

The Honorable Board of Lander County Commissioners met in special session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada, on June 29, 2010 at 9:30 A.M.

PRESENT: CHUCK CHAPIN, COMMISSIONER
BRYAN SPARKS, COMMISSIONER
STEVEN STIENMETZ, COMMISSIONER
RAY H. WILLIAMS, JR., COMMISSIONER
GENE P. ETCHEVERRY, EXECUTIVE DIRECTOR
WILLIAM E. SCHAEFFER, DEPUTY DISTRICT ATTORNEY
JOY SWEENEY, HUMAN RESOURCE DIRECTOR
ROGENE HILL, FINANCE DIRECTOR
DONNA J. BOHALL, DEPUTY CLERK

ABSENT: CHRIS SCHMIDT, COMMISSIONER

Chairman Chuck Chapin called the meeting to order.

Let the record reflect the presence of a quorum of four Commissioners.

Grace Powrie led the Pledge of Allegiance.

APPROVAL OF AGENDA NOTICE

The Notice of Posting was reviewed and found to be in order. Commissioner Sparks moved to approve the Agenda Notice, as posted. Seconded by Commissioner Williams, the motion was voted and carried. Approved.

PAYMENT OF THE BILLS

There were no bills submitted for payment.

PAYROLL CHANGE REQUESTS

Let the record reflect that this item was deferred to the end of the meeting.

Payroll Change Request - Bartolo C. Ramos - Road & Bridge Department

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Request for approval to hire Bartolo C. Ramos, Road & Bridge Foreman/South, at a bi-weekly salary of \$2,173.08, effective June 28, 2010, was approved by consensus of the Board. Let the record reflect that the Executive Director has approved the payroll change request and it has been reviewed by the Finance/Human Resource Department. **Approved.**

PUBLIC COMMENT

There was no one present for public comment.

TREASURER

- 1) **Discuss & Approve/Disapprove Resolution No. 2010-09, A Resolution Certifying The Tax Rate Required For The Fiscal Year July 1, 2010 Through June 30, 2011 In Accordance With NRS 361.460:** Let the record reflect the presence of Austin, via telephone conference, and Treasurer Grace Powrie for this discussion. The Board reviewed and discussed draft Resolution No. 2010-09, presented by Ms. Powrie, as follows:

RESOLUTION NO. 2010-09
Of The Board Of Lander County Commissioners

A RESOLUTION BY THE LANDER COUNTY COMMISSIONERS, STATE OF NEVADA, CERTIFYING THE TAX RATE REQUIRED FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011 IN ACCORDANCE WITH NRS 361.460

WHEREAS, NRS 361.460 states, "Immediately after the Nevada Tax Commission shall certify the combined tax rate, the Board of County Commissioners shall by resolution proceed to levy the tax rate required for the fiscal period beginning the succeeding July 1, designating the number of cents of each \$100 of property levied for each fund".

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Lander County, now, that the Nevada Tax Commission has certified the combined tax rate, that the levy of taxes in Lander County for the fiscal period beginning July 1, 2010, shall be in accordance with the following schedule for each fund on \$100 of property:

State	.1700
County	1.9243
School	.7500
Hospital	<u>.5109</u>
BASE	3.3552

SPECIALS:

Sewer & Water District #2	.0677
Austin Town	.2213
Battle Mountain Town	.0500
Kingston Town	.3048

Commissioner Sparks moved to approve Resolution No. 2010-09. Seconded by Commissioner Stienmetz, the motion was voted and carried. **Resolution Approved.**

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- 2) **Discuss & Approve/Disapprove Repayment Agreement Between Lander County & US Department Of Interior By & Through Minerals Management Service (MMS) In The Amount Of \$17,463.27 & Authorizing The Lander County Treasurer To Sign Agreement On Behalf Of Lander County:** Let the record reflect the presence of Austin, via telephone conference, and Treasurer Grace Powrie for this discussion. The Board reviewed and discussed the following documentation, as presented by Ms. Powrie: **a)** a May 5, 2010 certified letter from the US Department of the Interior; **b)** an accounting of geothermal steam act receipts for FY 2010; and, **c)** a draft repayment agreement between Lander County and the US Department of the Interior. Ms. Powrie noted the following for the record:

"During budget time, the Department of Interior quit sending me money for geothermal. Basically, the tool that was set forth expired at the end of the government fiscal year, which is September 30, 2009. Right now they're in progress of getting that re-established. From October 2009 through February 2010 excess payments were allocated to the County without that tool being in place. Where we stand right now is that \$17,463.27 has been overpaid to us because that tool wasn't in place. It's gone to the Senate to have that tool reinstated. It passed the Senate on May 28th. They gave it to the House; the House amended it and sent it back to the Senate so the amendment could be passed. That's in limbo right now. We have an option to sign an agreement. That gives me the right to pay that money back by December 31, 2010. We're being charged interest of 1%. I'm making maybe 1% on the money, so it's going to be a wash either way. They're going to try to have that interest waived. The money is due to the County; the tools for the department that pays us the money has been expired. They're trying to get that tool back. If they get the tool back, and it looks very promising, then we're going to get all this money back anyway. In addition to that they'll start paying me money again as of March 2010. I recommend waiting until December."

Commissioner Williams so moved; and authorized the Chair to sign the agreement. Seconded by Commissioner Sparks, the motion was voted and carried. **Approved.**

- 3) **Discuss & Approve/Disapprove Transfer Of Battle Mountain Water & Sewer Delinquent Accounts To Real Property Tax Roll With Approval/Disapproval Of Payment To Battle Mountain Water & Sewer:** Let the record reflect the presence of Austin, via telephone conference, and Treasurer Grace Powrie for this discussion. The Board reviewed and discussed twenty-seven delinquent Battle Mountain Water/Sewer accounts to be transferred to the 2009-2010 real property tax roll, in the amount of \$7,715.74, as presented by Ms. Powrie. Ms. Powrie noted the following for the record:

"With the next step of our motion, I'll have you sign a check so we can pay the water/sewer accounts off. The money will be recovered through my property taxes. We won't have anything more than 60 days late on the water/sewer accounts at the end of June 30th."

Commissioner Stienmetz moved to approve transfer of the Battle Mountain Water and Sewer delinquent accounts to real property tax roll with approval of payment to the Battle Mountain Water and Sewer District. Seconded by Commissioner Sparks, the motion was voted and carried. **Approved.**

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- 4) **Discuss & Approve/Disapprove Transfer Of Austin Combined Sewer & Water District #2 Delinquent Accounts To Real Property Tax Roll With Approval/Disapproval Of Payment To Austin Combined Sewer & Water District #2:** Let the record reflect the presence of Austin, via telephone conference, and Treasurer Grace Powrie for this discussion. The Board reviewed and discussed three delinquent Austin Combined Sewer and Water District #2 accounts to be transferred to the 2009-2010 real property tax roll, in the amount of \$1,523.54, as presented by Ms. Powrie. Commissioner Williams so moved. Seconded by Commissioner Sparks, the motion was voted and carried. **Approved.**
- 5) **Discuss & Approve/Disapprove Write-Off & Transfer Of Delinquent Water Basin Accounts To State Water Resource Division For FY 2008-2009 & 2009-2010 For Following Amounts: A) 2009-10 WT000004-\$32.10; B) WT0000084-\$1.00; WT000100-\$4.33; WT000102-\$26.99, For A Total Of \$64.42 & 2008-09 WT000100-\$4.33:** Let the record reflect the presence of Austin, via telephone conference, and Treasurer Grace Powrie for this discussion. The Board reviewed and discussed five proposed write-offs of delinquent water basin accounts, presented by Ms. Powrie, as follows:

WT000100: FY 2009, McCarty, James P & Georgia - \$4.33;
WT000004: FY 2010, Phoenix Joint Venture - \$32.10;
WT000084: FY 2010, Rim Rock Mining, et al - \$1.00;
WT000100: FY 2010, McCarty, James P & Georgia - \$4.33;
WT000102: FY 2010, Zeda Corporation - \$26.99.

Commissioner Williams moved to approve write-offs and transfer of delinquent water basin accounts to State Water Resource Division for FY 2008-2009 and 2009-2010 in the total amount of \$68.75. Seconded by Commissioner Sparks, the motion was voted and carried. **Write-Offs Approved.**

EXECUTIVE DIRECTOR

- 6) **Ratify & Acceptance Of Selection Of Road & Bridge Foreman/South:** Let the record reflect the presence of Austin, via telephone conference, and Bert Ramos for this discussion. Executive Director Gene Etcheverry provided the following update to the Board:

"As we discussed two commission meetings ago, the selection committee unanimously made a selection for the position of Road and Bridge Foreman/South; and that person is before you now. Bert Ramos is an Austin guy from way back and still remains that way. I think he's going to be a great addition to the County and to the Road and Bridge Department."

The Board reviewed and discussed an Employment Agreement between Lander

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County and Bert Ramos, as presented by Mr. Etcheverry. Commissioner Stienmetz moved to ratify and accept the selection of the Road and Bridge Foreman/South, Bert Ramos. Seconded by Commissioner Williams, the motion was voted and carried. Approved.

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Sparks moved to adjourn the meeting of June 29, 2010. Seconded by Commissioner Stienmetz, the motion was voted and carried. Meeting Adjourned.

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

ATTEST:

LANDER COUNTY CLERK

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

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