

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

September 2, 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 9:12. 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. The agenda was posted on 8-26-08 to comply with the open meeting law. The Invocation is offered by Tommy and Bill led the Pledge of Allegiance. County Manager John Lovelady is present as well.

CONSENT AGENDA

- 2* Approve/Deny: minutes of the August 18, 2008 Regular Commission meeting.
- 3* Approve/Deny Change Order for Caliente Super Park, decrease in funds available by \$114,823.65.
- 4* Approve/Deny: Change Order for Caliente Rose Park in the amount of \$142,936.71, since more money has become available.
- 5* Approve/Deny: Change Order for Caliente Dixon Park in the amount \$905,318.57, since more money has become available.
- 6* Approve/Deny: Tax Strike for Danny A. Pilchard APN #3-131-03, 100% disabled veteran, 7,824 assessed.
- 7* Approve/Deny: Tax Strike for Carl & Charlotte Roybal, APN #6-041-19, house only 50% finished, 47,825 assessed.
- 8* Approve/Deny: 3% pay raise to the After School Program workers for the current school year.
- 9* Approve/Deny increase in salary for Krista Osborne, Cooperative Extension Clerk, from \$10.00 to \$12.73 per hour due to completion of probationary period.

Marge Detraz presented comments on the minutes. Marge commented that she'd asked Wade, during the meeting, about his trip to Bonita Springs and that the waste can be stored on site for 100 years. Marge opposes Yucca Mountain, as does Louis. Marge said that all of the Board members belong to the Central NV Protection Working Group. Ronda and the other Board members advised that they are not members of this group. Ronda reminded Marge that the minutes are just that, just minutes. When the Clerk types the minutes it is a summation of the meeting, it isn't word for word. Ronda said that the comments do not have to be included in the minutes word for word. Ronda doesn't believe that it is fair for Marge to continue saying that this Board is part of the Central NV Protection Working Group; this board hasn't been in existence for over two years. Marge isn't on the agenda today and she is taking both of these matters to Catherine Cortez-Masto. Marge accused the Board of never reading the vouchers for Robison/Seidler; they just approve them as is. Ronda reminded Marge to discuss the minutes only as that is what she signed up for. John advised that Marge signed an agenda request form. At the time that she requested the form, John advised her that she had to sign up to discuss a specific item. At the time that the request was received, Marge signed up to discuss any and all items concerning Robison/Seidler; this is more along the lines of public comment, not an agenda item. Clerk Lisa Lloyd that after she had spoken with Marge last week, she sat down and listened to Marge's item again. Nearly the entire presentation that Marge made was simply the reading of a newspaper article. However, Lisa did add one line to the minutes as Marge presented comments at the conclusion of reading the article to the affect that "Marge said that all of the Board members are native Nevadans and they fight to get Yucca Mountain. Also, statute says that the clerk is to keep minutes of the meetings, not transcripts. **Tommy made a motion to approve the consent agenda; seconded by Paul. All voted in favor.**

#10-VOUCHERS

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

#12-OFFICER/DEPARTMENT HEAD REPORTS

RECORDER/AUDITOR Leslie Boucher presented the cash balance reports. General County has a cash balance of \$1,157,032.86 with estimated expenditures being \$213,190.24. This will leave General County with a balance of \$943,842.62. Transportation has a cash balance of \$5,640.82 with estimated expenditures being \$5,871.10. This will leave Transportation with a negative balance of \$230.28. There is a voucher from RTC for money to go into Transportation. Senior Nutrition has a cash balance of \$35,261.81 with estimated expenditures being \$11,974.28. This will leave Senior Nutrition with a balance of \$23,287.53. Detention Center has a negative cash balance of \$109,044.21 with estimated

expenditures being \$65,531.87. This will leave Detention Center with a negative balance of \$174,576.08, but when the July billing of \$177,170 is received the total cash balance will be \$2,593.92.

#17-NORCAL

Greg will be meeting with representatives from Norcal soon concerning the contract between LC/Norcal. The county has a patent for 80 acres of land in Dry Valley for a landfill. There are certain procedures that will have to be put in place in order to open it. The permit stays in effect until it's closed out. Greg will have more information about this at the next meeting.

#14-POLICY FOR APPOINTED BOARDS

This item concerns clarification of Board of Commissioner's policies concerning appointed boards/commissions and town boards in regards to the hiring of personnel, salary issues and contracts. Leslie is waiting for a letter from Dan McArthur addressing this issue. The Commission needs to clarify its policy as to what the boards need to do if they are hiring people/renegotiating contracts and how they need to bring those back before this Commission. This policy needs to be made clear.

Wade joins the meeting at this time.

Ronda said that the Town Board brought minutes from the time that Ed Wright was on the Commission. These minutes contained a comment made that the town board should have the right to make their day-to-day decisions. Since that time, there has never been a time that PPU hasn't had to come back before the Commission; they are an advisory board, said Ronda. Ed Wright has advised Ronda that the Board's intent wasn't ever to tell them that they didn't have to come back in front of the Commission. All of these years it has remained the same. Greg said that he will be gone, but John will draft notice to this effect to make things clear that all advisory boards must bring issues before the Board for final approval.

#12-OFFICER/DEPARTMENT HEAD REPORTS

LC HEALTH NURSE Jean Lucht advised that the flu vaccine will be received as early as next week. **COMMISSIONER TOMMY ROWE** met with the nuclear waste technical board to review concerns of LC. Some of the concerns include the need for mitigation of the citizens that will be affected. Tommy attended a NACO board meeting and the bill drafts are out that they will be presenting. Tommy attended the memorial service for the Panaca Airport manager on 8-23. Tommy attended the Southern NV Workforce Investment Board in Las Vegas. **COMMISSIONER PAUL MATHEWS** reported on his trip to Redwing, Minnesota. Paul went to Prairie Island, which is a nuclear facility. Paul said that he learned a great deal on this trip and it was very worthwhile. **COMMISSIONER WADE POULSEN** advised that there have been several horses that have fallen down at the Alamo Rodeo arena. There is a question as to whether or not the sand mix is where it should be. Request for verification of the sand mix has been made of Leslie and Associates. Some clay will be mixed with the sand if it is different than the type that was originally there. Steve said that the sand is loose and deep in the new arena. If the sand matches the specs then the county will be required to fix the issue; if not, then L&A could be required to bring the sand up to spec/quality at their own expense. There is a high school rodeo in a month. Tommy said that if there is a rodeo within a month then "all stops need to be pulled out" to get the Road Department involved to fix this. Once the specs are received from L&A a test mixture will be done in the practice arena. **COMMISSIONER BILL LLOYD** attended the nuclear waste meeting in Caliente on the 19th with the Railroad. Bill attended a Norcal meeting in Las Vegas; there will be another meeting next week. Bill attended the Pioche Tailings meeting. BLM wasn't there, but the largest part of the tailings is on BLM property. Pioche Ely Valley Mines won't let BLM dump their tailing where Jim Vincent is dumping his. Bill met with Matt Davis on the 28th. **COMMISSIONER RONDA HORNBECK** attended meetings concerning the development agreements. Ronda attended a water committee meeting on the 28th. Ronda will attend a Tri-County meeting on the 12th at 10:00 here in the courthouse. There is a GID and water district meeting on the 17th.

#13-COMMITTEE TO SAVE PIOCHE HONOR CAMP

A committee is needed to work on preventing the closure of the Pioche Honor Camp. Ronda has had several people requesting to be part of the committee and they include: Ed Wright, Hal Keaton, Mike Hurst and Marty Soderborg. Tommy received a call from the Republican National Convention yesterday to put Patti Long on this committee. Patti has spoken with all of the delegates at the convention as well as the Governor. Ronda suggested that there be at least 1-2 Commissioners on this committee. Bill and Tommy volunteer. **Tommy made a motion to appoint Ed Wright (to be Chairman), Hal Keaton, Mike Hurst, Marty Soderborg, Patti Long, Bill Lloyd and Tommy Rowe to the committee to prevent the closure of Pioche Honor Camp; seconded by Bill.** Wade feels that the committee should choose their own chairman, not that he has anything against Ed Wright. Wade has made several phone calls but has been unsuccessful

in making direct contact. Vern Shumway has talked to DOC who has advised that their budget doesn't reflect the cutting of the Pioche Honor Camp. From the information that Vern has collected it appears that NDF is driving the camp closure, not DOC. Wade advised that this is something that the committee will need to research as well, who is pushing the closure? Pete Anderson, NDF, said that DOC was responsible for the camp closure. Hal Keaton suggested that a vice chair be selected as well and the first item of business is to figure out who is involved and what the committee is dealing with. Ed said that he would feel better if the committee selected the Chairman and Vice Chairman. Ed also suggested that the committee be allowed to select their secretary. **Tommy amended his motion to solely appoint the 7 members previously named and to not appoint a Chairman at this time (the committee will be allowed to select their own Chairman and Vice Chairman, as well as secretary); seconded by Paul. All voted in favor.** Gina Smith is working this for her political science project. Gina is willing to do fact finding and work with the committee to do whatever they need. Ed will contact the members and get this going. The committee will report to the Commission at every meeting. This will be a standing item on the agenda for a while.

#14-POLICY FOR APPOINTED BOARDS

Ronda is concerned that the DA has previously advised PPU that they don't need to come before the Commission for approval on various items. However, many years ago it was granted to the advisory boards to handle day to day business. It is now being interpreted that pay increases, change in job description and like items don't have to come before the Commission; this is not true. PPU and all other advisory boards have to bring these issues before the Commissioners for final approval. Ed Wright said that it was never the intent of the Commissioners that they didn't have to come before the Board for final approval. Ed commented that all of these boards are *advisory* boards. Ed believes that any budget changes or employee changes must come before the Commission; this is how it was established and has been since that time. Advisory boards make recommendations to the Commissioners and then the Commissioners make final decision. Wade suggested that PPU be made a GID so that they can do their own thing. For an advisory board to completely disregard the decision made by the Commissioners is complete and total disrespect, commented Wade. When the Board of Authority speaks that should be the final answer. Steve Combs said that there was some confusion as to what their authority was. DA Greg Barlow advised PPU that they had the authority to make their own decisions. Wade said that the Commissioners, the governing board, had already made the decision prior to them asking for the DA's opinion. To involve the DA after an authoritative decision was made is complete disregard for the governing authority, Wade commented. Wade further said that if they want to govern themselves then they need to become a GID. These boards are not elected, they are appointed. If the boards don't agree with the decisions that the Commissioners make then the Commissioners need to react to that. The issue at hand is that Pioche is an advisory board. Paul reviewed the history of how this problem came to be. PPU took action to hire an employee, at a higher salary than approved by the Commissioners, without bringing the amendment to the Commissioners for final approval. The DA stated this morning that he was wrong and the advisory boards must come back before the Commissioners. Dan McArthur sent a letter, which Ronda read into the record. There is nothing in the statute that indicates that the approval of the budget is also an approval of wage increases or decreases. The approval of wage and salary rates is a separate Commission action. The approval should be an action item of a Commission meeting with the decision documented in the minutes. NRS 269.577 and NRS 269.590 are referenced in Dan's letter. Paul said that he hopes that, in spite of this snag, things can be worked out and the advisory boards can continue aiding the Commissioners. Steve Combs requested training concerning the boundaries and responsibilities of the advisory boards. Ed said that training is necessary for all parties, since the DA and the County Manager presented incorrect information to PPU at the time that this employee issue was addressed and decision was made. Ronda said that a letter will be written by John and Greg and sent to all advisory boards, including town boards, to avoid any similar situation from arising in the future. For the sake of consistency, there should be an established policy in place and John will work on this with Greg (to be presented/approved at a future Commission meeting). At this time PPU is still without a manager, however, they will work on it and bring it back before the Commissioners for final approval. Steve said that there wasn't a disagreement, more like a misunderstanding.

#15-RESOLUTION #2008-37

This resolution is to transfer the county's additional 2008 private activity bond cap, provided pursuant to the housing and economic recovery act of 2008, to the Nevada Rural Housing Authority in the amount to f\$57,611.35. Ronda read the resolution into the record. **Tommy made a motion to approve the resolution to transfer the 2008 private activity bond cap in the amount of \$57,611.35; seconded by Wade.** Wade said that if this money can't be used in LC it will be opened up to the rural counties. **All voted in favor.**

#18-GRANTS

Phyllis Robistow presented these items. a) Update—Phyllis attended CDBG forum two weeks ago. LC will be regulated to only one application again this year. There are still over 150 grants that need to be closed. With the additional money from awards this year were to be used to monitor the grants this year to get them closed. With only one per county/city the 150 could be closed. They are in the process of going to bid for the Thompson Opera House and there will be a pre-bid walk through. SHPO grant application is open for the Million Dollar Courthouse. High Desert RC&D met last Friday and they are requesting the completion of a survey as they are trying to aid the county as much as possible with grants. A public scoping meeting was held here in Pioche for the locate park. Phyllis presented comments from the meeting. A meeting will be held with the town board to refine the comments and decide what can be done in each phase. It is hoped that this will go to bid in early spring. Phyllis will be attending NACO on November 12th. There are some concerns about what will happen with some of the social services funds. b) Grant Application to the Hazardous Materials Emergency Preparedness grant to reimburse first responders for attendance at the 2008 HazMat conference in Las Vegas—There is a good chance that the grant will not be awarded and Phyllis has advised the various agencies that they might have to pay for this out of their own budget. LEPC will be meeting this Thursday to decide if the \$10,000 plus will be granted. If approved, John would sign the application. There was a deadline that wasn't met and the Emergency Management group hadn't sent in their plan when required, it was turned in late, and now there is an appeal for money since, based on tardiness, LC has been dropped to the bottom of the list. Marge Gunn-Nutman retired at the end of last week. John is working on setting up interviews; there were three applicants (only two were qualified). A time will be set up to meet with the two qualified applicants. Wage, benefits and job description were not included in the advertisement; it was advertised as a part time position at 19 ½ hours. Ronda asked that this be put on the next agenda for hire. **Paul made a motion to approve the submission of the grant application; seconded by Wade. All voted in favor.** Phyllis reiterated that fact that everyone has been made aware of the fact that they may not be reimbursed for this. c) Letter to Community Development Block Grant (CDBG) program regarding jobs at the Alamo Industrial Park—There is no time limit on the standards. **Wade made a motion to approve; seconded by Bill.** This doesn't obligate the county to a timeline. **All voted in favor.** d) Reduction in Sunrise Engineering contract for the Alamo Industrial Park in the amount of \$2,000.00 due to reduced cost of technical work—**Wade made a motion to approve; seconded by Tommy. All voted in favor.**

#19-PLANNING ITEMS

Planning Director Clint Wertz presented this item. a) Update—Rachel Prison Proposal Special Use Permit will be next Thursday evening, September 11, and this Saturday there will be a meeting in Rachel for those who have questions about the proposal. As it stands now, the Commissioners are the appeal body. If it comes to the Board, members will have to disclose any and all conversations they've had about it. Tommy asked Clint if he read the newspaper since he's already made his opinion known on the matter. This is the fifth project, for that same piece of land, Jim Toreson has brought to LC in the last four years. Jim is only given a certain amount of time to prove up on it. Clint's recommendation is that he only had 18 months to make a deal on this. The other safeguard is that anything reviewed as SUP is limited to six months if the project isn't started. All other projects previous to this one are done since nothing happened with them and the 6 month window has closed. Jim has part of the area zoned for a subdivision and the other part is zoned for industrial. Paul said that this is a private property owner applying for a zone variance on his own property. There are many details that will have to be ironed out and this is mostly so that he might be able to market the land. Clint is working on the updated fee schedule for the PD. Clint is trying to figure out how other counties/cities deal with large projects. Ronda is the Commissioner representing Rachel, not Tommy. Once the contract is signed for mapping, within 2-3 weeks there will be a link from the county's website to have mapping on the web. Once the link is in place publication needs to be in the paper advising the public of the link. Caliente will be contributing to the cost. Work will begin on the Assessor's map books to get them up to date. Paul Zucker and Carson Zeiss will be coming to do a preliminary needs assessment for staffing and fees. Clint will be setting up workshops concerning this, starting the end of September/first part of October. b) Amendment of contract for Mark White to complete a Master Development Agreement (MDA) for Lincoln County—Clint is requesting \$7,000.00 from the Land Act P&D funds to cover the cost. Mark has offered to put together a MDA for the county. This will be the skeleton to ensure that development agreements are in the same format in the future. **Wade made a motion to approve the contract with Mark White for the completion of a Master Development Agreement for Lincoln County, up to \$7,000 with the money coming from Fund 93; seconded by Paul. All voted in favor.** c) Signing of letter for technical assistance from the Nevada Division of State Lands for an update to the Lincoln County Public Lands Plan of 1996—Paul is concerned about going down this track without having the Public Lands Committee in place and no input from the community. Clint said that they will use the Planning Commission as the body but representatives will be pulled in from both of the groups. Public lands are a very sensitive issue in LC and Paul asked that this be kept in mind. Clint said that ex-officio members will be appointed and involved. **Tommy made a motion to approve; seconded by Paul. All voted in favor.** d) Resolution for the Town of Alamo to annex lands comprising Parcels

A, B, C and D, known as the Alamo Industrial Park—No copy of the resolution has previously been provided to the Board members. Clint presented maps and the resolution. State law allows either the town or Commissioners to proceed with an annexation. The Planning Commission voted to recommend this. The annexation will add to the base of the taxable lands and will bring in more revenue. In order for the GID to expand their boundaries the annexation has to occur. If the town is to help provide services to these new lands this annexation must happen. Ronda asked if Alamo would have to initiate and seek grants. If this is annexed, then is the town responsible for applying for the grants; do they take the lead on getting grants? The county has been doing this so far, and Ronda questioned if Alamo would now be responsible for seeking the grants and being the lead. The county owns the property and will maintain the responsibilities of the AIP. The county still owns the property, with the exception of D, B, and C, which are private. This means that the county will still be the “lead”. This is the first step to establish town boundaries so that the GID can provide services. The GID would be the lead for the grants to provide water/sewer. Paul believes that a local utility should be managing this growth area anyway. Alamo Power District already includes all of this property. This is an essential step to put the governing body in place for water/sewer. Already a portion of A and D are in the town boundaries. Eventually what will happen is that various parcels will be sold off to private owners, who will become responsible for the development of the parcels. The county can take the lead in development by being the agency that seeks grant money. **Wade made a motion to approve; seconded by Tommy.** Clint said that right now this should include “all of what is Section 9” (B, C, and A). Wade said that this is where the water tank sits and questioned if the county can annex BLM land. Clint believes that the county can annex this. Ronda said that BLM land can only be annexed by BLM. Clint said that this piece is on the disposal list as part of the Land Act. Caliente’s was similar to this and they still had to go to BLM and request that it be annexed. The boundary surveys were done and have been paid for. The piece with the water tanks was never included in any of this. Wade questioned if annexing this piece will deter or hinder the disposal of D and C in any way. Clint believes that it will make things go easier if it is already part of Alamo. Ronda believes that this can be done easily through BLM, who can do it with a letter. Clint said that this piece is on the map that shows what can be disposed of. The benefit of annexing this piece will clean up the map. The ground could be disposed of to the county and the town could request it as an RPP. Tommy agrees that it should be annexed, but it can’t be done today based on the agenda. Tommy feels that this should be re-agendized and a letter to the BLM should be approved on the next agenda and sent. There is a discrepancy between what has been sold to the county; a patent will be reissued. John will be meeting with Manuela Johnson concerning this issue. The corrected map was recorded Friday. **All voted in favor.** Ronda read the resolution by title into the record. e) Request for costs to cover survey work by Summit Engineering (County Surveyor) for the Town of Alamo annexation map and for the 2nd Street North Record of Survey—The source of funds has not been identified and the total cost is \$5,480.00. An official annexation map has to be filed. Clint has contacted Sunrise to do a comparison bid for an official annexation map. Clint will continue to pursue this and try to get the best possible deal. Clint addressed the abandonment survey between the Credit union and 2nd North. The final order wasn’t filed on the abandonment, but that process has been restarted to clean up the title. This will establish corners on the blocks for the disputed area on the east part of the street. The total for the abandonment is \$2,280. **Wade made a motion to approve the 2nd Street North Record of Survey by Summit Engineering in the amount of \$2,280 (to be paid from Fund 93); seconded by Paul. All voted in favor.** No action is taken on the Alamo Annexation map as Clint is awaiting more information.

Lunch 12:30-1:15

#16-NUCLEAR OVERSIGHT ITEMS

a) Scope of Work and proposed budget for Range Science Team, Resource Concepts, for planning and monitoring assistance on Yucca Mountain issues—This item is redundant. b) Contract, Scope of Work and Fee Schedule, and budget for Range Science Team, Resource Concepts for planning and monitoring assistance on Yucca Mountain issues—Connie presented this item as well. There have been no changes to the scope. **Paul made a motion to approve the contract with RCI; seconded by Wade. All voted in favor.** Connie presented an update. NV Attorney has received a letter from DOE advising that NV had asked the NRC if they would consider the license application to be complete prior to the 196 reference documents were submitted. It is the state’s position that the license application will not be complete without these documents. DOE has filed responses to the parties of record to the Surface Transportation Board application. Connie will forward copies to the Board members. The process has started to accept applications for web students. 9-12 at noon is the closure of applications. Part of how they’ll be chosen is their resume and how they respond to questions put to them. Tommy asked if there is some way to get this program started in Pahranaagat Valley. Connie said that there will be funds available in the next budget and she can look into this. There would be a need for a computer teacher to supervise this. Amy Huntsman would be the person responsible. There isn’t a program in both places as Mrs. Huntsman hasn’t wanted to participate. Vaughn Higbee suggested that Wesley Wilson, the FFA teacher, might be interested. Steve Hansen will be the contact point on this. c) Review of staying involved in planning outline relating to the proposed Yucca Mountain project

by Vaughn Higbee—The purpose of the program is to keep the citizens informed. After there is a final plan, there is a slim possibility of “putting in our two cents”. This will aid in building a solid path of communication. Vaughn reviewed a document entitled “Staying Involved in Planning Efforts Monday 8-25”. This document is fairly redundant and is very much a work in progress, but the ultimate goal is to allow LC to continue to participate in meaningful dialogue with DOE, NRC, STB and BLM plans. This document will change as it is worked through. Vaughn is hoping to make certain that the citizens’ voices from LC are heard. A seat at the table is needed during the process for the Final Rail SEIS. Ace Robison reviewed what it means to “have a seat at the table” during the process. Ace commented that LC needs to stay involved with DOE on an informal basis. Citizen Marge Detraz presented comments concerning an article from the Las Vegas Sun, dated May 28, 2008 entitled “McCain: We may not need Yucca”. Marge read from the 4-21-2003 Commission minutes. Bob Lupton is now deceased and Candice Trummel has taken his place at. Marge advised that she is taking all of these tapes to Catherine Cortez-Mastos since she isn’t on the agenda. Ronda reiterated the listed agenda items for Marge’s tape, should Ms. Cortez-Mastos listen to them. Ronda invited Marge to make comments on the agenda items only. Marge said that you can’t use nuclear waste money to lobby. Ronda advised that there is nothing on the agenda pertaining to “lobbying”; Marge continued making comments concerning lobbying; you can’t use nuclear waste money to lobby. Marge said that Mike and Matthew Baughman lobbied for many different entities. Ronda reiterated the requirement to address only the items on the agenda. Marge lost her temper, began yelling at Ronda and then she was warned to lower her voice or the Sheriff would be called. Ronda told Marge that she would be allowed to speak if she discussed the item on the agenda. Marge was allowed to refer to a newspaper article from Pahrump and was soon reminded again to discuss only the topic on the agenda that she signed up for. Marge continued in spite of the warning, being very erratic and verbally abusive, and Ronda requested that the Sheriff be contacted, which was done. Ronda reiterated her request for Marge to stick to the topic on the agenda. Marge referred to her agenda item request as provided to the County Manager; it wasn’t on the agenda this time. Marge cited that she filled out the required forms to be on the agenda but she wasn’t on there. County Manager John Lovelady responded that the reason that Marge wasn’t on the agenda is because her request wasn’t specific to any one issue; it covered everything possible. Marge continued to argue with a raised voice and a break in the meeting was requested by one of the Board members. No action is taken and the Board takes a five minute break.

#20-BUILDING & SAFETY ITEMS

a) Update—Ken Dixon advised that there have been several phone conferences with Lincoln Highlands and there will be a meeting with them on Thursday. The latest proposal was received this morning. With the exception of a couple items, things are pretty well on track, which means that it will be reviewed in public hearing on the 15th. One of the primary items is that the county will run the county facilities; Ken feels that it should say that the county will run the facilities once the positions become self sustaining. Cory is in the process of speaking with a couple of people in the Alamo area for building inspector. This will be addressed on the next agenda. Cory will be proposing repairs to the Million Dollar Courthouse (MDC) at the next meeting. b) Contract for Pearson Brothers Construction to repair the courthouse roof in the amount of \$3,000.00 (to be paid from the courthouse services and supplies budget line item)—This is for repairs to the Lincoln County Courthouse, not Million Dollar Courthouse. Within the next couple of years the roof needs to be completely replaced. This contract doesn’t give the county any guarantee on the work. Wade said that with this kind of work you’ll never get a contractor to give a warranty for “scratch and patch”. **Wade made a motion to approve the contract for Pearson Brothers Construction to repair the Lincoln County Courthouse roof in the amount of \$3,000.00; seconded by Bill. All voted in favor.**

#21-COUNTY MANAGER ITEMS

a) Update—County manager John Lovelady presented this item. The boundary map has been received for the Alamo Industrial Park. There is a discrepancy of more than 20 acres based on the accidental inclusion of the right-of-way. The map has been recorded. The next step is to work with the realty company. There should be a reimbursement or an adjustment made. BLM doesn’t have the right to sell NDOT’s land, which is what happened. Using the BLM map, the telephone company put cable in and part of it loops up onto the property right where the entrance to the property will be. The two 80 acres sections have been identified. The smaller one has conceptual plans. John has discussed the 80 acre parcels with Wingfield Group. The best locations for the power substation and the well have been sited. There is a likelihood that grant money will be available for infrastructure. John has contacted many of the smaller entities, but not SteelTech. Ronda is nervous about the fact that the county needs to make certain that the interest level is maintained; John needs to contact all entities to keep interest up. Ronda asked that John write a letter to each entity that the plans are in progress and advise what stage they are in. Also included in the letter needs to be the invitation to come in and talk to the Board. Once a map is received, it will be shared with all of the entities. The general manger of SteelTech has his house up for sale in Alamo. John advised that he will get a letter out ASAP. John referred to a copy of the Bill Draft Requests (BDRs) for NACO. Applications for the Emergency Manager position have been received; two are qualified. John asked

that a time be set up for interviews. Some counties have an emergency management position sponsored by DOE and Tommy is going to see if he can get funding for this. If the advertised position develops into a full time position it needs to be known if the applicants are still interested. When the county wide fire district is put in place it will require a fire chief; this will be combined with the Emergency Manager position. John and Wade will hold the interviews on Tuesday at 10:00 a.m. The emergency management building isn't habitable. All of the wire is pulled but there are no fixtures. The walls have been dry-walled and taped, but it needs painting. There is a place where the ambulance service people will have to be set up to do their reporting. There is a restroom facility for emergency management that has a shower, toilet and sink; the fixtures are there but not installed. John has spoken with Aaron Boyce of NDF who will arrange for the painting and installation of the plumbing. Ronda suggested that recognition be given to the many individuals who have recently retired acknowledging their service. John discussed putting the 501c(3) in place. Human Services presently provides Meals on Wheels, Transportation, Senior Meals, Homemaker program, homeless assistance, Emergency Assistance for Rent/Utilities/food vouchers, and many other services. All of these programs are funded by grants. If some of these programs are removed there are many things that can't be funded including story hour, rent/utility assistance and several others. Marvin Richardson has already gotten the 501c(3) for Caliente. Phyllis advised that it will be possible to augment the county's funding for these programs by going through the 501c(3). It is possible to utilize this 501c(3) to get other grants. LC is eligible for many other programs but can only access them through the 501c(3). It is better to leave these programs together under Social Services as the community action agency has been built. The Caliente Seniors could be the funding arm and Phyllis is still willing to do all of the work for them under grants through them. The seniors in Caliente can do this for *all* of the seniors in LC. The \$22,000 for CSBG will be lost, but by working with the 501c(3) the county could accomplish quite a bit more; it should be kept under the control of the people who benefit the most by the program, commented Phyllis. Phyllis has requested a copy of the bi-laws for Caliente's 501c(3). LCAT has come to a halt on their approach to getting the 501c(3). It could be the expense; Phyllis is willing to come up with the money for LCAT to file. LCAT would be the perfect committee to take this on, according to Phyllis. More information about this subject will be presented at the 9-15 meeting. John said that the closing date of the negotiations is nearing. During previous negotiations the Commissioners were more involved and Ronda requested that this be reinstated. Wade suggested that after the meeting Thursday, there needs to be a closed session on the next Commission agenda (teleconference with Charlie) to discuss what transpired at the last negotiations meeting and bring everyone up to speed. Charlie can explain to the entire Board at that time what the pros and cons are for the current items being considered.

#22-PUBLIC COMMENT

Tommy thanked Phyllis for all of the work that she's done with Caliente.

#19-PLANNING ITEMS

Planning Director, Clint Wertz presented this item. f) Ratification of the Lincoln County Zoning Map—Clint reviewed the zoning maps. Quarterly, or perhaps twice per year, the maps will be approved by the Commission and signed. A copy of the maps will have to be kept in the Clerk's office. When approached about incorrect zoning, if the person has documentation to show otherwise, Clint has changed the zoning to reflect what the person has. In the last 18 years there were about 350 approved zone changes that had to be updated. All of these maps will be available online soon. **Tommy made a motion to ratify the maps as presented; seconded by Bill. All voted in favor.**

#23-ADJOURN

There being no further business for the Board to attend to, **Tommy made a motion to adjourn the meeting at 3:06; seconded by Wade. All voted in favor.**

Attest: _____ Approve: _____