

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS IN AND FOR THE COUNTY OF LINCOLN,
STATE OF NEVADA

March 3, 2008

#1-CALL TO ORDER/ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

The Board met in regular session with Chairwoman Ronda Hornbeck calling the meeting to order at 9:02. Clerk Lisa Lloyd called the roll with Commissioners Tommy Rowe, Ronda Hornbeck, Wade Poulsen and Bill Lloyd being present. Commissioner Paul Mathews is absent at this time. There is a quorum present and the agenda was posted on 2-26-08 to comply with the open meeting law. The Invocation is offered by and Bill led the Pledge of Allegiance. County Manager John Lovelady is present.

CONSENT AGENDA

Ronda requested that when there are rates and requests come in, the requests need to include that all conditions have been met. Ronda wants the county named specifically on the insurance. **Tommy made a motion to approve the consent agenda; seconded by Bill. All voted in favor.**

Paul joins the meeting at this time.

#11-OFFICER/DEPARTMENT HEAD REPORTS

RECORDER/AUDITOR Leslie Boucher presented the cash balance reports. General County has a balance of \$887,398.01 with estimated expenditures being \$153,981.89. This leaves General County with a balance of \$733,416.12. Transportation has a balance of \$20,871.93 with estimated expenditures being \$8,815.46. This leaves Transportation with a balance of \$12,056.47. Nutrition has a negative cash balance of \$17,326.01 with estimated expenditures being \$10,039.46. This leaves Nutrition with a negative balance of \$27,365.47. Detention Center has a negative balance of \$183,044.46 with estimated expenditures being \$74,437.97. This leaves Detention Center with a negative balance of \$257,482.43. January's billing was \$148,190.00, which will leave a negative balance of \$109,292.43. Neither the payments for January or February have been received.

#8-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers. Louis Benezet requested that the Board not pay the voucher for Robison/Seidler as it is so vague. Every item on this voucher is essentially the same. The name of the person who did the work isn't listed and there are two parts for the voucher. Louis advised that for a couple of years now the county has been working with a lesser staff. The principals, Paul Seidler and Ace Robison, are running an office for the Nuclear Energy Institute, which is a principal lobby arm of the nuclear industry. There is no way to determine whether or not the money paid to R/S is being used for lobbying. Louis suggested that the Board get Mr. Whipple to investigate this matter thoroughly. The Board needs to get a voucher that they can understand. **Tommy made a motion to approve the vouchers as presented with the exception of the one from Robison/Seidler as it needs more information/clarity; seconded by Paul.** Ronda advised that previously the Board had agreed to the need to include the name of the person doing the work for R/S. **All voted in favor.** John will look into the R/S bill.

#9-ALAMO INDUSTRIAL PARK

a) Resolution authorizing a medium-term obligation pursuant to NRS 350.087 in an amount not to exceed \$705,000.00 for balance of purchase of the Alamo Industrial Park property from Bureau of Land Management (BLM)—Ronda read the resolution into the record. The sum that will be borrowed is \$705,000 with an interest rate not to exceed 5% and to be repaid over 18 months. **Wade made a motion to approve the resolution authorizing a medium-term obligation for the purchase of the Alamo Industrial Park property in the amount of \$705,000; seconded by Bill. All voted in favor.** b) Memorandum of Agreement between Lincoln County and the Lincoln County Regional Development Authority (LCRDA) wherein LCRDA will provide \$67,500.00 from NCED grant monies to Lincoln County for engineering services on the Alamo Industrial Park property—**Wade made a motion to approve the MOA between LC and the LCRDA; seconded by Tommy.** Mike Baughman will be providing the agreement. **All voted in favor.**

#10-NEVADA ASSOCIATION OF COUNTIES ANNUAL DUES

Tommy made a motion to approve the payment of NACO annual dues in the amount of \$9,098.05; seconded by Paul. All voted in favor.

#5-OFFICER/DEPARTMENT HEAD REPORTS

SHERIFF Kerry Lee reported that the present count is 78 inmates. Next week they will go down to 76. There have been major problems with the lift station, which was repaired by some of the inmates. 20 feet of new pipe was ordered and the lift station is now back up and running. Things are going very well at the Detention Center. February billing hasn't been sent yet, but it is estimated to be a charge for 68 inmates per day. This will be close to the billing in January. Kerry has advised Clark County of their desire to enter into negotiations. Kerry continues to work on the paperwork for the Feds. This will increase the count by a small margin and will give the DC two types of prisoners. The Road Department aided in snow removal. **LC ROAD DEPARTMENT SUPERVISOR** Steve Chouquer reported that the pothole in Panaca has been fixed. Steve advised that they've been informed that they will have two people retiring; this will have to be addressed in the upcoming budget. There is a crew out blading roads right now. The Richardville Bridge has been replaced and has a new culvert. **DEPUTY DISTRICT ATTORNEY** Daniel Hooge reported that things are going well and there have been a lot of guilty pleas. Daniel advised that they're working with PPU to get all of the easements in Pioche. Court proceedings might have to be filed to get the easements in the county's name.

#12-LINCOLN COUNTY TRANSPORTATION

Denice Brown presented this item and requested the acceptance of a 2004 Ford van, which has less than 3,000 miles, from Nevada Department of Transportation for Lincoln County Transportation. **Tommy made a motion to accept the 2004 Ford van from NDOT for Lincoln County Transportation; seconded by Wade.** This van will be used mostly at the Caliente Senior Center to pick up seniors that don't have transportation to the center. It will also be used to go on the Cedar City/St. George trips. **All voted in favor.**

#11-OFFICER/DEPARTMENT HEAD REPORTS

LC TRANSPORTATION/SENIOR NUTRITION Director Denice Brown advised that they did the homeless count for Lincoln County. Last year at this time there was a count of two. This year, there are seven. Denice believes that the homeless issues may become more predominant. Denice has reapplied for homemaker/transportation services grant. The ESP grant is on hold at this time. Power bills in the last month have been a very large problem and they've helped many people with their bills. 75-80 meals per day are sent out to homebound. Homebound has to be 60 years of age and they must have a reason that they can't go to the senior center, socially, physically or mentally. The meals average between \$5.00-6.00 per meal.

#15-BUILDING & SAFETY ITEMS

b) Approval and funding from grant funds for Lincoln County Road Department to excavate and grade for the Alamo practice rodeo arena; project removed from rodeo grounds bid due to budget considerations—The RD is willing to do this if they can be reimbursed for labor and fuel. Phyllis advised that she has the money in a grant to pay for this, with the estimated total cost at \$7,750. **Wade made a motion to approve the RD excavating and grading the Alamo practice arena; seconded by Bill. All voted in favor.**

#13-GRANTS

b) Update—Phyllis went to Round 9 for SNPLMA. There is \$17 million for parks, trails and natural areas this year. Three projects were presented and include: upgrades to DC Day Park, Rachel and Panaca Pioneer Park; the Firemen's Park in Panaca; Echo Canyon Park. Park upgrades came in 5th and Echo Canyon came in 12th. Firemen's Park was 16th. Echo Canyon was over budget. If all projects are dropped by 3% it will make up for the overage on behalf of Echo Canyon. Phyllis thinks that the county could drop their projects by 3%, but wasn't sure if the other counties involved would be able to. Phyllis is working with June Taylor on the RSVP program; there have been some changes. a) Negotiations of contracts with Lumos Engineering for services at the Lincoln County fair and rodeo grounds—Phyllis advised that there is a SNPLMA grant in the amount of \$35,000 to do the engineering on the rodeo grounds in Panaca. Phyllis will work with Lumos concerning a list of what they can do for the county. Lumos was the chosen firm for the Pioche Park. **Tommy made a motion to approve the negotiation of contract with Lumos Engineering for services at the Lincoln County fair and rodeo grounds; seconded by Wade. All voted in favor.**

#15-BUILDING & SAFETY ITEMS

a) Update—Joanne Dixon presented this item. Ken is away at search and rescue training.

#14-PLANNING ITEMS

Clint Wertz presented this item. a) Update—A letter was received from Environmental Protection Solid Waste group advising that the county's solid waste plan needs to be updated. Clint will put this on the next agenda and will coordinate

with Norcal. The financial responsibility for the solid waste plan belongs to the county. Dave Simpson of the State has advised that he can give training as to what should be included. Clint reminded the Board about the UNR workshop next Friday. Clint continues to work with the consultant on developing the addresses for the county; the north part of the county is mostly finished. d) Review and possible implementation schedule for the Lincoln County Addressing Policy—Clint shortened the document and made several changes. Ronda advised that she would like to see the redline version and for all those affected parties to have a chance to look at this. Clint stated that he didn't keep a redline version. Eagle Valley is nowhere to be found on the maps and Ronda advised that Clint will probably have to call it Ursine. Ronda further advised that there are a few changes that will have to be incorporated. Clint will recopy this policy and make certain that everyone gets it. For new addresses it will be part of the new building check list. Ronda questioned what will happen to the outlying areas as far as the RD erecting signs. Clint stated that the signs need to be erected on roads that are addressed. Paul stated that if the RD is responsible for the signs then they will have to be compensated or additional monies will have to be put in their budget. This is a capital improvement and is no different from how often roads should be bladed, for instance. Bill advised that the towns purchase the signs and put them up. The Board agreed that whoever is required to erect the signs will require monies to be budgeted. The numbering system on the existing roads will be changed. Ronda asked if it is the county's responsibility to number the RV parks or apartments or does that responsibility lie with the owner. Clint advised that the best thing to do is give the owner an aerial map and have him draw in the spaces. Tommy stated that the Board needs to be sure that they don't assess any unfunded mandates to the residents. Tommy asked that all of the Caliente City Council members get a copy of this policy. No action is taken as the Board agreed that all persons who will be affected by this policy should have the chance to review it. b) Appointment of Ross Stirling and Steven Combs to the Lincoln County Planning Commission, as recommended by the Planning Commissioners—The two received for the at large were Dylan Frehner and Steve Combs. Ross Stirling was the only interested person in the Alamo position. Paul stated that it appears that this is narrowing to double representation as Glenn Zelch and Steve Combs both sit on the Pioche Town Board. Clint advised that Steve has a strong background that would help with planning items. Clint didn't see that there was an issue as the town board is only an advisory board. Ronda asked if it would help Clint to have someone with a legal background on the PC. **Tommy made a motion to appoint Ross Stirling and Steven Combs to the Planning Commission; seconded by Paul. Wade abstains and disclosed that Ross is his brother-in-law. Motion carries.** c) Recommendation by the Lincoln County Planning Commission to hire professional services of Planning Consultant Mark White to review proposed development agreements NRS 281. Clint recommended doing a contract with Mark White similar to his contract with Nye County. Ronda advised that there is a need to have someone review these agreements and determine how they will affect the county. Ronda stated that the county can either pay a small amount of money now for help with the agreements or pay an unknown amount later for the mistakes that weren't caught during the development agreement process, such as is happening now with the Coyote Springs agreements. **Wade made a motion to hire the professional services of Mark White, not to exceed \$10,000 (the money will come from Planning & Development funds); seconded by Bill. All voted in favor.**

#17-LINCOLN COUNTY REGIONAL DEVELOPMENT AUTHORITY

Wade made a motion to approve a statement of opposition to the proposal to merge activities of Lincoln County Regional Development Authority with those of another rural and urban development authorities (to be sent to LCRDA and City of Caliente); seconded by Tommy. All voted in favor.

Lunch 12:00-1:00

#18-NUCLEAR WASTE ITEMS

Connie Simkins presented these items. a) Proposal to sign Memorandum of Understanding with US Department of Energy (DOE) for Cooperating Agency Status for Lincoln County in preparing Nevada Rail Corridor SEID DOE/EIS-0250F-S2, and the Rail Alignment EIS DOE/EIS-0369—Wade advised that this in no way changes the LC's status of neutrality. This doesn't mean that LC has to agree with everything that comes out. This will allow the county to work more closely with mitigation efforts/impacts. **Wade made a motion to approve the MOU with the USDOE for Cooperating Agency Status for LC; seconded by Tommy. All voted in favor.** b) Designation of key points of contact for the Memorandum of Understanding (MOU) between Lincoln County and Department of Energy (DOE)—There is a schedule that needs to be kept and DOE wants the point of contact designated. **Wade made a motion to designate Mike Baughman as the primary contact and Candace Jordan as secondary contact between LC and DOE; seconded by Tommy. All voted in favor.** c) Request from Core-Geo Data for additional funds in the amount of \$20,000 for support work for special projects report and for base contract continuing work through this contract period which ends June 1, 2008—These monies will pay for mapping and identification. Jason Pitts has work with the LSN and DOE challenged the state of NV's LSN and Clark County's LSN, but not Lincoln County's. Jason has done a great deal of work. The JCCIAC has approved this.

Wade made a motion to grant Core-Geo Data additional funds in an amount up to \$20,000 for the balance of this year; seconded by Tommy. Paul stated that we are getting into a habit of contractors asking for more money after the fact. Paul is more in favor of being asked for additional funds prior to the work being done as opposed to the contractors going over budget. Connie advised that there is money in the budget to cover this. **All voted in favor. Wade made a motion to amend the contract for Core Geo Data to extend these funds into the working contract period that ends June 1, 2008, not to exceed \$50,000 total; seconded by Tommy. All voted in favor.** d) Supplemental request by Resource Concepts, Inc. for extra work to complete the Impacts, Alternatives, Mitigations Special Projects Study in the amount of \$8,335.95—This was not approved by the JCCCIAC. This work was completed. Ronda asked a special contract wasn't issued to R/S to put the reports together. Candace advised that they were given an \$8,000 facilitation fee. RCI had the in-house capability to do the maps. It was at RCI's request that R/S allowed them to put together the final documentation. Ronda has an issue with saying that this isn't going to be paid for. There were a lot of reports that had to be done at the end of this project. RCI left many pages open for R/S to insert their portion. There were several unanticipated items and Ronda felt that RCI had to make an extra effort in order to complete the product. Ronda struggles with the fact that RCI isn't going to be paid for their efforts. Wade stated that RCI had a budget of \$47,000 to get this done. If RCI needed an augmentation of \$47,000 why didn't they increase it at that time, Wade asked. Wade stated that this is like an after thought. Wade isn't saying that they didn't do a good job and felt that RCI offered up the best report he's seen to date. It goes beyond the railway and this data can be used in many different ways. Wade further stated that RCI did a tremendous job. Wade further questioned the Board having to come back to augment another \$9,000; this is why it wasn't approved by the JCCCIAC. RCI's contract wasn't altered after the original contract. R/S and Core Geo Data contracts were amended. Candace advised that it confuses her that it cost an extra \$9,000 to print off unanticipated pages. RCI misjudged the amount of work and stated that it was more than they'd planned on. Connie stated that she knows the work that RCI does. Connie felt this is a legitimate bill, but if it had been her she would've done the work for the original amount because that's what you do when you tell someone you will get something done. **Tommy made a motion to approve the supplemental request by Resource Concepts, Inc. for extra work to complete the Impacts, Alternatives, Mitigations Special Projects Study in the amount of 48,335.95; seconded by Ronda.** Paul stated that having a bill after the fact gives him heartburn, but it is more awful to not pay for work that was done. Paul also said that it is important to maintain the relationship with RCI and he isn't happy with paying for things after the fact. Paul felt that the county has an obligation to pay people for work done. **Wade and Bill are opposed. Motion carries 3-2.** Ronda strongly cautioned all of the contractors to stay within their budgeted contracts. e) Budget augmentation request for Intertech Services Corporation for \$30,000.00 to complete tasks remaining in ISC's contract through May 31, 2008—Mike Baughman presented this item. Mike advised that they don't have a special projects contract. This amount is for the added costs to get through all three EISs. Mike anticipates that, by maintaining the same level of effort as has been employed, they will run out of funds by the end of the year; that's the reason for the augmentation request. This request is before the fact and they aren't overspent. Historically, ISC usually comes in under contract at the end of the year. Tommy stated that when there has been extra money left over at the end of the contract it has remained within the nuclear waste fund to roll over into the new fiscal year. ISC didn't run out and spend it. **Wade made a motion to approve the budget augmentation for Intertech Services Corporation for \$30,000 to complete tasks remaining in ISC's contract through May 31, 2008; seconded by Paul. All voted in favor.** f) Removal of notations for estimated private property values from Special Projects Report on Impacts, Alternatives and Mitigations to Caliente Rail Corridor—Candace Jordan advised that part of their contract was to produce estimates of value based on information that L&S could gather. There wasn't time or money to have the property appraised. The law requires two certified appraisals. In order to comply with the contract, R/S had to put estimates in. Connie stated that she learned that a certified appraisal is only considered current for 30 days. **Tommy made a motion to approve the removal of notations for estimated private property values from the special projects report on Impacts, Alternatives and Mitigations to Caliente Rail Corridor and to have these figures removed by Robison/Seidler; seconded by Paul.** It is not for the Commission to tell someone else how much their private property is worth. Wade stated that the best that could be done with this report would be to state that the impacts could run into the hundreds of millions; general statements can be used to get a point across. There was no intent to say what the property was worth. John Huston advised that he doesn't know of nay context where the payment of money or damages or just compensation is mitigation. Mitigation is putting the railroad somewhere else to avoid damages. Payment of money damages is not mitigation. Candace advised that they will be happy to put specific laws into the report as well. **All voted in favor.** This report has not been submitted to DOE. g) Contract with GAO Spatial for aerial photographs in Lincoln County—This contract is not to exceed 709 tiles/sections or \$58,630.00 as approved by the JCCCIAC on October 16, 2007 and Lincoln County Commissioners on November 5, 2007. Connie will be working with EMS to have them mark things on the ground prior to the photographs being taken. **Tommy made a motion to allow that any member of the Commission can sign the contract with GAO Spatial when it comes in, said contract isn't to exceed 709 tiles/sections or \$58,630.00; seconded by Paul. All voted in favor.** h) Nuclear Oversight Program budget for June 1, 2008 through June 30, 2009—

Connie reviewed the budget as approved by the JCCCIAC last Tuesday. Connie requested an increase of \$5.00 per hour for her assistant. This will not be a full time job nor will it include benefits. Ronda advised that the Commission took a stand at the last budget hearing that salaries would stay within a 3% increase. This applies to all entities, including Road Department, weed district. Connie asked that the classification be changed to allow for this increase. John advised that this position doesn't fall under the contract classifications and suggested that this could be reviewed and matched to the classification. Bill stated that he believed that the only allowance for going above 3% was mileage. John stated that his impression was a 3% overall; not just salaries. Paul stated that it is a lot nicer to have a department supervisor coming to the Board recommending that their personnel get a raise based on merit than having the Union ram things down their throat saying that all of the people under contract are getting a raise. Connie advised that they have the money in their budget to cover the increase. Connie made reductions in 9 categories, which she hoped met with the spirit of holding the line. Wade believed that the Board agreed to a 3% increase overall, which would include services/supplies, salaries and wages and anything that would fall in that budget; this includes everything except for capital outlay. Ronda stated that the 3% cap applied only to services/supplies and salaries and wages; mileage didn't fall under this. Wade stated that the Board doesn't make the decision of a raise today; it will be discussed later as the Board gets into budgets and the policy is made clearer. Wade stated that based on this, the budget can be approved as is and at a later date when raises are discussed this request will be covered. After budgets are finalized then this should be put on the agenda for action. No increase is approved today. Ronda questioned approving the budget without reviewing the scopes of work. Mike encouraged the Board to bring this back at the next meeting after reviewing the scopes of work. Wade stated that the JCCCIAC approved the budget. The Board agreed that the only thing that would be concrete, if approved today, is the bottom line number. **Wade made a motion to approve the nuclear oversight budget from June 1, 2008 through June 30, 2009 in an amount not to exceed \$1,315,000; seconded by Tommy.** Proposed contracts and "sub-numbers" are to be approved at a future meeting. Ronda requested that the Commissioners have a chance to see the scopes of work so that they know what they are approving. **All voted in favor.** Marge Detraz stated that she's been fighting this since 1995 and the JCCCIAC used to meet once a month; there was a meeting last week and another in April. Connie will come on March 17 with proposed contracts, scopes of work and fees.

#8-VOUCHERS

Candace Jordan, Robison/Seidler, advised that their contract doesn't state that a name has to be included to show who did what work. Ronda said that every other year the contract has included the need for a name on the vouchers. Candace submits that they are complying with their contract and the Board should approve it. If not, it will be problematic and she offered to fix whatever needs to be fixed. The Board advised Candace that, in the future, the bills need include who did what work and how long. **Wade made a motion to approve the Robison/Seidler voucher; seconded by Paul. All voted in favor.**

#19-COUNTY MANAGER ITEMS

John Lovelady presented this item. a) Policy for contracting with Lincoln County—The policy requires names, job titles and dates of work done. This policy has been reviewed by the DA's office. Each project will include a scope of work and how it will be done. Any contractor may not commence work until proper insurances have been obtained and the insurance must continue through the life of the contract. They have to provide their own worker's compensation. It appears that the person who is required to have worker's comp can piggyback on the county's insurance, but they have to pay for it. POOL/PACT will get John something in writing. This will apply to all levels and all contracts. The contractor will have to furnish the county with copies of insurance. This policy will apply to all contractors, including Ken and Joanne. Bill stated that this will result in contractors coming back in with higher dollar amounts to cover the insurance. The policy tries to make the county less liable. Paul stated that this will apply to the little guys that come and mow the lawn as well. The results of this will be that it is not worth the little man holding the job because it costs too much for insurance. In the budget proposal, John has proposed that one person be hired as custodian/maintenance for the county and this person will be full time. John stated that a part-time person could be hired as an employee as opposed to a contractor. The Board agreed that perhaps contracts need to be eliminated. Paul stated that a policy needs to be put in place, whether it includes exemptions or not. The thought process as to how people are hired needs to play into the Board's decisions. There are many personnel that the county has contracts with, including Steve Chouquer, Shane Cheeney and Larry Stever. Daniel advised that you can be an employee and still have a contract. Daniel further stated that this policy only applies to independent contractors. Ronda asked how you can bet around this when you have temporary contracts. Ronda further stated that there are many contracts out there for Wendy. John will look at this, but the intent was to have an overall contracting policy. John and Daniel will go "back to the drawing board" with this. Wade asked that an outline be provided as to who is affected and who isn't so that the Board will have a clear indication of who will be considered. Daniel will look up worker's compensation to determine who needs it. The county's requirements will be the same as the state's. b)

Proposals for reorganization of the Lincoln County Ambulance Services—John made 30 copies of the plan that the Board discussed at the last meeting and provided them to the secretary of the Meadow Valley Volunteer Ambulance. This would allow for them to meld what they had on their proposal with what the county had. They were to have a meeting, but John is uncertain if that occurred. John provided a copy of the flyers requesting submissions for those interested in the Administrator position that he posted. Two responses have been received. This will be in the newspaper shortly and doesn't close until March 10th. No action is taken on this item. c) Update—Travel has become very expensive. John needs to go to Carson City on the 10th for CDBG and it will cost him \$650. The problem is that the Treasurer has a \$3,000 amount in their travel budget. There is no money in this account as there are so many people traveling. If two or three people go somewhere, the fund is quickly depleted. John advised that the Board might think about increasing the travel fund. In order to move forward with the Alamo Industrial Park a cultural survey has to be done on "D". Ronda advised that this has to be done and asked John to check with Mike Baughman to see what needs to be done to get this accomplished.

#20-PUBLIC COMMENT

Jan Cole discussed the proposed DOE rail corridor analysis of impacts dated 11-30-07. The scope is that it defined alternate routes. Jan asked what the purpose was. Paul stated it was to show that they hadn't mitigated their proposed route at all. Wade stated that when the DOE came out with the rail alignment, the county had no input whatsoever in that. The Commission decided to do their own study to determine if there was a better alternative or if the DOE was correct in their assumption. It was completed after the draft EIS and Jan continued her questioning as to why they were done. Mike Baughman advised that the 117 pages of comments were to inform the county's comments on the draft EIS. The county hasn't recommended other routes, but they did analyze the routes that DOE provided and the county looked at mitigation as well. DOE won't choose routes outside of their corridors. Jan questioned why the county had a study done on alternate routes. Mike stated that through the NEPA process the county can suggest alternate routes. DOE is taking to heart many of the impacts and mitigations offered up by the county. When the work was first done the Commission thought that there might be an alternate route; if an alternate route is chosen, so they found out, it shifts the impacts to someone else. If the county had elected not to look at alternative routes the questions would have remained if there was the remotest possibility that DOE would change their mind. Jan stated that she didn't understand how the Commission came to the conclusion that DOE would consider it. Wade stated that if the county hadn't studied the proposed route they would never have understood that it wasn't possible to cut out 100 miles. It wasn't proposed to DOE as the research that was done didn't prove that there was a better route. The purpose of the study was to lessen the impact by shortening the route. There is another proposed route from DOE itself; one that goes through Caliente and one that goes around Caliente. The county was trying to find a way to decrease the impact and the conclusions were that when the rail comes, regardless of where it goes, it will still have a huge impact on the county. Jan didn't see anything in the study that wasn't addressed in the draft EIS. The study opened up conversations for impacts and conversations between LC and DOE. Prior to this study, DOE wouldn't talk to the county; now they are. In some of their comments, DOE would make a comment that the only thing they were going to consider was the width of the railroad as an impact. In that report, the county provided the total impacts to DOE, not just the strip of rail. Jan asked why the county thinks that they are going to describe impacts and value property. Jan stated that the DOE will do this and questioned if the Board thinks that they are really going to change national law. Yes. Wade believes that the county can change and alter impacts through DOE. Jan further asked why coming into Caliente is even a thought at this point. The Board advised that Jan will have to talk to the City about that. The county doesn't have anything to do with what happens in the city limits. It isn't in the county's best interests to take this rail into the most populated city in the county. Jan stated that she was told all along that the county was supporting the Eccles route. Wade's opinion is that he likes the Eccles route best, but that doesn't mean that this is what is going to happen. Wade reiterated that he can't dictate what happens in Caliente. Jan stated that there are more miles of the train coming through the county than the city. Ronda asked Jan, instead of taking a position that the county is at fault, that she ask Caliente what position they've taken on this. Jan questioned why all the money and time was spent and the study says nothing to question why DOE is coming into the most populated city in the county. Ronda advised that the county is trying to work through this the best that they can. Ronda believed that they thought they were doing the best thing and were trying to have the opportunity to deal with the impacts. The county is trying to find out what can be done for impacts and has submitted to DOE that the county be allowed to have a voice to make a difference in where the railroad comes or mitigation factors of where it comes. Jan stated that the county hasn't done her any good and has been detrimental to her property. Jan further stated that the county has done her more harm than good. The only opinion of value that can be given in this state is by an appraiser, said Jan. Louis Benezet addressed the Robison/Seidler voucher from this morning and questioned the assurances that R/S gave that he will be able to track what they are doing. The Board advised of what happened and the decision made. Jan stated that she was here at a meeting two years ago when Marge made the same comment. Jan gets paid as a professional consultant and she has to tell her client what she is doing and go into more explanation than R/S.

#21-ADJOURN

There being no further business for the Board to attend to, **Tommy made a motion to adjourn the meeting at 3:52; seconded by Paul. All voted in favor.**

Attest: _____ Approve: _____