 5 fashion. He stated his employer supports his application for this position and his family was fully supportive and understood his time at home would be less. Matt McCarty stated he would not be visiting with them today if he did not feel that he could balance his responsibilities appropriately. He felt a good manager surrounds himself with people that were smarter than him. Matt McCarty believed
what he does not know he could research. He felt he could represent the County and thanked them for their time.

Kelly Buckner stated it was an unfortunate circumstance that they were all here today but he felt he had the necessary experience and knowledge to fulfill the position of Commissioner. He had been in Nevada since he graduated from college in 1974. He has dealt with the agricultural community for a number of years with the Farm Credit System and had been with Elko Federal Credit Union for over twenty-three years. Kelly Buckner believed in exploration for and mining of minerals. He believed in exploration and development of oil and gas resources. He believed in the ranching community and all the other agricultural enterprises within the County. Kelly Buckner believed in higher education and Great Basin College. He believed in the Elko County Greater Sage Grouse Management Conservation Plan which could be a real trigger that would impact the future of our county, the future of every public agency, and every school system within our county if things were to happen that way. Kelly Buckner knew these were things that Mr. Gerber supported and he believed the Commission had a great responsibility to proceed in that regard but to only spend our taxpayers’ dollars in the most efficient, productive way to ensure the economic future of Elko County and the culture of Elko County.

Jack Larason was born and raised in Las Vegas and stayed there for fifty-three years until he got tired of what it turned into. He purchased land in Elko, Nevada, in Lamoille to be exact in 1980 and moved here in 1996. He built his home and has been here ever since. Jack Larason had served on the Planning Commission since 2008 and played well with others. He would bring an agenda to the County Commission which was the same agenda as Grant had. He did not wish to handle the intrusion of what they get from federal agencies in control over our land here. Jack Larason stated he would never be able to fill Grant’s shoes in the sense of the word that he would be able to do everything the way he did because Grant brought with him a lifetime of being here. He would bring the desire and he believed the desire could do just as much as what a lifetime of knowledge could do. Jack Larason stated there was nothing that he can’t learn. He had experience in law enforcement for twenty-two and one-half years in the City of North Las Vegas. He stated his last fourteen years was as a homicide investigator; as a detective he did not have direct supervision and never embarrassed his police department. He was vindicated by his department when he was attacked by lawyers and everyone else because he had excellent integrity. Jack Larason stated he could look around him and see so many others that he believed have more qualifications but in reality he owed Elko County because it gave him somewhere to come to when Las Vegas and Clark County turned into what it has turned into. He did not want to see Elko County change.
Chairman Myers voiced appreciation to the candidates for coming forth on behalf of the Elko County taxpayers. He stated the Board had relationships with many of them and hoped they realized this selection was to fill the seat with same ideas and thought process as the electorate did for Grant Gerber. He stated all the candidates were very qualified.

2:40:00 PM: RECESS:

Chairman Myers called a recess for the Board to choose the top candidates.

2:43:56 PM: RECONVENE:

Chairman Myers read the top four candidates selected as follows: Rex Steninger, Kelly Buckner, Matt McCarty and Warren Russell as alternate if any of the top three drop out. The candidates were given several minutes to look at the questions and would have eight minutes to answer the three questions.

2:45:38 PM:

V. ELKO COUNTY PUBLIC WORKS:

A. Discussion and consideration to re-bid due to non-response for the Solid Waste Refuse Hauling and Disposal in the Midas Solid Waste Management District, as well as the Salmon Falls Solid Waste Management District.

Lynn Forsberg, Public Works Director, stated they put all the solid waste hauling out to bid and they received one bid for Montello and Pilot Valley but had no response on the Salmon Falls District of Jarbidge and Jackpot. He believed Southern Idaho Waste had missed the bid notice. He reported there was one responder for Midas and they did not bother to fill out the bid form with only writing on the front page which he believed was nonresponsive. He would like to go out to rebid for those.

Commissioner Williams commented usually when they don’t get a bid then the others usually comes in high after they rebid and inquired if he was prepared for that.

Lynn Forsberg believed part of it was bid specifications wherein they asked for a 40 yard bins and the present hauler was using 30 yard bins. He stated they knew what their present contract obligation was. He stated Haas Disposal out of Winnemucca was the present hauler for Midas and they did not respond.

MOTION: Commissioner Guttry moved to direct staff to rebid the solid waste refuse hauling and disposal in the Midas Solid Waste Management District, as well as the Salmon Falls Solid Waste Management District. Commissioner Dahl seconded the motion. The motion passed unanimously.

B. Discussion and consideration of awarding a bid to the lowest, best, most responsible bidder pursuant to Notice 35-2014, Request for Bids for the
Solid Waste Refuse Hauling and Disposal in the Salt Lake Basin Solid Waste Management District.

Lynn Forsberg stated they received one bid from Elko Sanitation and it came in the same as was being paid now. He stated it was a responsive bid and recommended approval.

**MOTION:** Commissioner Dahl moved to award the bid to Elko Sanitation for the Solid Waste Refuse Hauling and Disposal in the Salt Lake Basin Solid Waste Management District. Commissioner Guttry seconded the motion. The motion passed unanimously.

C. Discussion and consideration of Resolution 23-2014, which Establishes New Water Rates, Restoration/Reconnection Charges and Application Deposits for the Town of Montello Water System. The resolution would be effective January 1, 2015. A Business Impact Statement is included in the back-up information.

Lynn Forsberg, Public Works Director, stated the Montello water system fell behind in revenues. He stated they proposed a $3.50 rate increase on the base rate. He stated they would increase it in increments of $1.50 per unit through 2018 per year. Lynn Forsberg stated they need to impose a metered rate for the meters put in by AB 198 funds. He explained they were currently paying $26.00 and the funding agency was encouraging them to bill from the water meters. Lynn Forsberg stated this would implement a billed water rate of $1.25 per 1,000 for those who live within the town boundaries and $1.50 per 1,000 gallons for those who were metered outside of the town boundaries with a minimum usage of 9,500 gallons for $29.50. He stated those who were out of town were upon special contracts and still pay one and one-half times for their base rate as the town does; then they go to $1.50 over the 9,500 gallons. Lynn Forsberg stated they were also proposing to raise the connection fee to $1,500 because in the past it was $250.00 not including labor, equipment, materials, etc. He stated those items would now be included to get the hookup to their property.

Commissioner Dahl inquired how many out of town users there were.

Lynn Forsberg replied there were 57 water users in town and 15 water users out of town from what he can remember. He commented 3 of the out of town users were on the present culinary system and the others were upon the south line which was a non-potable water system from Pilot Valley. He explained they did not have funds to make that south line potable water.

Commissioner Dahl believed changing the hookup fees from $250 to $1,500 would be benefit for the people outside of town.

Lynn Forsberg clarified there was a restriction of extending no further than 50 feet or they would have to charge time and materials.
Kristin McQueary suggested the Board accept the Business Impact Statement prior to taking action upon the Resolution. Commissioner Guttry assumed the metered rate would eliminate a resident from using 200,000 gallons per month.

Lynn Forsberg stated they can still use the water but they would pay for that amount of water.

Commissioner Guttry clarified that the Montello Town Advisory Board agreed with this action.

Lynn Forsberg stated the Advisory Board felt the base rate was not high enough.

Commissioner Williams noted this Commission had discussed this for the last four years. He voiced concern that several families have financial issues in that region and inquired what if someone fell behind.

Lynn Forsberg stated there was a water shut off policy and they had informed the people what their usage had been in the past. He stated they were given an opportunity to call the County to see if there were leaks on their property to help stop any excessive use.

Commissioner Williams asked the Commission to be informed if there were issues and he believed the rest of the County should not be supporting other communities.

Lynn Forsberg stated the Town Advisory Board would review this Resolution annually.

Commissioner Myers requested clarification about the decrease in revenues.

Lynn Forsberg explained the maintenance costs had increased such as the water tank that needs to be repainting and they cannot get grant funds for the maintenance. He commented the funding for the depreciation was also short.

Commissioner Myers inquired how short they were in their depreciation.

Lynn Forsberg believed it would be approximately $20,000.

**MOTION:** Commissioner Guttry moved to approve the Business Impact Statement associated with Resolution No 23-2014. Commissioner Williams seconded the motion. The motion passed unanimously.

**MOTION:** Commissioner Guttry moved to adopt Resolution 23-2014, which Establishes New Water Rates, Restoration/Reconnection Charges and Application Deposits for the Town of Montello Water System. Commissioner Williams seconded the motion. The motion passed unanimously.
IV. 2014 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG):

In accordance with Notice 38-2014, conduct a Public Hearing for the purpose of obtaining the views of citizens and staff regarding the types of projects to submit for a funding application to the 2014 Community Development Block Grant Program. The County Commission may rank projects at this meeting to submit to the State CDBG Program.

Lynn Forsberg stated they had received one suggestion from the City of Carlin asking them to sponsor a housing grant.

David Jones, City Manager, stated they were partnering with Nevada Rural Housing Authority to leverage for affordable housing. He gave an overview of the Carlin Crossing Project. He stated the funding they would receive from the grant would go into infrastructure which would be for the approach off of SR 766 (Newmont Highway), the road into the project, curb, gutter, sidewalk and utilities. He stated the City of Carlin and Elko County would partner with TICO Construction and Nevada Rural Housing Authority on the project. He stated this would be a planning grant application. He stated NRHA would meet the workforce-gap demand. He reported Carlin was lacking quality affordable housing. David Jones displayed the concept of the modular units which were eight-plex units and ten units of two level townhome apartments. He stated 51% in the complex would have to be below Average Monthly Household Income (AMHI) so they could qualify for the funding. David Jones stated this was not section eight housing but would be for people between the $40,000 to $62,000 incomes. He stated the development would provide workforce affordable housing with the average rent rate of $810 to $850. He stated NRHA would stay on for at least a ten year period as the manager of this facility. David Jones stated Carlin supported this project and NRHA was the developer of this project.

Commissioner Guttry inquired about abatements afforded to the developer. David Jones stated there would be no abatements and Carlin would not lose property taxes.

Commissioner Guttry inquired if staff had come up with projects.

Lynn Forsberg replied they would recommend four projects and gave an overview of the following projects: 1) Storm Water Master Plan for Montello; 2) Tuscarora Water Line Loop/SCADA; 3) Montello South Line Water Study; and 4) Jackpot Solar Pedestrian Lighting Along Highway 93.

Commissioner Myers inquired about ranking of projects with the inclusion of the Carlin project. He inquired if they all qualify under the same type of CDBG grant.

Lynn Forsberg replied the Storm Water Master Plan for Montello and the Montello South Line Water Study were planning grants. He said the Tuscarora
Water Line Loop/SCADA application and the Jackpot Solar Pedestrian Lighting would be under infrastructure grants. He noted Carlin’s (sponsored grant) Carlin Crossing Workforce Multi-Family Housing Off-Site Improvements would also fall under infrastructure which would replace one of the County’s requests.

Robert Stokes inquired how many applications the County was allowed.

Lynn Forsberg stated two infrastructure grants and two planning grants

Commissioner Myers inquired about the lighting cost.

Lynn Forsberg replied approximately $230,000.

The Board discussed rating the infrastructure grant applications.

**MOTION:** Commissioner Dahl moved to submit the Tuscarora Water Line Loop and the Jackpot Lighting applications for infrastructure and Montello’s projects (for planning). Commissioner Williams seconded the motion.

Commissioner Guttry believed that the Carlin project had a chance to get grant funding.

Lynn Forsberg felt the Jackpot Lighting Project might not be funded because of the committee’s priorities for affordable housing and health care.

Commissioner Guttry inquired if they received funding previously for the Jackpot Highway lighting project.

Commissioner Williams stated that funding was never received.

Lynn Forsberg explained they were using CDBG funds to match the State of Nevada DOT funds but the NDOT funds went away.

Commissioner Dahl voted aye. Commissioners Guttry, Williams and Myers voted nay. The motion failed.

Chairman Myers called for another motion.

**MOTION:** Commissioner Williams moved to support the Carlin Crossing Project in the place of the Jackpot Lighting Project and the Tuscaror Water Line Loop (for infrastructure applications). Commissioner Guttry seconded the motion. Commissioners Guttry, Williams and Myers voted aye. Commissioner Dahl voted nay. The motion passed by majority 3-1 vote.

Chairman Myers called for a motion on the planning grant applications.

**MOTION:** Commissioner Guttry moved to submit the Montello Storm Water Master Plan application and the Montello South Line Water Study application. Commissioner Williams seconded the motion. The motion passed unanimously.

3:30:57 pm  **RECESS**

Chairman Myers called a recess at 3:30 p.m.

3:43:48 pm  **RECONVENE**
Chairman Myers reconvened the meeting at 3:43 p.m. Commissioner Dahl stated he had been on a phone conference with the Nevada Association of Counties and they voted to enter the sage grouse suit. Chairman Myers stated agenda item IV would be back on the meeting agenda tomorrow because there was a mistake on which particular grant qualified under planning or under infrastructure. He informed the meeting participants that the CDBG Grant applications would be reviewed again tomorrow.

3:45:55 PM:

III. ELKO COUNTY DISTRICT 5 COMMISSION SEAT:

Discussion and consideration of the review of applications to be sent to the Governor’s Office for appointment to the remaining term of the District 5 Commission Seat due to the untimely death of Commissioner Grant Gerber. Rex Steninger stated he had no experience on a public board so that would be a huge learning curve for him. He had a lifetime of experience living here in Elko County. He had seen the good and the bad parts of the growth within the County which should help him make decisions. Rex Steninger stated with regards to any talents, he had experience in listening to complex issues and distilling them down to understandable fashion.

Commissioner Guttry commented he had written the column Barbwire. Rex Steninger stated with regards to question number 2 he had been closely involved in all of the issues since Kelly Springs and fully support these efforts. He stated Nevada had to have control of the public lands because we cannot function without them. He believed the recent issue in Lander County was a good example of that. He stated the federal agencies slowly choke you. Rex Steninger stated with regards to that, even more ridiculous was those allotments were 50% privately owned and the ranchers owned 100% of the water but the BLM told them they could not graze there. He stated the same problem would happen with the sage hen. He said they have to be out in front of that and be forceful. Rex Steninger stated with regards to question number 3 he only worked seasonal for Remington Construction and this year he only worked from June to November. He had spoken to both owners of Remington Construction and they supported him volunteering to fill Grant’s seat and they would work around his Commission schedule. He made those phone calls before he submitted his application. He stated the rest of year he was his own boss and would be front and center.

Matthew McCarty was honored to be on the list with these gentlemen and certainly hoped the Governor would choose someone from that list because he believed they would represent this county well. He stated with regards to question 1, his personal values, integrity, respect, dedication and devotion was
what he was and would bring that to the Commission. Matt McCarty commented he had an open mindedness and tried not to make a decision before he had heard everything. He felt debate was good but sometimes debate does not change his mind. He had the ability to speak to people and to reach out to people to help him understand the issues that he may not be familiar with. He believed that ability would help him and help this Commission. Matt McCarty stated he has a natural curiosity which helps him to learn and truly understand the issues, understand what was being asked and what was being presented. He stated sometimes we as people don’t say what we were truly trying to say and don’t use our words effectively. He stated sometimes they need to be able to hear what they were trying to say and clarify that. Matt McCarty stated his involvement with the government affairs committee had exposed him to a number of different agencies within the Elko area both government and private so he was familiar with the some of those workings. He had served upon boards of some kind or another for the past dozen of years. He stated with regards to question 2, he felt any issue with natural resources really came down to local control of things. He stated with federal control of our lands they greatly impact our ability to grow. Matt McCarty stated the sage grouse issue affects our economic growth, recreation, way of life and even to a degree our safety. He understood that on the endangered species side they have to have federal agency involvement but they also have to have the ability to work with the management plan they already had in place and to seek other involvement as well. Matt McCarty recently read an article out in Colorado where a species was going to be listed or was listed and the authorities took it upon themselves to raise, in captivity, this species and continued to release it out into the environment. He believed that anyone truly concerned with the sage grouse as an issue should not have a problem with that. He believed only those with political motives that want to shut down access to the federal government would have a problem with that. He stated we need to be able to control the vegetation on the surrounding lands. He felt our ranching way of life in this community was the best ways to do that because they make their living off the land. Matt McCarty stated the ranchers were probably the best stewards they would have because they know if they don't have land to graze on they go out of business. He stated it was a shame that the federal government does not trust their people to be able to manage their lands effectively. He said they do not need people from outside of Nevada telling us that we do not know what we were doing. He stated we recreate here, we live here and know what was best for our lands so it came back to that federal giving us and the ranching community a looser rein. Matt McCarty stated the impact through the existing management plans with the sage grouse was important. They need to continue to look at that and be prepared to make
adjustments on the sage grouse if we need to. He stated we were lucky to have natural resources both tangible and intangible; however, our economy was largely impacted by market conditions beyond our control. He stated the market affects gold and other precious metals and now more recently oil. Matt McCarty stated because we cannot control these markets we need some control locally to provide responsible support for the organizations that were driving our economy. He stated we saw a change in the political atmosphere in November and he felt that was extremely important for Nevada both as a State and locally here in Elko County. He believed they had a good chance of getting a joint Resolution through the Nevada Legislature with a change of parties for both houses to allow us to have State control of our federal lands that were given to us and promised to us in our enjoining documents. Matt McCarty stated the work that Commissioner Gerber and Commissioner Dahl did as well as the rest of the Commission and staff in bringing this to the attention of our western neighbors was extremely important. He said with the change in political fortunes in Washington they stand a good chance since the late 1970’s to get the lands back that were promised to us. Matt McCarty believed water rights were a huge issue. He stated we had a strong system for our water rights and encouraged them to continue to be involved with the State Water Engineer’s Office to make sure that the federal government does not try to take any teeth out of our existing law and make sure that we were protecting our constituents. He stated with regards to question 3 he had a strong support staff. He said he had a strong family at home, a strong staff in his business and strong support within the organizations that he currently serves. Matt McCarty stated when he imported his wife from California she did not understand the amount of time he spent with things but she truly does now and understands it was his devotion and dedication. He stated we give a lot to this community because we love it. Matt McCarty stated at his business his staff was amazing and they do a great job so he was not chained to the desk Monday through Friday. Matt McCarty had not memorized the schedules of the different meetings that they all attend but most of his current engagements were somewhat flexible and he could work around them. He had a strong support staff in those other agencies and organizations. He voiced appreciation to the Commission for their consideration.

Kelly Buckner believed he brought a great deal of experience in budgeting and financial analysis in working with boards his entire professional career. He had worked for a Board of Directors which was not unlike the Commission and the responsibilities that they have. He stated the Commission had responsibilities to the taxpayers of Elko County. Kelly Buckner believed he was a reasonable person, could look at both sides of the matter, and was not afraid to make that decision when it was required. He said he had been in Elko County since 1974
and had been from Midas to Montello. He knew the County very well. He supported the industries that we have here and always have which was the mining industry, the agricultural industry and hopefully the oil and gas industry. He believed that the reason what we have in Elko County was because of those industries and as a Commissioner he would support those industries any way possible. Kelly Buckner stated the purpose in supporting them was to make sure that we have the services and can provide the services that were necessary for the residents of the County. He stated we have a wealth of natural resources. He said assuming Long Canyon gets permitted and gets to open that would increase the tax base for the County. He believed the Commission should continue to support those types of endeavors. Kelly Buckner stated he was a hunter and out there every day during the seasons. In his opinion, which was not a scientific opinion, there were lots of sage grouse out there and they do not need to be listed. He stated NACO participation in the lawsuit was great news because that listing would stifle our County, stifle industry, stifle growth. Kelly Buckner stated he planned on retiring from the Elko Federal Credit Union in June so he would have the necessary time to commit to serve upon the Commission and would commit the necessary time to serve.

Chairman Myers asked the board if they wished to rank the candidates.

Commissioner Williams noted he could only rank two of the candidates because of the association with Kelly Buckner.

Commissioner Guttry thanked everybody that submitted an application for this position and felt it was wonderful that there were fourteen candidates. He noted four years ago he came before the board in a similar situation with only three applicants. He noted this was a decision they cannot prepare for as a Commissioner. Commissioner Guttry felt the resumes were very impressive and he believed he could work with each and every one that submitted an application. He stated it was difficult to rank the last three candidates.

Commissioner Dahl voiced appreciation to those who were willing to get involved and be part of the process. He believed they were lucky in Elko County to have people with so much talent putting their hat in the ring.

Commissioner Williams stated it was a pleasure to sit upon the board and he loved Elko County. He stated they wanted to leave the best people to represent the County in the future and felt all fourteen candidates were possible people that could have done a great job. Commissioner Williams believed the three selected candidates had good credentials, good credibility, have their heart in the right spot and have the time to do the job. He cautioned them it would take time to do a good job. He commended them for being good citizens and doing what was in their heart for the people and our country.
Chairman Myers stated this term would be for two years and believed the Governor would appoint someone this month. He hoped they would have a swearing in ceremony before Christmas. Commissioner Myers stated both he and Commissioner Dahl sat upon the board when they had to fill Commissioner John Ellison’s position but there were not as many candidates to submit to the Governor. He stated they need to keep in mind that after two years the person that was selected may not want this job and the other thirteen candidates may run for election. Commissioner Myers stated Grant Gerber was a close friend and closer to some than others. He said Grant brought to this board a different sense of participation, a different sense of patriotism and certainly a different sense of what was important to him as an elected person to a body of five. Commissioner Myers stated Grant’s untimely death created a huge hole in that area of expertise. He stated they all did not always agree with Grant he would talk them into the different projects. He asked the applicant to remember they represent the entire County and not just their district and that Elko County had some huge issues facing them such as access to public lands, the sage grouse listing, and the Elko County Fire District. He stated not knowing what the budget would look like may be an issue in the future. He thanked them on behalf of the taxpayers for their participation.

Chairman Myers called for public comment.

Travis Gerber stated having his father gone for over a month there had been a lot of tender feelings and they remembered a lot of insignificant moments that have been very significant to them in remembering his life. He stated the family knew many of the candidates, loved and admired all of them. He said Dad would have been the most pleased and honored knowing he did his job by getting so many people involved in politics. Travis Gerber stated, they, being my mother, me and Zachary the three heads of households left here in Elko had written a letter showing their support for Rex Steninger. Travis Gerber delivered a copy of the letter to the Commission. He read the letter into the record (a copy was attached to the minutes). He said his father was a fourth generation native of Elko County. He stated Mr. Steninger was considerate and compassionate and as members of the family and closest to Grant we can assure you that Rex Steninger would be the individual that Grant would have chosen to fill his position here today.

Chairman Myers stated their ranking did not mean the Governor would choose that candidate and he could go outside the three candidates and appoint someone else.

**MOTION:** Commissioner Dahl moved that they would rank the candidates. Commissioner Guttry seconded the motion. The motion passed unanimously.
Chairman Myers acknowledged that Kelly Buckner was at a disadvantage because only three Commissioners could vote for him.

Chairman Myers reported the candidates were ranked as follows: 1) Rex Steninger, 2) Matt McCarty, and 3) Kelly Buckner. He noted Commissioner Williams was put in conflict. He stated this was their recommendation and appreciated them for applying for the position.

**MOTION:** Commissioner Williams moved to submit the three names with Rex Steninger, their first choice, Matt McCarty their second choice and Mr. Buckner the third choice to the Governor of the State of Nevada for the possibility of being selected as the new County Commissioner to replace former Grant Gerber. Commissioners Guttry and Dahl seconded the motion. The motion passed unanimously.

**4:17:50 PM: RECESS**
Chairman Myers called a recess at 4:17 p.m.

**4:18:50 PM: RECONVENE**
Chairman Myers reconvened the meeting at 4:18 p.m.

Griffin Weaver was now sitting as legal counsel for the Commission. Kristin McQueary had a conflict with the following agenda item.

**419:38 PM:**

VI. ELKO COUNTY PLANNING AND ZONING:

Parcel Map Appeal

In accordance with Notice 44-2014 and Elko County Code 5-2-9, conduct an appeal hearing as requested by William Neff, Emily Neff, Jared Neff, John Neff, Alan Sharp, Steve Neff, Jeremy Neff and Jason Neff on the Elko County Planning and Zoning Department approval of a parcel map for James K. Stonier (Application 2014-7000-11). The property described as follows: Sections 23, 25 & 26, T.32N. R.59E. M.D.B & M. in the Ruby Valley area of County of Elko, Nevada comprising a total of 834.136 acres.

Pursuant to Elko County Code 5-2-9, the action of the Board of County Commissioners shall be: The County Commissioners may at the conclusion of the appeal hearing sustain, modify or overrule the action or decision appealed, or may refer the matter or a portion thereof, back to the Elko County Planning and Zoning Department for further consideration. The final order of the County Commissioners on an appeal shall be effective forthwith.

Randy Brown stated this parcel map was approved contingent to the approval of this Board granting alternate compliance last month. He stated the large parcels were 244 acres parcel, 338 acres and 212 acres. He stated there was one 40 acre parcel in the north. Randy Brown noted the 40 acre parcel was
a standalone parcel and could be bought and sold as a parcel without this parcel map. He explained the parcel map was created to identify with future records the thirty foot easement that provided the access. He stated the true parcels being created were the 244 acre parcel, 338 acre parcel and the 212 acre parcel. Randy Brown gave an overview of the map. He stated there was also a patent involved within Parcel #2. He stated only three parcels were being subdivided.

Commissioner Dahl inquired if only 3 parcels were being created and received an affirmative response from Randy Brown.

Commissioner Williams noted he had spoken to Randy Brown previously for clarification. He questioned if all the people that signed the petition were present.

Randy Brown stated two people wanted to withdraw from the appeal but eight people signed the appeal so they would need all eight people to withdraw. He stated this was still a valid appeal.

Commissioner Williams inquired if this went through the Planning Commission.

Randy Brown stated the map did not go through the Planning Commission the parcel maps were done across the counter at Community Development. He stated they were reviewed to be in conformance with State statutes and local code with the caveat that the alternate compliance came before the Commission for the use of a 30 foot private easement versus a public right of way.

Commissioner Williams noted Tyler Livingstone had previously objected to this under public comment earlier in the meeting. He read a portion of the Petition into the record as follows: “We feel that the parcels in Ruby Valley that James K. Stonier is submitting to parcel, with no water rights on the parcels….” Commissioner Williams inquired if they could drill wells on that parcel.

Randy Brown stated for residential use a domestic water right was implied under the creation of a parcel. He clarified a water right for irrigation or agricultural uses would have to be applied for or obtained.

Commissioner Williams believed the Petitioners were pointing out that they may not be able to use it for agricultural use but for residential use they can drill a well for water for gardens, lawns, etc. Commissioner Williams inquired if this land was zoned properly for residential housing.

Randy Brown stated it was zoned open space which minimal size and residential housing was permitted upon open space.

Commissioner Williams noted the petition stated: “With the Great Basin getting closer and closer to closure of well drilling, we did not feel that a 40,004 acre parcel would be able to support an agricultural operation.” which he felt was a viable situation.

Randy Brown stated the minimal size for open space/agricultural was 40
acres. He noted the only reason the 40 acre standalone parcel was shown on this parcel map was to afford it the right or ease of showing access to it. He reiterated they could sell the 40 acre parcel separately but this map shows legal access to it.

Commissioner Williams noted the petitioners also stated: “We also feel that as land is developed, due to it being parceled, the sage grouse habitat population will be severely decreased. With the sage grouse population becoming harder to maintain, smaller parcels of land will only remove more sage grouse from the land.” Commissioner Williams believed that was a possibility because if they remove the sage brush then they have that problem. He voiced concern with the statement, “We also feel that the quality of life will diminish in Ruby Valley and crime may increase due to more people moving into the area as or if more parceled land becomes available. We feel that with the location of the private access easement being against other private and BLM land it will increase the potential for criminals to harass, disturb and potentially murder livestock. As Landowners, we rely on the well-being of this livestock to support our families and livelihoods.” Commissioner Williams felt that was an important issue to consider but was unsure the Commission had the legal authority to deny that.

Randy Brown clarified they were dealing with very large acre parcels. He stated the 40 acre parcel could be sold without the necessity of the parcel map. He explained the criteria the parcel map must meet for approval by his department.

Commissioner Guttry clarified that one of their options was to overturn his decision and tell the property owner he could not do what he wants to do with his property.

Commissioner Myers inquired what the population density could be with this change.

Randy Brown replied if the owner decides to subdivide each parcel there would be more population.

Commissioner Myers noted these parcel could go down to 40 acres then down to 10 acres.

Randy Brown stated the owner could do a division of land into large parcels and the minimum size for open space was 40 acres. He stated a zone change would be required for reduction under 40 acres. He stated they could only create four parcels at a time through the parcel map process. Randy Brown explained the subdivision process would go before the Planning Commission and this board. He stated the division of land into large parcels would go to the Planning Commission and this Board. Randy Brown stated there were strict requirements on the parcel map. He stated the next parcel map would be a subsequent parcelling and then later they would require water rights, roads, etc., with the
subdivision process. He did not believe the intent was for subdivision.

Commissioner Myers noted the problem was a rural area divided becomes a housing project.

Randy Brown stated there will be a bill draft before the legislature requiring that division of land into large parcels be treated as a subdivision and would require water rights, etc. He believed the State Engineer’s Office was also looking into the requirements for additionally expanding his zones for requiring water rights for parcel maps as well.

Commissioner Myers noted in the letter it mentioned water rights and he inquired about the implied 2.5 acre feet of water for each parcel requirement. He inquired when they knew that they were starting to stretch water resources in that valley.

Randy Brown stated the parcel maps go to Division of Water Resources for their review and if they have an issue in a designated zone they would inform the County. He stated a domestic well was not a vested right and part of the parcel so basically you have the right to use 2.5 acre feet of water per year for domestic purposes only. He clarified they could not use that for irrigation or stock water. Randy Brown stated in order to develop this as ranchland then the water rights have to be specific to that use. Randy Brown did not know the circumstances behind this sale.

Commissioner Dahl inquired if there were any surface water rights.

Bob Morley, High Desert Engineering, stated the existing water rights were appurtenant to these parcels. He stated there were three water permits and four vested claims of water rights for surface water that could be sold with the parcels or moved around. He stated stock water rights came with the four vested claims of water rights.

Commissioner Dahl inquired how much was irrigated.

Bob Morley did not know but he did know it was irrigated in the past from one of his neighbors.

Commissioner Dahl questioned what the intent was of Mr. Stonier.

Randy Brown stated further subdivision would require further review and more restrictions to be made.

Bob Morley stated Mr. Stonier had not mentioned further subdivision of these parcels.

Commissioner Guttry stated if he lives in Ruby Valley he would feel the same way that this would detract from previous history. However, if he owned the property and was trying to subdivide it to make something out of it; he would be mad that they were attempting to stop the subdivision. Commissioner Guttry stated as long as Mr. Stonier was doing everything legal then he supported the private property rights.
Commissioner Dahl commented they had a similar situation in Starr Valley and they wanted to divide the ranching into 40 acre parcels. He stated lots of people were upset. He stated unless someone was going to be injured he would have hard time telling anyone what they could do with their property.

Commissioner Williams noted when they talk about the potential for crime increase there was that potential anywhere within the County. He questioned them stopping private property rights based upon potential growth and the increase in crime.

Bob Morley noted County Code required that each of these parcels be served by a dedicated public right of way unless they apply for an alternate compliance to that Code. He stated one of the reasons for applying for the alternate compliance was to provide a private 30 foot easement rather than a public right of way which would have to remain open to the public. Bob Morley noted they have discussed the water rights and the forty acre parcel involved. He believed they have met the requirements of the County Code as pertains to this matter and the statutes. He reported that NDOT approved the approach for the easement and this Board approved the alternate compliance. Bob Morley felt Mr. Stonier had the right to divide and sell his property as he saw fit.

Commissioner Myers requested public comment.

John Neff stated he had been in Ruby Valley since 1972 and was previously raised in the valley. He stated Mr. Stonier was an absentee landowner and lives in California. He said Mr. Stonier had not been in the valley for over thirty years. He suggested a modification because he had learned that his neighbor Neil McQueary was interested in buying the property below the road. John Neff stated because of that fact, his brother, Steve, and Allen Sharp withdrew their protests. He would withdraw his protest on the lower parcel so that Neil could purchase that parcel because they were a ranching family who would take care of that parcel. John Neff said Mr. Stonier does not always pay his bills or honor his commitments. He had spoken to Carol Fertig this morning who informed him that the property below the road was coming up for sale. He stated the Fertig Drilling Company was finally paid for two wells that they drilled four years ago. Jeff Neff stated there was no reason to divide that parcel above the road into three pieces. He stated there had not been any irrigation on that property for several years. He understood Stonier’s son-in-law was promised 40 acres of ground above the road but nothing was in writing and five years ago the son-in-law was kicked off that land with no compensation. His position was to not divide anything above the road and was happy that Neil and his family were purchasing the property below the road. Jeff Neff felt the potential of subdivision there would definitely lower the quality of live for those adjoining property owners. He stated two years ago they put in a new field to the south of the existing
property and they would not want a subdivision next to their new pivot. Jeff Neff’s position was it should not be divided in more than two parcels, one above the road and the other below the road.

Commissioner Myers questioned if the Board could make a decision upon what may happen. He noted there was nothing in writing that Mr. Stonier was going to sell to Mr. McQueary.

Commissioner Dahl inquired how big the parcel next to his pivot was. Randy Brown stated there were two parcels 244 acres and one was 338 acres.

Commissioner Myers noted it would be more than half the project. Commissioner Dahl inquired why they thought Mr. Stonier would be subdividing.

John Neff replied to get more for the property. He stated there were lots available in the Ruby View Estates toward the refuge. John Neff stated the way it was broken up it would not be a viable operation for anyone.

Kristin McQueary, of Ruby Valley, conflicted herself from this because her Mother-in-Law and Brother-in-Law rent this property. She stated she and her Husband, Neil, were neutral on this parcel map as their negotiations with Mr. Stonier had stalled and they did not know if it would go anywhere at this time.

William Neff, of Neff Land and Cattle, was born and raised in Ruby Valley. He noted with regards to the 40 acre stand-alone parcel with in the letter he received the reasoning for parceling was to sell to others. He questioned why Mr. Stonier had not already sold the 40 acres. William Neff had spoken with Bob Morley and the surface water was not there but there were a lot of deeded water rights. He had talked to James Keys’ son last night and they claimed the spring produced 500 gallons of water per minute. He questioned why that water was not making it past the road and was given the response that most of it was going into the ground. William Neff was told 200 to 300 gallons was coming out of Baxter Canyon. His Uncle informed him that Baxter Canyon had not flowed any water for ten years. William Neff voiced concern in keeping the land in agricultural use. He stated water rights were available but the surface water was not there. William Neff believed Mr. Stonier had paid upon those water rights. He had spoken to Bob Morley and there was underground water right that was available for production. He stated it was not in production because they drilled wells but were unable to find water. He stated the road was another major concern. He stated his cousin attempted to buy 40 acres from James Keys and has been unsuccessful from doing so. William Neff stated with regards in building that road up there they should look at the fights already from preventing road closures. He stated if the government feels there were environmental impacts with roads already then what would the environmental impact be in
building another road.

Randy Brown stated the reason that parcel was upon the parcel map was to show the 40 acres had legal access rather than a stand-alone parcel.

Commissioner Guttry inquired if there was any reason to send it back to the Planning.

Randy Brown stated Planning had reviewed it and the map met all State statutes and local ordinances and that was why they approved it. He noted if the developer was willing to reconfigure the parcel or change his philosophy with what he wanted to do with the parcels was the only thing Planning could review.

Commissioner Myers believed water was the most significant issue. He understood the land came with an implied amount of water but if the people who live in the valley say the water was not there how do they determine the water’s availability.

Randy Brown stated the State Engineer’s Office would review that because they have that jurisdiction. He stated Planning had reviewed the parcel map which met the statutes. He noted they could put a house upon that parcel and drill one domestic well.

Commissioner Myers questioned what would happen if this Board sustains the Planning’s action and Mr. Stonier wants to further subdivide next year then the water rights would be spread out.

Randy Brown stated that action could be protested. He explained the criteria changes the more the land was subdivided and they would have to meet requirements. He stated if they subdivide smaller; they would look at water rights and infrastructure that applies to development.

Commissioner Williams stated the issue was they could not pick and choose but must follow the laws, rules and regulations.

Randy Brown stated there was a bill draft which would be submitted this year that would change the size of 40 acres to 160 acres to be considered as open space.

MOTION: Commissioner Guttry moved to sustain the Planning Department’s staff in reference to Application No. 2014-7000-11. Commissioner Dahl seconded the motion. The motion passed unanimously.

Kristin McQueary returned to legal representation for the Commission at 5:04 p.m.
Wells, West Wendover, Jackpot, Owyhee, Mt. City, Jarbidge Liaison, Public Lands Chair, Nevada Association of Counties (NACO) Board, WIR Board, Central Nevada Regional Water Authority (CNRWA), Humboldt River Basin Water Authority, USFS / BLM Liaison, Elko County Conservation Districts Liaison, American Lands Council / Western Counties Alliance, Nevada Land Management Task Force.

Commissioner Dahl reported things were going well in Montello. He stated the NACO voted today to enter into the lawsuit on the sage grouse. He commented the Nevada Land Management Task Force spent $65,000 on an economic analysis study upon the transfer. He noted Utah spent $500,000 and came out with an 800 page report done by the University of Utah, Utah, Weaver State and they came out with the same conclusions.

B. Charlie Myers, District 2 Commissioner:
Commission Chair, Liquor Board Chair, Veteran’s Affairs, Nevada Department of Transportation (NDOT) Liaison, Northeastern Nevada Regional Development Authority (NNRDA), Debt Management Commission, Auditorium Authority Board (ECVA), Wildlife Chair / Wildlife Advisory Board / Nevada Division of Wildlife Liaison, Nevada Division of Forestry Liaison, USFS-RAC.

Commissioner Myers stated the Festival of Trees bidding begins at 8:00 p.m., and that funding goes to a good cause.

C. Glen Guttry, District 3 Commissioner:
Highway Board Clerk /Regional Transportation Commission (RTC), Hospital Board, Recreation Board, Humboldt River Basin Water Authority, Elko City Liaison, Elko Senior Activity Programs Board Liaison, National Guard Liaison.

Commissioner Guttry did not submit a report.

D. R. Jeff Williams, District 4 Commissioner:
Highway Board Chair /Regional Transportation Commission (RTC), Carlin, Midas, & Tuscarora Liaison, Spring Creek Association Alt Liaison, California Trails Center Board Liaison, Natural Resource Management Advisory Commission Liaison, Northeastern Nevada Stewardship Group, Juvenile Department Liaison / China Spring Advisory Committee, Sheriff Department Liaison / LEPC Liaison, Library Board of Trustees Liaison, School District Liaison / CIS – Communities in Schools, Nevadaworks.

Commissioner Williams reported meeting with the Sheriff and Jill Silvey this morning. He stated Jill Silvey had asked for an MOU with the Sheriff but the Sheriff replied no. He stated the Sheriff was willing to have Jill Silvey participate at their monthly meetings involving all the entities to coordinate with the BLM.

Commissioner Myers stated four or five years ago the Commission voted not to allow a policing action under a MOU with the BLM.
Sheriff Williams stated the Sheriff told Jill Silvey they could handle what was happening with the woodcutters, and actions with regards to NRS.

5:08:16 PM:

VIII. COMMISSION MEETING CALENDAR:

January 5, 2015 – Swearing In Ceremony – Nannini Admin Bldg., Suite 102 – 9:00 a.m.
January 5, 2015 – Organizational Meeting – Nannini Admin Bldg., Suite 102 – 10:00 a.m.
January 7 & 8, 2015 – Commission Meeting -- Nannini Admin Bldg., Suite 102 – 1:30 p.m.
January 21, 2015 – Commission Meeting -- Nannini Admin Bldg., Suite 102 – 1:30 p.m.
February 4 & 5, 2015 – Commission Meeting -- Nannini Admin Bldg., Suite 102 – 1:30 p.m.
February 18, 2015 – Commission Meeting -- Nannini Admin Bldg., Suite 102 – 1:30 p.m.

MOTION: Commissioner Guttry moved to approve the Commission Meeting Calendar. Commissioner Williams seconded the motion. The motion passed unanimously.

5:09:13 PM:

IX. CONSENT AGENDA:

A. Presentation and review of claims for approval which are available for public review at the Elko County Manager’s Office.
   B. Approval of minutes: 1. September 4, 2014
                            2. September 17, 2014

MOTION: Commissioner Dahl moved to approve the Consent Agenda. Commissioner Guttry seconded the motion. The motion passed unanimously.

5:09:40 PM:

X. COUNTY COMMISSIONERS AND COUNTY STAFF COMMENTS:

Commissioner Myers would like to hear an update upon Lander County issues with the Tomerases and Filippinis. He recommended to the new Board that Everett and Furn Winder do not get reappointed to the County Board to Manage Wildlife because of previous quorum issues.

Kristin McQueary cautioned they cannot talk about individuals without being noticed.

Commissioner Williams stated next month or in February he would be back concerning the California Trail Foundation because they would be making a
presentation to the Commission concerning schools working with the center to make donation boxes, etc.

Kristin McQueary stated she was working upon the Jarbidge issue and within a Forest Service report from the 1900’s it talked about sage grouse being plentiful in areas where there were domestic livestock.

Commissioner Guttry inquired if she had any information upon the map inquiry in the newspaper.

Kristin McQueary replied no and had asked several gentlemen at Mr. Pearce’s funeral if they had maps so there were now more people looking for maps.

Commissioner Williams requested clarification upon the CDBG agenda item IV.

Commissioner Myers stated he would re-read the agenda item and go back into discussion. He noted the Carlin presentation would still stand.

5:13:56 PM:
XI. COMMENTS BY THE GENERAL PUBLIC:
No comments were submitted.

5:14:13 PM:
XII. ADJOURNMENT:

MOTION: Commissioner Williams moved to adjourn. Commissioner Guttry seconded the motion. The motion passed unanimously. There being no further business to come before the Board, the meeting was adjourned at 5:14 p.m.

APPROVED,

CHARLIE MYERS, Chair

ATTEST:

MARILYN TIPTON, Deputy Clerk
The Board of Elko County Commissioners met in regular session on Thursday, December 4, 2014, at 1:30 p.m., in Suite 102 of the Nannini Administrative Building at 540 Court Street, Elko, Nevada.

There were present:  County Commissioners    Charlie Myers, Chair  
                               Demar Dahl  
                               Glen Guttry  
                               R. Jeff Williams  
County Manager      Robert Stokes  
CFO/Asst. County Mgr.    Cash Minor  
NRMAC/Asst. Mgr.    Randy Brown  
Deputy District Attorney     Kristin McQueary  
Deputy Clerk           Marilyn Tipton  
Library Director      Jeanette Hammons  
Transit Coordinator    Abigail Wheeler  
Sheriff                James Pitts  
Road Supervisor      Terry Lister  

Chairman Myers called the meeting to order at 1:32 p.m.
Chairman Myers led the meeting participants in the Pledge of Allegiance.

1:34:09 PM:
I. COMMENTS BY THE GENERAL PUBLIC:

John Carpenter stated he participated in a telephone conference this morning between the BLM, Western Watersheds Project, the Tomeras and their attorneys. He stated the lawyer representing the cattlemen would file his brief by December 16th but the attorney representing the BLM said they could not file because of the holidays and would be on vacation the entire month of January. John Carpenter believed the BLM want to delay the lawsuit so the permittees cannot get out on the range. He commented they interfere with people’s lives.
John Carpenter believed there were other attorneys for the Department of Interior that could take this case over. He did not believe there would be no hearings until February so people’s lives were immaterial to the federal government.

Commissioner Dahl assumed control of the meeting at 1:36 p.m.

1:36:44 PM:

II. ELKO COUNTY COMMISSION - PLAQUES OF APPRECIATION:

Presentation of Plaques of Appreciation to Charlie Myers and Jeff Williams for their Service to Elko County as County Commissioners. Commissioner Myers has served three terms (12 years) and Commissioner Williams was completing his first term. Elko County expresses it appreciation for their dedication, wisdom and hard work on behalf of the citizens of Elko County.

Commissioner Guttry presented a plague to Commissioners Myers who received a standing ovation.

Commissioner Dahl presented a plague to Commissioner Williams who received a standing ovation.

Commissioner Dahl presented gifts from NACO to Commissioners Myers and Commissioner Williams.

Sheriff Pitts stated Commissioner Myers was the Police Commissioner from 2010 to 2011 and presented him with a certificate.

Commissioner Williams stated it was difficult not to serve in this capacity further but he promised to only serve one term as Commissioner. He wanted to travel and spend more time with his wife, kids and grandkids. Commissioner Williams voiced appreciation to all the residents of the County and stated it was a pleasure to serve them for the last four years. He thanked each Commissioner individually that had served with him. He spoke of his fondness for former Commissioner Grant Gerber and his previous days of trapping with Grant.

Commissioner Williams encouraged everyone who had people that were important in their life that they should not postpone showing how much you love them. He voiced appreciation to the County staff that supported him during his tenure. He believed this was the best county to live in. Commissioner Williams enjoyed being the Sheriff Department’s liaison and had received a plaque of appreciation also.

Commissioner Myers commented he and Commissioner Williams had become close confidants and appreciated all their conversations.

Commissioner Myers awarded his assortment of badges given to him by the Commissioners and County Manager to Undersheriff Clair Morris. He thanked Sheriff Pitts for bringing Clair back into service for the County.

Commissioner Myers stated participants in the Veterans Parade were given plaques yesterday but some were unable to attend and presented Matt Griego of Elko Fire Department, and Assemblyman John Ellison, speaker pro tem of house for the State of Nevada, certifications for their help with the parade.

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Commissioner Myers thanked every County employee, spoke upon the employees’ professionalism, care of the taxpayers, and stated the employees never lost their sense of direction. He spoke about the administrative staff’s positive attitudes and the Budget Committee’s conservative attitudes. He voiced appreciation to Cash Minor, Debbie Armuth and Kathy Long for their efforts on the County finances. He stated Kristin McQueary kept them out of most legal arguments/courts. He noted they filled her plate with more legal issues than she could handle and thanked her for her good legal opinions. Commissioner Myers stated Assemblyman Ellison was his friend and partner in more events and appreciated the Assemblyman’s passion for the little guy. He appreciated his efforts for the taxpayers. Commissioner Myers voiced appreciation to John Carpenter for his guidance, honesty knowledge and leadership throughout his twelve year career as the County Commissioner. He stated former Assemblyman Carpenter represented the common sense approach to all the issues facing our County. He presented a certificate of appreciation to John Carpenter. Commissioner Myers thanked Sara Benoit for keeping the Commissioners up to date on all the events in Elko County and her participation on the Veterans Day Parade. Commissioner Myers stated being part of the recommendation to promote Randy Brown to Assistant County Manager was one of the best decisions he made during his twelve year career. He stated Randy Brown represented the Commission in the most positive way, giving himself to Elko County and voiced appreciation to him. Commissioner Myers stated the prior Commission made a good decision in hiring Robert Stokes. He stated Rob brought a sense of calm to every situation and did a wonderful job in representing the Elko County Commission and the County. Commissioner Myers stated Rob’s positive demeanor and knowledge of the process helped more Commissioners than just him. Commissioner Myers voiced appreciation to Michele Petty for managing calendars for the five Commissioners, updating them on issues. He stated Michele had a nice demeanor, showed caring about the Veterans and organized the Veterans Day Parade. Commissioner Myers thanked Michele Petty on behalf of the County Commission. Commissioner Myers acknowledged Michele Ellison, Abigail Wheeler, Marilyn Tipton, and Pam Borda. Commissioner Myers stated he enjoyed every single day serving as a Commissioner and serving with the Commissioners and past Commissioners. He stated the Commissioners were unique, dedicated and concerned. Commissioner Myers felt the fight was important and they can never let the sage grouse be listed. He stated standing up to the federal government was important if they were overstepping their responsibilities and boundaries. He believed ranching was very important to Elko County and should be protected. Commissioner Myers stated they should always ask why. He said they should
always remember that they represent all taxpayers. Commissioner Myers reminded them the loss of public lands will have a devastating effect on every single business and every entity in Elko County. He stated Sheriff Pitts and Undersheriff Morris were winners in bringing that department’s budget into compliance with law and voiced appreciation for their leadership. Commissioner Myers recommended that the County Commission not do the radio program anymore. He stated they now livestream the County Commissioner meetings and every single person who has a computer can watch the County Commission. He stated the public can call into the administrative office with any questions to be presented to the Commission. He stated there were several radio stations that don’t get the same opportunity and believed it was unfair for those radio stations. He believed it was unfair if you get busy and forget then you have to go through public chastising because you did not make the meeting. He recommended to the next Commission to drop that program. Commissioner Myers stated it was important to lobby our State Assemblyman in changing the Open Meeting Law because it was unfair for the Counties to abide by Open Meeting Law when dealing with the federal government in the strategies the County was going to use to fight the federal government on a particular issue because the federal government can determine their strategy behind closed doors. He believed the Commission should be allowed to go behind closed doors in dealing with the federal agencies the same as for contract negotiations to develop strategy. Commissioner Myers suggested the future Commission to coordinate with Assemblyman Ellison because he has the ability to make changes and make a difference for Elko County as the rural caucus chair. Commissioner Myers encouraged them to support economic development and the NNRDA for the County to grow. He noted the County Commission was very conservative and had only raised the gas tax. Commissioner Myers sincerely thanked the Elko County voters for the ability to serve them and thanked his wife for standing beside him and being supportive. Commissioner Myers thanked the Commissioners for addressing the issues facing the taxpayers. He believed the sage grouse issue, possible loss of Noble, and the creation of Elko County Fire District were important issues. He believed we were lucky to live in a County where life was good, opportunity was plentiful and our way of life was cherished.

Commissioner Guttry stated both Commissioners Myers and Williams would be missed and it was a pleasure to serve with them. He noted Jeff contributed to so many organizations and departments and was passionate towards them such as the California Trail Center, the library, roads, Sheriff’s Department, Communities in School, School District, etc. He stated the Commissioners attended a lot of liaison board meetings. Commissioner Guttry noted Commissioner Myers always gave one hundred and ten percent of his
energy on every project and on everything he undertook. Commissioner Guttry stated Charlie did a great job on the NNRDA Board, the Convention Center Board. He stated the wildlife and federal issues have been huge which took a lot of Charlie’s time. He noted Commissioner Myers was a big proponent for Veterans affairs. He stated it was a great experience and honor to work with these two gentlemen. He believed Elko County was a better place due to their contribution for the citizens of Elko County.

Commissioner Dahl stated he and Grant would work on Commissioner Williams to see the same direction on public land issues as they did. He noted Commissioner Williams was very concerned about what was going on in the County. Commissioner Dahl stated Commissioner Myers was always dependable on specific issues and had the courage to stand on his beliefs.

Commissioner Williams thanked John Carpenter for helping him on a business matter in the past. He spoke upon John Carpenter’s dedication to the taxpayers and being a great public servant. He noted Assemblyman Ellison, Senator Goicoechea and Congressman Amodei were also very dedicated and the people of Nevada could be proud that they were represented by these congressional delegates.

Commissioner Dahl worked for John Carpenter when he was contracting and putting up hay. He stated the two were original Sage Brush Rebellion Board Members that started the Nevada Land Action Association. Commissioner Dahl stated John Carpenter had been a mentor of him for a long time. He stated John Carpenter was a County Commissioner for a long time before becoming a State Legislator.

Assemblyman John Ellison thanked both Commissioners Myers and Williams for the years of service they had provided. He commented Commissioner Williams and his son brought a problem to him during the first session and noted Commissioner Williams supported that bill. Assemblyman Ellison stated he and Commissioner Myers started their public service on the Planning Commission, and then they went on to the City Council, and County Commission. He commented they raised millions of dollars for the cancer research through the John Wayne Cancer Institute, the Love Lights a Tree Program, and for the 4th of July event. He stated they did several programs including the candlelight vigil and Veteran’s Day Parade. He noted they both lost friends and family along the way but they stood together. Assemblyman Ellison stated the taxpayers probably do not realize how much Commissioners Myers and Williams were so involved within the community. He hoped they stay involved with the community.

John Carpenter thanked them for the kind words. He stated he was just trying to help people because Elko County was a great County. He commented
both Commissioner Myers and Williams helped to keep it that way. John Carpenter believed the citizens of the County should be proud of this entire Commission. He had approximately 40 years in politics and he ranked them among the best. John Carpenter stated people will remember Jeff Williams as being kind. He noted Commissioner Myers was always prepared, understood the issues and could express himself. He voiced appreciation to them and stated the County would miss them.

2:33:02 PM:  RECESS

Commissioner Myers would call a recess at 2:33 p.m.

2:45:20 PM: RECONVENE

Commissioner Myers would reconvene the meeting at 2:45 p.m.

2:45:23 PM:

IV. 2015 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG):

Commissioner Myers stated they would reopen this agenda back up due to more recent information.

In accordance with Notice 38-2014, conduct a Public Hearing for the purpose of obtaining the views of citizens and staff regarding the types of projects to submit for a funding application to the 2014 Community Development Block Grant Program. The County Commission may rank projects at this meeting to submit to the State CDBG Program.

Randy Brown stated Lynn Forsberg prepared a list of projects because they ran into problems yesterday with the projects listing. He noted within Lynn Forsberg’s letter he stated they cannot go forward with the Tuscarora Water Line Loop because of lack of information that has to be supplied for the CDBG grant.

Kristin McQueary requested they move to rescind their former actions of yesterday.

MOTION: Commissioner Guttry moved to rescind the action taken on Agenda Item IV at the 3:00 p.m. action item, and rescind that to do a new motion. Commissioner Williams seconded the motion. The motion passed unanimously

Commissioner Williams questioned if the Jackpot Solar Lighting Project would also be tabled.

Randy Brown replied in the affirmative and read Lynn Forsberg’s recommendation into the record as follows: 1) Montello Storm Water Master Plan/Engineering Grant be ranked number 1 of 1 for competitive general application; 2) that the Carlin Crossing Housing be submitted for Affordable Housing-Special Circumstance Set Aside – no ranking required; 3) that the Montello South Line Water Study Grant be submitted for General (non-economic development) Planning set aside, no ranking required; and 4) that the Tuscarora
Water Loop/SCADA Project and the Jackpot Solar Pedestrian Lighting Project along Highway 93 be tabled at this time.

Randy Brown explained that the Montello storm water and the South line loop were competing with each other.

**MOTION:** Commissioner Guttry moved to approve the recommendations on the ranking and the projects for this CDBG grant program.

Chairman Myers clarified that ranking was as follows: 1) the Montello Storm Water Master Plan, 2) CDBG funding for the Carlin Crossing Project and 3) the Montello South Line Water Study grant application.

Commissioner Williams seconded the motion. The motion passed unanimously.

2:51:43 PM:  

**III. BUREAU OF LAND MANAGEMENT (BLM):**  

**ELKO COUNTY PUBLIC SHOOTING RANGE:**  

Discussion and consideration of the acceptance of the Deed of Conveyance from the BLM for 255.33 acres of land located in portions of lots 1, 2, 3, 4, 7 and 8 of Section 25, T34N, R54E, MDB&M for the Elko County Public Shooting Range.

Randy Brown reported the deed has been recorded. Commissioner Myers voiced appreciation to Randy Brown and all the people involved in the work upon the range. He stated it was a nice facility.

**MOTION:** Commissioner Dahl moved to accept the Deed of Conveyance from the BLM for 255.33 acres of land located in portions of lots 1, 2, 3, 4, 7, and 8 of Section 25, T34N, R54E, MDB&M for the Elko County Public Shooting Range. Commissioner Williams seconded the motion.

Rich Adams, BLM Tuscarora Field Office Manager, thanked Randy Brown for shepherding this process. He believed this was a good example of good people working together on a good idea and concept so they eventually prevail. He thanked the County for their perseverance for the residents of Elko County.

Commissioner Myers thanked the BLM for their help.

Commissioner Guttry inquired how long it took to get the deed.

Randy Brown replied 6 years and 9 months.

Commissioner Williams thanked Randy Brown in getting this accomplished. He noted along the way Randy Brown helped getting the youth shooting complex going. Commissioner Williams stated every year Randy Brown spends several days trying to organize a cleanup of the shooting complex. He noted Danielle Kohler, Lee Canton and Bill Mueller were in the audience today and they were involved with this process since the very beginning and thanked them.
Kristin McQueary also wished to recognize Rick Highland, the 4-H Shooting Sports Coordinator, who was a major user of range. Commissioner Myers thanked Rick for his service.

The motion passed unanimously.

2:56:41 PM:

IV. NORTHEASTERN NEVADA REGIONAL DEVELOPMENT AUTHORITY (NNRDA):

Presentation by Pam Borda, NNRDA Executive Director, regarding the Economic and Fiscal Impact Analyses Report on the Northeastern Nevada Regional Railport conducted by the UNR Center for Regional Studies and Ekay Economic Consultants, Inc.

Pam Borda commented they gave an economic analysis in 2010 when the Railport was almost two years old. She stated they have all of the companies up and running now. She reported there was a $111 million dollar economic impact to the region. She stated some was for initial construction but the ongoing operational expenditures were at $92 million dollars. Pam Borda stated the number of employees during the first study was 69 employees and now the number was 180 ongoing, permanent employees. She noted the construction impact was 226 employees. Pam Borda noted the payroll was $9 million dollars per year and more jobs would raise that figure. She stated the taxes collected through 2014 were approximately $2 million dollars with the County portion being approximately $415,000, and the School District portion at $760,000. She noted the region was benefiting from the Railport. Pam Borda stated the ongoing impact was $20.6 million dollars. She stated the University of Nevada’s School of Business prepared the economic impact assessment for her. Pam Borda stated Commissioner Myers was one of the original champions of the Railport along with Randy Brown and Cash Minor. She voiced appreciation to Commissioner Myers and Commissioner Williams for their efforts upon the NNRDA board.

Commissioner Williams stated his home and business was located at Osino and the Railport was great neighbors. He stated if there was too much noise they changed their hours so they care about their neighbors. Commissioner Williams noted the County didn’t receive a lot of the tax money but they get good people who shop locally and send their kids to the local schools. He believed they should recognize those people.

Pam Borda agreed they were outstanding companies and were good corporate citizens.

John Carpenter stated, with regards to the Railport, when he was in the Legislature the State put up approximately $1 million dollars. He noted Lieutenant Governor was the Lorraine Hunt. He noted lots of money was wasted...
by federal government but if the money was wisely invested such as this project it made sense.

3:05:33 PM:

V. ELKO COUNTY LIBRARY BOARD OF TRUSTEES:

Report and review of Board of Trustees activities and minutes including issues related to the operation of the County Library.

Jeanette Hammons reported they were looking to fill the law library clerk’s part-time position. She reported in November they held 10 story times with 338 attendees; two afterschool crafts with 36 attendees, 1 teen book club with 7 attendees; one home school hour with 22 attendees. She stated the library outreach there were 4 charter school story times with 160 participants. She stated at the Elko special education story time there were 6 participants so for the 19 programs there were 569 attendees in November. Jeanette Hammons reported there were 16 volunteer hours and for the Early Learning Computers there 480 sessions together with 115 sessions upon the After School Edge Tablets. She stated there were 16,400 visitors to the Library during the month of November. She reported they circulated 12,709 items with 16 meetings held with 149 participants. She stated the internet stations were used 1,437 times last month. Jeanette Hammons stated the Library would be closed at 1:00 p.m. Christmas Eve and they would close at 5:00 p.m. on New Year’s Eve. She reported they had 140 names on the Sugar Plum Tree. She stated before Thanksgiving they donated 282 pounds of food to FISH under their Food for Fines Program. She stated this past week they collected 219 pounds of food in getting ready for Christmas. Jeanette Hammons reported the family gingerbread house contest was ongoing with the deadline of the 13th of December. She stated the winners would be announced from Santa on December 19th between 2:00 p.m. to 4:00 p.m. She stated the After School Crafts would be held on the 17th of December, with the teen book club meeting on the 8th of December at 4:30 p.m.; and on the 18th there will be a home school hour at 2:00 p.m. Jeanette Hammons voiced appreciation to Commissioners Myers and Williams for their support of the Library and what they did for the community. She encouraged them to stay involved within the community.

Commissioner Williams commended her and staff for the great service they provide to people of Elko County and he enjoyed being the liaison to the Library. He stated the Library was needed for the under privileged and the elderly.

3:11:05 PM:

VI. ELKO COUNTY SHERIFF’S OFFICE:

A. Discussion and consideration of the adoption of RESOLUTION 24-2014 that approves the School Resource Officer Cooperative Agreement between Elko County, the City of Elko and the Elko County School District.
Sheriff James Pitts stated an MOU was being drafted and Kristin McQueary had suggested approval of a Resolution.

**MOTION:** Commissioner Williams moved to adopt RESOLUTION 24-2014 that approves the School Resource Officer Cooperative Agreement between Elko County, the City of Elko and the Elko County School District. Commissioner Dahl seconded the motion. The motion passed unanimously.

B. Report of activities related to the continuing operation and activities of the Elko County Sheriff’s Office.

Sheriff James Pitts reported 42% of the budget year had lapsed and the operational side together with the jail side was at 38% of their budgets. He stated there were 9,143 activities for the month of November bringing a total of 99,223 activities for the year. He commented they wrote 428 reports last month on 10 felony arrests, 39 misdemeanor arrests, 1 DUI arrest, 14 drug arrests, with 108 agency assists, 299 traffic stops, issued 166 citations. He stated they had 165 animal calls for the month. Sheriff Pitts stated the rural deputy was acting Sergeant covering an officer who had knee surgery so there were no stats to report. He stated his detectives had 434 hours of investigation, with no administration hours, 4 hours in agency assists, 16 hours of special assignment, and 7 hours of training. He reported the detectives had 189 active cases opened last month, with 546 inactive cases. He stated they opened 16 new cases and closed 18 cases. He stated one of his detectives would be the new School Resource Sergeant so they will have to replace that officer. He commented one of the part-time detectives had health issues so he would be down to two detectives. Sheriff Pitts reported there were 117 people in jail, with 286 bookings for a total of 2,878 bookings for the year. He stated they issued 37 CCWs, which brought the total to 465 CCWs for the year; issued 19 out of State CCWs for a total of 326 out of state CCWs for the year. Sheriff Pitts stated they registered 3 ex-felons, took 51 prints, did 23 sex offender registrations, did not issue any work cards, and took 133 fingerprints with a total 855 people through the front doors. Sheriff Pitts stated they did 330 civil services, with 990 attempts and 71 warrants. He reported the jail expansion was 43% complete on men’s section and 36% completed overall on the new expansion. Sheriff Pitts displayed a new ticket writer and explained he had obtained a $63,000 grant to fund the purchase of 35 of the new ticket writers. He reported the State was also on the Brazos Ticket Writer System which was faster to enter the tickets so there was no clerical entry of the data into their system.

Commissioner Williams inquired if they had any new information upon the cattle shooting.
Sheriff Pitts stated they had no new leads.
Commissioner Myers inquired what the amount was for the reward.
Sheriff Pitts reported the reward amount was up to $28,000.
Sheriff Pitts voiced appreciation to both Commissioners Myers and Williams during their tenure.
Commissioner Myers commended the Sheriff and Undersheriff in keeping under budget.
Sheriff Pitts noted they received grants to help and commended his staff and officers for their coordination on the budget.
Sheriff Pitts stated they would be designing the County’s 150th year badge and it may be similar to Rich Rutherford Uncle’s badge.

3:25:01 PM:
VII. ELKO COUNTY TRANSIT DEPARTMENT:
Discussion and consideration of the adoption of Memorandum of Understanding (MOU) between the Elko County Transit Department and the Wells Silver Sage Senior Center for the US Veteran’s Administration (VA) Grant for Transportation in Highly Rural Areas (HRGT) that is to help for Veteran transportation needs.

Abigail Wheeler, Elko County Transit Coordinator, commented the Commissioners hired her from the general public and they were good supporters of the system. She noted City Council in Wells had approved the MOU and they would run an address list from Katrinka Russell to get a contact list for the Veterans. They would contact Veterans to find out if they need transportation specifically for medical or other purposes.

MOTION: Commissioner Dahl moved to adopt the Memorandum of Understanding (MOU) between the Elko County Transit Department and the Wells Silver Sage Senior Center for the US Veteran’s Administration (VA) Grant for Transportation in Highly Rural Areas (HRGT) to help transportation needs. Commissioner Guttry seconded the motion. The motion passed unanimously.

Commissioner Williams inquired about the City of Carlin’s involvement. Abigail Wheeler would work with RSVP but she would like to use transportation already in place.

3:29:44 PM:
VIII. ELKO COUNTY HIGHWAY DEPARTMENT:
Discussion and consideration of the increasing cost of road, bridge and right of way maintenance and construction and possible options to meet those needs.
Cash Minor stated over the past several years there had been some conversations about the County roads, the need for graveling projects and the possibility of adding roads to the County network. He stated they were asked to look at some form of pay-as-you-go funding mechanism to accumulate money in the future to do some of these projects.

Cash Minor stated they looked at future funding options and one of the two revenue sources was consolidated tax. He stated consolidated tax was one of the biggest revenue sources for the County and was used heavily in day to day County operations so if it was not a good option because they would be taking away operational money. Cash Minor stated they looked at Net Proceeds and particularly at new mines coming into the County, such as Long Canyon. He noted if they take a portion of that and set it aside into a capital projects fund to accumulate money for these pay-as-you-go projects. Cash Minor stated these projects would have to be prioritized by the County Commission both existing roads and any decisions to add additional roadways to the County road system. Cash Minor stated Net Proceeds was the best funding source and they already use that funding for capital projects. He suggested they allocate 25% of the Net Proceeds from Long Canyon into the capital projects and split it 60% on existing roads and 40% to adding new roads based upon priority listing. He stated as money was accumulated and projects identified they could complete a project. Cash Minor stated they would have to draft a Resolution in January. He stated future Commissions had the ability to change this Resolution so if another new mine come in they could change the Resolution.

Commissioner Myers stated Commissioner Williams had come up with this idea and they had talked to the County Staff about funding. He stated there were some roads that were not getting much maintenance and there were some entrances into some subdivisions that should be getting maintenance but because of the way the road system was structured and because of lack of funding they could not address them. Commissioner Myers stated historically the County did roads to ranches, which were important, but they only serve 4 or 5 people even though it was important to maintain them. He felt they should also look at more populated areas and taking care of those citizens.

Commissioner Williams stated they had worked on adding funding for the last 15 years to add more roads and try to get things caught up. He stated Terry Lister could tell them and Otis Tipton before him maintained the roads to a degree but they were not re-graveling those roads and eventually all these roads will start to fail at the same time. Commissioner Williams stated with this proposal 15% of that would go toward capital projects and not daily maintenance. He stated this would deal with graveling portions of roads, replacing culverts and the other 10% or 40% would go toward the adoption of a policy to add a new road.
that may be one mile or ½ mile of road. He stated there were lots of roads that had lots of traffic but does not receive County maintenance. He felt that policy was unfair to those who live on the populated roads. Commissioner Williams stated there were over 3,000 cars per day upon Victory Boulevard where he lives and under the current policy there was no funding for maintenance. He stated they have Victory Boulevard, Last Chance Road, Indian Hills in Ryndon, and the South Fork Road that needs maintenance. Commissioner Williams stated Terry Lister will have to come up with, using the State law based upon road travel, those roads that have the most traffic to receive some maintenance money for a short distance of road. He stated since it was a pay-as-you-go that 10% to be put into a special budget would have to be sufficient to bring up that road to County specs to be added to the County road system. He noted it may take 5 to 10 years to add a road to the system. Commissioner Williams noted if they had an emergency within the County or budget restraints the Commission could change this by a Resolution and take that money and put it into the General Fund to be used for something else. He stated this proposal gave them the opportunity and people some hope that they may have theirs roads maintained. Commissioner Williams stated before the subdivisions were told they would never get maintenance. He stated every road in a subdivision may not be maintained but the main collector that had the most traffic would be maintained. He supported this action.

Commissioner Guttry voiced support of this proposal.

Commissioner Myers suggested they make a motion for the Commission to look at this in January on their mid-month agenda.

**MOTION:** Commissioner Williams moved that we put this on the January or February agenda to discuss the 60% - 40 % that would be a Long Canyon tax.

Commissioner Williams inquired if they want to put all new mines that come in the future rather than just Long Canyon. He believed the future Commission or the mines would make that decision in the future.

Commissioner Dahl seconded the motion. The motion passed unanimously.

Terry Lister, Road Supervisor, stated this would be beneficial for the Road Department because there were lots of roads that need attention and not only the roads that were on the County maintenance system but roads that should be put upon the system. Terry Lister commented the 9 cent gas tax kept the Road Department afloat. He noted that three bridges were built within the last year and one-half and they all came in under budget and were great improvements. He stated when the Road Services Committee started Commissioner Williams found that the Road Department was running as bare bones as it could run. He stated

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it was a good learning experience. Terry Lister voiced appreciation to Commissioners Myers and Williams for their support of the Road Department. He noted he had been Road Supervisor 16 months and when he began as the Supervisor he, Commissioners Williams and Myers sat down and discussed road issues. He made seven goals and he had accomplished four of those goals so far.

Commissioner Myers commended the Road Department for their efforts and stated their road crew did a good job. He stated the guys that were out there hunting and recreating believed they were doing a good job of maintaining the roads. Commissioner Myers commended Chilton Engineering for coming in with projects and they were doing a great job on the projects.

Commissioner Williams stated over the years they have done a great job in maintaining the roads but this would help put money in the budget to add additional gravel on the roads. He noted Commissioner Russell previously stated they could either do the roads a little bit at a time or one of these days they would have a major winter and then would have to borrow millions to fix all these roads at the same time. He believed pay as we go would be accomplished through this proposal.

Commissioner Myers wished everyone a Merry Christmas and a Happy New Year.

Randy Brown stated it was a privilege and honor to serve with Commissioner Myers and Commissioner Williams and they provided a lot of guidance and leadership to him. He considered them as his friends. Randy Brown stated had helped train Commissioners previously but this Commission had provided leadership to him personally and the County as a whole.

Cash Minor echoed Randy Brown’s comments and stated he would miss both Commissioner Myers and Commissioner Williams. He knew he would see them around the community and knew they would be involved.

Randy Brown stated he would miss his trips to Midas with Commissioner Williams.

Robert Stokes stated since the 1980’s he had worked with various Commissioners over those years in two different states. He voiced appreciation to both Commissioners Myers and Williams. He believed Commissioner Williams was foolish to make that campaign promise to serve only one term and hoped he would break that campaign promise. He stated Commissioner Williams asked a lot of questions in order to make decisions. Robert Stokes stated Commissioner Myers was the stable Commissioner for the past several years.

Commissioner Dahl told everyone Merry Christmas.
Commissioner Williams commended the staff. He enjoyed the Chairmanship and really learned a lot about government, people, patriotism, obligation and responsibility that everyone has. Commissioner Williams still considered himself as a public servant and not a politician and he loved them for what they were and who they represent. He stated they would still be friends even though he was not a Commissioner. He was worried about Kristin the most because of her sober face but when he saw her on the shooting range he knew she was a winner.

Commissioner Guttry wished everyone a Merry Christmas.

Kristin McQueary thanked them for their service. She stated despite her lack of smiles she felt she had the best job in Elko County. She noted she was never bored and there were new challenges every day. She had learned a lot from every Commissioner and appreciated their challenges.

Marilyn Tipton wished everyone a Merry Christmas.

Commissioner Myers stated they were leaving the County in very capable hands. He believed what was important to the people would be important to the new Commission.

3:53:24 PM:
X. COMMENTS BY THE GENERAL PUBLIC:
No comments were submitted.

3:53:53 PM:
XI. ADJOURNMENT:

MOTION: Commissioner Williams moved to adjourn. Commissioner Dahl seconded the motion. The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 3:53 p.m.

APPROVED,

CHARLIE MYERS, Chair

ATTEST:

MARILYN TIPTON, Deputy Clerk