

MINUTES OF THE
REGULAR MEETING OF THE CHURCHILL COUNTY HIGHWAY COMMISSION
February 3, 2022

The Board of County Highway Commissioners met in regular session on the above date at 1:20 p.m. at the Churchill County Commissioners Chambers, 155 N. Taylor St, Fallon, NV, with Chairman Scharmann presiding.

Those present were as follows:

Justin Heath, Chairman
Gary Fowkes, Road Supervisor
Joe Sanford, District Attorney's Office
Sherry Wideman, Comptroller

Greg Koenig, Vice-Chairman
Jim Barbee, County Manager
Naomi Steele, Secretary

Those absent were as follows:

H. Pete Olsen, Commissioner

Call to order – Chairman Heath called the meeting to order at 1:20 p.m.

Verification of the posting of the agenda - Secretary Steele verified the agenda was posted in accordance with NRS 241 on the 27th day of January 2022 between the hours of 10:00 a.m. and 11:00 a.m. at the locations listed on the agenda. Those locations include the Churchill County Road Department, Churchill County Complex Building, Churchill County Web Site, and the State of Nevada Website.

Public Comment – Chairman Heath asked for public comments on issues not listed on the agenda. Resident Conrad Lowrey stated his name for the record. He said that he knows the board can't do anything, or won't do anything, but he wanted everyone to know how bad a person can be. Ken Garcia is the villain, and Conrad is the victim. He wanted everyone to know that when he goes to jail, so he is not condemned for being the bad guy.

He said the board hear part "A" last month, and he hopes they have it in the minutes so they can read it. He stated that on June 2nd, 2020, he was in his easement spreading black gravel he gets from the Nevada Department of Transportation (NDOT). Ken pulled up and said he didn't like the black gravel and that he was going to bring his tractor and rip it up. Conrad told him the easement belonged to him and he was going to keep it nice. Kent then told Conrad he was going to knock him on his rear. Conrad called the sheriff's office, and Officer Lofthouse came out and advised Ken not to use the tractor on the easement. Ken said he understood and knew he was trying to keep the easement nice.

Eleven months went by, May 31st, 2021, and he thought it was all over. He was wrong, Ken came out and dumped a trailer load of large concrete chunks on the easement. He got his tractor and started digging a hole in the easement. Conrad asked him what he was doing. He advised him that he was not supposed to do anything on his easement. Ken said he was digging a hole

and burying the concrete chunks. Once again, Conrad called the sheriff's office; they came right out, and Ken ended up removing the concrete chunks and his tractor from his easement. Conrad said, "He was really mad."

On Saturday, July 3rd, at noon, he was spreading gravel in his easement, and Ken came walking over and said the gravel was 2 feet over on his property. Conrad advised him it is he who owns the easement, and that Ken is allowed to use it to access his property. Ken responded by saying, "You don't own this easement, and you are stealing that gravel." Conrad advised the gravel was not stolen because he had written permission from NDOT. Ken said NDOT cannot give you that gravel because it belongs to the taxpayer. He then walked to his fence and said he has proof his easement goes from here to here. Ken said he wanted his easement fenced off and walked away.

The next day, Sunday, 4th of July, at one o'clock, he saw lots of dust coming from the easement. He told his wife to call the sheriff's department and tell them someone is tearing up their easement. Conrad ran out there and a large 4-wheeler was going up and down the road, pulling a 6"x6" gravel scooper. By looking at the scooper marks, he had already done it three times. He was strictly after the black gravel that Ken didn't like. As he came back onto the black gravel, Conrad jumped in front of him and grabbed ahold of the bar by the left front wheel. He yelled stop this thing, and the person driving the 4-wheeler yelled for Conrad to get out of his way, or he was going to get run over. When he stopped, Conrad said he walked around alongside him and said you are Biser, aren't you? He said yes. Conrad told him he was trespassing and tearing up private property. Mr. Biser told him that he didn't own the property and that he was stealing gravel, the same words Ken had used a day earlier. He then gave the 4-wheeler gas and Conrad jumped back so he wouldn't get hit or run over by the scooper. About that same time, his wife came out with the camera, and they stood at the edge of the gravel to prevent any more from being taken. Mr. Biser came back down the road, and when he saw Conrad and his wife, he accelerated; he went hard to the left and hard to the right and headed straight towards them. They jumped back, and he took another six feet of gravel. His wife was taking pictures the whole time, and as he went by, he yelled F-you, F-you, and headed back up the road.

Chairman Heath advised Conrad the three-minute time limit was up.

Agenda – Vice-Chairman Koenig motioned to accept the agenda as submitted. Motion seconded Chairman Heath and carried by unanimous vote.

Minutes – Vice-Chairman Koenig motioned to approve the minutes of January 6, 2022, as submitted. Motion seconded by Chairman Heath and carried by unanimous vote.

Department Reports-

Monthly departmental report - Road Supervisor Gary Fowkes reported on Road Department matters, accomplishments, and projects (**A complete report is attached to the original packet**).

Future Agenda Items – There were no future agenda items.

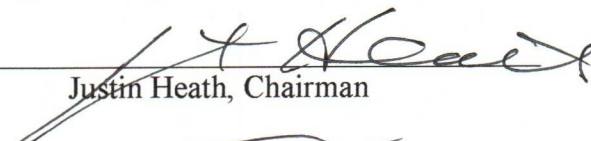
Public Comments – Chairman Heath asked for public comments on issues not listed on the agenda. Resident Conrad Lowrey continued with his public comments. Mr. Bisner was through

yelling and he went up the road. Conrad said he happened to look to the left and Ken was standing in between two of his junk vehicles, with his hands on his hips and a big smile on his face. He had suckered Mr. Bisner into doing his dirty work for him. He wanted that black gravel gone and he got it done. Mr. Bisner got halfway up the road and was stopped by Officer Zamora. Conrad said he thought Officer Zamora would have told him to stay right there and come down and talk to them first. Instead, she talked to him for about 15 minutes then let him go home before coming to speak with Conrad and his wife to find out what all this was about.

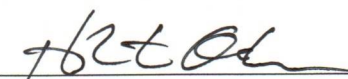
Conrad said his wife became dizzy from the heat and all the turmoil, so she went and sat in the shade. Finally, Officer Zamora came down and Conrad asked if she was going to arrest him. She responded no, she told him to go home, and he said he wouldn't do it again. Conrad told her he was trespassing, destroying and stealing private property, and attempting bodily harm by trying to run over two senior citizens. Ken is 25 years younger than him, and Bisner is 40 years younger. He said, "I am 86, sure sounds like harassment of senior citizens, elderly abuse, torment of old people to me." The next morning, Monday, June 5th, he had to take his wife to the hospital. Seeing years of work go down the drain, the heat, and almost getting run over, really affected her. He always thought that law enforcement was there to protect them. He just wants the board to know, they are not the villains, they are the victims.

Adjournment - With no further business to come before the Board, Chairman Heath declared the meeting adjourned at 1:37 p.m. The next regularly scheduled meeting will be held on March 3, 2022, at the Churchill County Administrative Complex, 155 N. Taylor Street, Commissioner's Chambers, Fallon, NV at 1:15 p.m.

Approved By:


Justin Heath, Chairman


Greg Koenig, Vice-Chairman


H. Peter Olsen, Commissioner