

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

June 16, 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 9:08. Clerk Lisa Lloyd called the roll with Commissioners Tommy Rowe, Paul Mathews, Ronda Hornbeck, Wade Poulsen and Bill Lloyd being present. There is a quorum present and the agenda was posted on 6-10-08 to comply with the open meeting law. The Invocation is offered by Wade and Tommy led the Pledge of Allegiance. County Manager John Lovelady is present.

CONSENT AGENDA

- #2 Approve/Deny minutes of the June 2, 2008 regular Commission meeting.
- #3 Approve/Deny reclassification of Road Department Administrative Clerk I position from full-time to part-time as an 18 hour per week position.
- #4 Approve/Deny Finding of Exemption and Level of Environmental Review for the CDBG grant for the Nevada Small Business Development Centers.
- #5 Approve/Deny Finding of Exemption and Level of Environmental Review for the new CDBG grant for the Alamo Industrial Park.
- #6 Approve/Deny grant award from the Division of Aging Services in the amount of \$18,940.00 for Senior Nutrition. The required match of \$1,354.00 for the grant has been budgeted.
- #7 Approve/Deny grant award from the Division of Aging Services for \$5,341.00 for Transportation. No match required.
- #8 Approve/Deny Antoinette Pinkham as acting Director for Human Services effective June 16, 2008.
- #9 Approve/Deny change in payroll status for Sheila Davis from contract to hourly employee, 19.5 hours per week, \$13.73 per hour, not to exceed 1039 hours per year.

The secretary position for the Road Department will be changed to part time, up to 19.5 hours per week. This position was re-advertised as the previous employee quit. Antoinette Pinkham was promoted to be the assistant to Denice Brown. Denice accepted another job so Antoinette will be moved to acting Director for Human Services until Human Services is reorganized. If the Board takes action to appoint Antoinette as acting Director she will be paid from the General Fund. **Tommy made a motion to approve the consent agenda; seconded by Paul. All voted in favor.**

#14-OFFICER/DEPARTMENT HEAD REPORTS

General County has a cash balance of \$849,129.82 with estimated expenditures being \$140,373.59. This will leave General County with a balance of \$708,756.23. Transportation has a cash balance of \$9,620.17 with estimated expenditures being \$1,152.25. This will leave Transportation with a balance of \$8,467.92. Senior Nutrition has a negative cash balance of \$17,203.20 with estimated expenditures being \$7,638.24. This will leave Senior Nutrition with a negative balance of \$24,841.44. Leslie has not done the transfer for Senior Nutrition as she is awaiting approval from the Department of Taxation. Detention Center has a negative cash balance of \$24,505.49 with estimated expenditures being \$61,649.67. This leaves the Detention Center with a negative balance of \$86,155.16. The total billing for May was \$154,040.00, which will leave a positive balance of \$67,884.84.

#10-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers. **Wade made a motion to approve the vouchers as presented with the changes Leslie presented; seconded by Paul. All voted in favor.**

Ronda announced that Lisa worked hard on the minutes to get them out as soon as possible. The minutes will not be reproduced verbatim; minutes are just that, minutes. They are only to give a sketch of what the meeting is about. Ronda reiterated that there will not be verbatim minutes taken with the exception of budget hearings, which will not be verbatim but will certainly include a great deal more detail.

#11-RESOLUTIONS #2008-27, 2008-28, 2008-29, 2008-30

Recorder/Auditor Leslie Boucher advised that instead of \$20,000 from microfilm, she will take the \$55,000, which will lower what is being taken from miscellaneous. District Court needed to increase to \$96,000 as opposed to the \$102,000. The \$6,200 for the AS 400 will come out of miscellaneous as opposed to District Court. Ronda read the resolutions into the

record. Ronda advised that these transfers are being made to make certain that the budgets go through as proposed at the beginning of the fiscal year. **Wade made a motion to approve the resolutions to transfer budget appropriations between departments for the General County Fund, Pioche Town, Panaca Town and Alamo Town; seconded by Paul. All voted in favor.** Bill asked why the transfers were necessary. Leslie advised that District Court was budgeted to be \$56,000 but more was spent than that based on trials. The Sheriff's overage is based on salaries. Assessor's budget is over based on salaries as well. In the last three months, the Sheriff has also had fourteen coroner cases. Commission budget was over based on salaries as well as expenditures. Executive officer was over based on salaries. The majority of all of the overages were salary based.

#12-RESOLUTION #2008-31

Ronda read the resolution into the record. **Tommy made a motion to approve the resolution to create the District Court Specialty Fund; seconded by Paul. All voted in favor.**

#13-RESOLUTION #2008-32

The transfer is only the authority to use the funds, not the actual funds. Wade read the resolution into the record. **Paul made a motion to approve the resolution to transfer the county's 2008 private activity bond cap to the NV Rural Housing Authority; seconded by Bill. All voted in favor.**

#15-NEVADA PUBLIC AGENCY INSURANCE POOL FY 2008-2009

Gordon Wadsworth, Michelle Wadsworth of Dolan and Edwards Insurance and Wayne Carston of NV Insurance Pool are present for this item. Wayne reviewed the summary of services. Members had an increase in property values, which affect the pricing. The liability side saw the markets holding fairly steady. Pricing for this year's insurance has increased somewhat. The total program cost is \$192,973.11. Pahranaagat Valley Fire is its own entity as far as insurance goes and they've been removed from the county's umbrella of insurance for this year. Lincoln County Water District, Alamo Water and Sewer are separate. Panaca Fire District and Pioche Fire District are included under the county. The Pahranaagat Valley EMTs are through their fire district. It is believed that the ambulances went with the PVFD as well, which could result in a significant difference. Wayne looked at deductible options based on the increase. Wayne believes that if the county went to \$5,000 for deductible the county could come out ahead. 3 out of the last 5 years the county has had to use this. **Wade made a motion to approve the renewal proposal for Nevada Public Agency Insurance Pool FY 2008-2009 and payment for such; seconded by Bill. All voted in favor. Tommy made a motion to approve the airport portion; seconded by Paul. All voted in favor.**

#16-NEVADA DIVISION OF FORESTRY

Chris Faehling presented a request from NDF for Lincoln County to become a cooperator with other state, federal and private cooperators in application for a grant from US Forest Service (USFS) funds to eradicate invasive tamarisk along the Meadow Valley Wash. Based on the size of the land it will require three different grants to complete the project. The first phase will take place from the headwaters in northern Spring Valley down to Caliente, depending on the amount of work required it might be extended to Elgin. The second phase is from Elgin to Moapa, third phase is Moapa to Lake Mead. Tri County has done a project on tamarisk and Chris will be meeting with them tomorrow. They use a cut stump method with the slash being chipped and left for public use. The tributaries need to be treated and Chris said that they could include them in the plan. However, he needs to find out the amount of private land owners. This grant can only be used on non-federal lands. Chris would like to see some in kind match from the county. The Ursine fuels reduction could be used for a portion of the in kind. The work will start in 2009. **Tommy made a motion to support the request from NDF for Lincoln County to become a cooperator with other state, federal and private cooperators in application for a grant from USFS funds to eradicate invasive tamarisk along the Meadow Valley Wash and when the final amounts/costs come in, the Board can make final approval to be a cooperator based on budget allowances; seconded by. All voted in favor.**

#14-OFFICER/DEPARTMENT HEAD REPORTS

COMMISSIONER RONDA HORNBECK advised that at the last meeting the Board approved to vacate Fitzhugh Street. However, prior to the end of the meeting it was called to the Board's attention that they hadn't followed proper procedure for vacation/abandonment of this street. The Board needs to readdress this issue. Chuck Brechler, Engineering Consultant for LC, reviewed a memorandum concerning this issue. Application for abandonment must be made by adjacent property owner or Board itself. The person that made the application isn't adjacent. Once the application is received and meets certain requirements, it must be set on the agenda for public hearing and publication must take place; this didn't happen. Prior to public hearing, notice to all utilities in the area that might have interest must be given so that they may reply. There

is a PPU line in this area. Chuck recommended that the Board ask for a reconsideration of this issue. Someone that voted in favor of the item can request the reconsideration. Paul stated that under the rules to reconsider, the Board can take action based on the last agenda. Ronda requested reconsideration at the last meeting and asked at that time that it be put back on the next agenda. **Tommy made an official request that the Fitzhugh Street abandonment/vacation be put on the next Commission agenda for reconsideration.**

#17-GRANTS

Phyllis Robistow, Grants Administrator, presented these items. a) Update—\$211,000 has been received from NCED for purchase of the Alamo Industrial Park land. \$143,000 will be left over to go towards payment of the loan after paying back. This issue will be on the next agenda for consideration. Jeremy Brooks is leaving SNPLMA. b) Contract with Lumos and Associates for the Pioche Lower Park—This is for engineering and feasibility of the pool and the area north of that. The sum of the contract is \$24,000 and is covered by SNPLMA funds. The DA has reviewed it and found that it met the necessary requirements. There is no match required for these. **Wade made a motion to approve the contract with Lumos & Associates for the Pioche Lower Park; seconded by Bill. All voted in favor.** c) Contract with Lumos and Associates for the Pioche Upper Park—The upper park is everything past the pool south. The amount for this contract is \$94,080 for design and approximately \$27,000 for the construction phase when Lumos will be the construction manager. This portion also includes the RV park. **Wade made a motion to approve the contract with Lumos & Associates for Pioche Upper Park; seconded by Tommy. All voted in favor.** d) Change order for additional water lines and hydrants at the Alamo Rodeo Grounds and Park, in the amount of \$6,474.50—**Wade made a motion to approve the change order for additional water lines and hydrants at the Alamo Rodeo Grounds and Park in the amount of \$6,474.50; seconded by Tommy.** The hydrants are not fire hydrants, they are no freeze water spigots. Doug Carriger, 16 Bluff Street in Alamo, requested that the Commission look at spending the money to cover the lights. It is impossible for Doug to go into his back yard when the lights are on. The lights need to be dropped so that they illuminate the rodeo grounds, not his property. Phyllis will get with the engineer to make this happen. There is still contingency money left in this category to take care of the light directions. **All voted in favor.** e) Change order for additional wood chips at the Alamo Children's Park in the amount of \$13,831.00—**Wade made a motion to approve the change order for additional wood chips at the Alamo Children's Park in the amount of \$13,831.00; seconded by Bill. All voted in favor.**

Lunch 12:00-1:00

#18-ORDINANCE #2008-03

Mark Teepen, BLT, is present for this item. This is the time and place set for public hearing concerning the adoption of an ordinance approving a development agreement for a planned community by the BLT Group known as "Eagle Falls" in the Toquop planning area, as authorized under NRS Chapter 278A and the Lincoln County Code Title 14, scheduling a date for adoption and other matters properly related thereto. Clint Wertz presented discussion concerning the history of this development agreement to this point in time. Various hearings have been held. There was a condition on the original approval that they resubmit their development agreement (DA) within six months. Provision for public services is discussed. At this point in time the development is right at the county line from the Mesquite side. The county is authorized under statute to enter into agreements. DAs are a contract between land owner and local government for the timing and provision of services. The period of years that this DA will cover is 30. The DA locks into place current requirements under ordinance and allows the county to ask for things it couldn't ask for in any other way. It allows for developers to provide facilities and funding to support the project. The only thing on the table is the DA, the conceptual plan was approved last fall. The Planning Commission recommended at the 4-22 meeting approval of the DA as proposed and some conditions were required. Clint reviewed the various conditions. At this point in time the Planning Department is recommending approval with conditions. Ken Dixon discussed the DA. BLT is agreeing to build permanent facilities at such time as necessary. If another developer is developing along with BLT they will work out who will build the facilities if they are moving forward at the same time. The county will have to be the lead agency to make certain that this happens. If both BLT and Lincoln Highlands (LH) are building at the same time the county will have to choose the best site for facilities. Whoever owns the ground will have to donate it at that time. If the other developers haven't started, when they desire to do so, they will have to reimburse the developers who built the facilities prior to being able to start construction. At some point in time a fire sub-station will have to be built in each area. Even if a fire station is not required in a certain developer's area they will have to share the costs to use one in another developer's area. The formula for reimbursement is by gross acreage. All fire apparatus, ladder truck, will be paid for by the developer as needed. Radio communication sites have been addressed in this DA as well. It is estimated that it will be between 3-5 years prior to breaking ground on site. There are several issues that still need to be resolved, including power, water and the HCP. Mark Teepen reviewed the conditions placed on the DA. The public facilities section within the BLT agreement was revised. Whoever is out there

first on the ground will have to carry the load and Mark said that they recognize that and accept it. If all of the PUDs are in place whoever builds first is up to the developers. Terry Manly of parcel G presented comments. Terry said that he's never been involved in a situation with DAs that have been contemplated so far out from their beginning. If you take BLTs guess of 3-5 years and add the power, water and HCP issues to it these dates could be optimistic. Terry stated that there is a boiler plate development agreement that is broad, fair, equal and binding that will address the necessary issues. Once things are sorted out, a greater level of specificity will be reached. Generally the county should ask for financial assurances when there is a promise to build city hall and other public facilities. Terry was struck by the level of specifics when development is so far out. The absorption out here means that this will be going on for a long time and it will take a long time to start. Terry is concerned that he might be faced with paying for someone else's sins. Bob Gronauer, Olympia Development, said that everyone should be excited about the issues that lay before the Board. Today is a special day as the developers and Commissioners are paving the way for development in LC. Bob reiterated that importance of public facilities. One of the things needed is uniformity. Summerlin is still going 25 years from when it was adopted and this is anticipated to go longer. Where is the legal binding authority for the reimbursement? Bob is concerned about the need to make certain that there is legal and binding language to ensure that all developers participate in the reimbursement process. The estimate for the first developer to commit to is about \$7-8 million that they will await reimbursement. Language needs to be included for the way that funding will be provided for the public facilities. A developer will be required to provide for a temporary facility but the DA doesn't state where a permanent fire facility will be located. Bob questioned these things and asked what happens and who determines where it will be when it's temporary, then becomes permanent. Bob wants to know what a fire and police facility are; language needs to be included providing for that. Developer will be obligated to pay for their fair share of obligations for police/fire up to the 1000th building permit. Bob said that this needs to be more definitive—what happens after the 1000th building permit? What is the obligation for the developer? A satellite government facility is addressed. Language says "if needed". Bob questioned who determines when it's needed. Bob asked for clarification on pg. 13, section d. It discusses section 4.2 E—there is no section 4.2E. Olympia is fully supportive of whatever public facilities will be included in the BLT DA. Ken advised that the reason that the "if needed" language is there is due to discussions with other developers who have all agreed that permanent facilities should go in Lincoln Highlands. If some of the triggers are reached prior to that in the EF parcels, then temporary facilities will have to be put in EF. There are a number of public facility sites in EF. The thought process was that LH would be ahead of everyone. The implication was that EF would not need to put in a temporary facility; this is where "if needed" came from. Beyond the 1000th facility EF will have to contribute to the permanent facility. The language is ambiguous as far as the government center because it is acknowledged across the board that only one government center facility will be needed. Greg stated that he believes that the language is sufficient to bind the developers to either build, contribute or both. Chuck Brechler said that a fire station has to be within five miles for response. However, when you get into casinos the response is cut down to about 2 ½ miles. There may be some parcels that don't need a fire station, but in order to meet the fire codes for a fire rating they may have to put one in. Once all of these facilities are built they will be the responsibility of the county to man and operate. This is within six months within the signing off of the completed facility. A permanent fire facility is anticipated with the BLT agreement no matter what as does the LH. 3,000 units equates to about 7,500 people and the county will have to provide those facilities. The 3,000 units equates to more homes than there are in the county right now and the tax base will be more than tripled. BLT has to provide a temporary facility for the first permit pulled to 0999 if Mesquite hasn't agreed to provide services. Private security is included only for the developers own property and they can't do criminal investigations or arrest anyone. Candice Jordan suggested that a GID would provide the county with a more even playing field to ensure that the facilities are built when they are wanted and where they are wanted. There will be one permanent fire station and each developer will be required to build substations. Candice questioned who will determine the value of the land contributed by the developer and what if the land contributed isn't where the county would like it to be. With a GID the land that the county wants could be purchased. Ronda said that there will have to be a GID down there as it is required by the HCP. Ken believes that most of the points that Candice has brought up have been covered in this agreement. The goal is that a master agreement will be reached to cover all these points. The other challenges with regards to the GID are the various property owners. The land values will be drastically different crossing from one parcel to another. There is a requirement for the contribution of the land, 25% minimum, from the developers. These contributions have to house the sites needed for the buildings so the county isn't reimbursing for land costs. Matt Davis said that in the LH agreement the land costs were a consideration for reimbursement. EF language says that the public facilities can be counted toward open space. There are two issues here, reimbursement between developers and reimbursement from county. **Paul made a motion to continue the public hearing to July 7th at 1:00, which will allow for time to properly review the document and make any necessary changes; seconded by Tommy. All voted in favor.** Ronda asked that staff get all changes to the Commission in a timely fashion to allow for all Commission questions to be resolved.

#19-STEVEN MCCROSKY APPEAL

This is an appeal from the Planning Commission decision on May 12, 2008. The PC approved the request to create three parcels from one existing parcel (APN 01-218-13) with conditions. Clint Wertz, Planning Director, reviewed the conditions of approval, which include: 1. Relocate the existing easement to the west boundary of the parcel 1 and 2. Existing easement shall be abandoned/relocated on the parcel map. 2. Improve the new roadway on the relocated easement on parcels 1 and 2 to meet county standards and codes as a gravel roadway with any necessary drainage facilities. This includes building the approaches to parcels to the south and north. 3. Relocate the proposed 40' easement between parcel 1 and 2 serving parcel 3 to the north boundary of parcel 1. 4. Purchase and install one fire hydrant meeting specification of the Panaca Farmstead and Panaca Fire District and county fire code at a location suitable to the fire district. All costs will be paid by the applicant. 5. Provide a 20' utility easement on the proposed parcel map crossing parcels 1 and 2. Within 60 days of final approval by the Planning Commission the applicant shall: 1. record these conditions with the Lincoln County Recorder's office in an acceptable format to the County Recorder. Clint reviewed the Staff report. Dylan Frehner, counsel for Steve McCrosky, reviewed the conditions. Dylan reviewed 13-29-6 requirements which may be imposed by the Planning Commission. Dylan argues under what might be considered reasonably necessary. The appropriate time to put in the fire hydrant is when plans are made to put in a house; Steve doesn't have plans to put in a house at this time. In order to build on the two lots being proposed Steve would have to put in a water line; this is the time to put in a hydrant. If the fire district requires a fire hydrant, Steve is willing to do that—when the timing is right and a building permit is taken. The front of the document will stipulate that, prior to pulling a permit, a fire hydrant will be put in. The proposed parcels are one acre each. There hasn't been enough shown to make it reasonable to move the easement and Steve not have the opportunity to ask that the road be moved. Steve should be allowed to run the easement where he's proposed it. If Hollow Lane is moved it will be great expense based on the topography. If the road is to be moved, notice should've been given to the adjacent property owners. There is a public easement in place and Clint advised that the property owners don't have any say in whether or not the road will be moved. When there is a public easement on private property a portion of rights are given up. Even if the easement was granted and the direction of the road was changed it could be made so that it doesn't even go on Holton's property. The concern of the PC is that you don't want to have improvements to nowhere. It is possible to ask for offsite improvements to make onsite improvements more manageable. The easement for Hollow Lane is already in place. The county wants to see some improvements made to the road on the applicant's property. Parcel maps are being denied because people aren't willing to do the road improvements. If Steve improves Hollow Lane on his property there are no requirements for any of the other property owners to improve their section of the road unless the county wants to do a Special Improvement District. Once Steve makes the improvements he can walk away from it when the Road Department accepts it and they can blade the 400 feet of frontage. If the easement was established as Hollow Lane Steve is willing to improve his portion of the road. Once Steve brings it up to county code it can be turned over to the county, thereby alleviating his liability. Dylan suggested that the condition should be that Steve should only be required to bring the road up to county standards only if the county will accept it. There has to be an easement to parcel 3; it doesn't have to be improved right now. **Wade made a motion to have Hollow Lane remain the access to the properties, take the owner's suggestion and run the road on the property line between parcel 1 and 2, require a fire hydrant when a building permit is pulled for parcel 3, reduce the 20' power line to the 10' standard and to require improvements to Hollow Lane when the building permit is pulled and bring it up to county standards; seconded by Paul. Bill is opposed. Motion carries.**

#20-PLANNING ITEMS

Clint Wertz, Planning Director, presented this item. a) Update—This item is off.

#24-NUCLEAR OVERSIGHT ITEMS

a) General program update by Robison/Seidler—Vaughn Higbee and Candice Trummel presented this item. RS has a contract with L&H for 40 hours per week. Candice is leaving and Vaughn's additional hours will aid in taking up some of the slack. The county is not being billed for transitioning hours. Ace Robison has asked Vaughn to be more involved in the public lands issues. Candice advised that RS is establishing an office in Alamo with regular hours. RS would like to encourage the Board to direct someone to draft policy statements for objectives for the projects that the county is involved in. It would be helpful for the contractors if they knew what policy objectives are. Ward Sproat has stated that you can use oversight funding to raise contentions. If DOE decides that they can audit again then Ward Sproat's opinion may not matter. b) Authorize Commission Chairman to sign a contract addendum for request from Bret Whipple to add one sentence carry-over language to his current contract which covers June 1, 2008 through June 30, 2009—**Tommy made a motion to authorize Commission Chairman to sign a contract addendum for request from Bret Whipple to add one sentence carry-over language to his current contract which covers June 1, 2008 through June 30, 2009; seconded by Paul. All voted in favor.** c) Sending a letter to BLM, Ely office, requesting that Lincoln County be granted Cooperating

Agency status concerning BLM's NEPA Analysis and Documentation required to process the DOE application for Right-of-Way to construct the Caliente Rail Alignment—**Tommy made a motion to approve; seconded by Wade. All voted in favor.** d) Action plan to assure agriculture and ranching remain viable in Lincoln County—Connie reviewed various tasks to provide the industry with opportunities to remain viable businesses and to design and maintain a program that will result in No Net Loss AUMs. Some of these tasks include providing comments and input into various processes including STB, mitigation and action policies and plans, allotment management plans, right-of-way application (DOE to BLM), Settlement Agreements on any Ag related contentions raised, public comment resolution document, mitigation advisory boards and mitigation measures and priorities. These tasks can be assigned to various entities, including the consultants of the program and Connie herself. The loss of AUMs will come from BLM. AUMs will more than likely be lost through this process. As this goes forward a time frame needs to be included. The BLM will never agree to saying that they'll never take an AUM, but a time frame could be acceptable saying that no AUMs would be lost during the first fifteen years of the project. Total affected livestock is 4,600 cows and over 10,000 sheep. There are 66 private property owners. The N4 Grazing Board has voted to spend \$15,000 towards this effort; it's been spent. e) GIS contract with Core Geo Data, Jason Pitts, for processing and distribution of aerial photographs—**Tommy made a motion to approve in the amount of \$30,000; seconded by Wade. All voted in favor.** f) Request from Connie Simkins to have her assistant reclassified to Administrative Clerk III, providing her with the option of working 21 hours per week and extending eligibility for benefits—This employee isn't asking for health benefits, only prorated retirement and sick/annual leave. **Wade made a motion to deny; seconded by Bill. All voted in favor.**

#22-COUNTY-WIDE FIRE DISTRICT

John presented a current map of Lincoln County showing private property and the boundaries of the existing fire districts. It is suggested that a county-wide district could be formed throughout the outlying areas and contracts/agreements be set up for other districts to respond. The county is responsible for forming a district, but there is no way to bring in monies to support the district. Wade asked if there is an obligation to cover the test site as well. Chuck said that if this is a military reservation there is no requirement for the county to service the area; they are required to furnish their own fire department. If agreements were put in place, there would be fire trucks at Eagle Valley, Mt. Wilson and Rachel. White Pine is in the process of creating their own county fire district as opposed to NDF district. Ronda cited a study that WP had done discussing going from NDF to 474 district. It recommends that the county have a \$1 million reserve. In creating the fire district there must be a fire district, which would require the payment of a part time position in the beginning. John suggested that a fire chief/first responder could also take care of emergency management. Ronda requested that this be on the next Commission agenda, 7-7. **Wade made a motion to have the District Attorney look into the creation of a 474 district for the remainder of the county; seconded by Bill. All voted in favor.**

#25-COUNTY MANAGER ITEMS

a) Adoption of a policy for contracting with Lincoln County—This is for all contractors or if the county chooses they can provide the worker's comp insurance. Wade cited the contract with the person to build the county a web page, is she required to have insurance? John would have to find out. Wade brought up the pest control people and asked if they have it. Yes. Wade is concerned as there are several contractors with minimal amount of income from their county contractors. This would require many of them to spend approximately 50% of their earnings. If something happens to them right now, though, the county is liable. Wade suggested that this problem be solved by having them sign contractual waivers. They'd be crazy to do so and if they have a legal right they can't sign it away. Current law states that if someone gets hurt on county property then the county is liable for it. The county can provide the insurance for the contractors. If someone is an independent contractor hired only to do a specific job they can sign a waiver as long as they don't have anyone working for them. The county can hire someone as a temporary employee and then they are covered under POOL/PACT. **Paul made a motion to approve the policy as presented; seconded by Ronda. All voted in favor.** b) Norcal Waste Systems, Crestline Landfill, Inc. rate application for FY 2009—This was received on May 28th. The DA hasn't received his copy but John will provide one. **Wade made a motion to receive the letter from Norcal Waste (this doesn't mean that the Commission agrees with the letter; they just accept it as being on time); seconded by Tommy. All voted in favor.** c) Emergency Management—This item will be addressed at the next meeting. d) Update—No update is given.

#21-BUILDING & SAFETY

Ken Dixon presented these items. a) Update—None. b) Amendment of professional services contract with Ken Dixon providing change in scope of work and reduction in hours—This item is taken off. c) "Bushwhacker Motorcycle Race" starting and ending in Caliente on July 5, 2008, using same track as previously used—This should be "Groundshakers", not "Bushwhackers". **Wade made a motion to approve; seconded by Tommy. All voted in favor.**

#23-LINCOLN COUNTY BOARD OF HIGHWAY COMMISSIONERS

There is discussion concerning the need to create the Lincoln County Board of Highway Commissioners.

#26-PUBLIC COMMENT

Ronda advised Marge that she has exactly five minutes. Marge advised that she will be filing something with the AG that John is violating the open meeting law. Nevada has filed their opposition to reject DOE's Yucca Mountain license. Marge reviewed the signatures on the opposition. Marge read an article stating that NV calls plan deficient from the Las Vegas Review Journal date April 16, 2008. Marge reviewed her audit report with the office of the Inspector General. Marge stated that the county just paid Robison/Seidler for the Energy Community Alliance meetings. These funds can't be used to do that. All of the Board members will be indicted; Central NV Community Protection Working Group. Bill Hartman presented comments concerning MethPac Political Action Committee. Bill thanked the Commissioners for all of their hard work.

#27-ADJOURN

There being no further business for the Board to attend to, **Tommy made a motion to adjourn the meeting at 5:53; seconded by Paul. All voted in favor.**

Attest: _____ Approve: _____