

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

June 15, 2009

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

The Board met in regular session with Chairman Paul Mathews calling the meeting to order at 9:04. Clerk Lisa Lloyd called the roll with Commissioners Tommy Rowe, Ronda Hornbeck, Paul Mathews, Ed Higbee and Bill Lloyd being present. There is a quorum present and the agenda was posted on 6-9-09 to comply with the open meeting law. The Invocation is offered by Daniel and Ed led the Pledge of Allegiance. County Manager John Lovelady is present as is Deputy District Attorney Daniel Hooge.

CONSENT AGENDA

- 2* Approve/Deny minutes of the June 1, 2009 Commission meeting.
- 3* Approve/Deny advertising and hiring Bookmobile Driver and Assistant.
- 4* Approve/Deny reduction of Planning Commissioners reimbursement for fiscal year 2009-2010.

No action is taken on the consent agenda; Item 2 is tabled. Items #3 and #4 will be addressed later today.

#-5-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers. There is a bill for Three Square that Leslie requested be held until policies and procedures are put in place. **Ronda made a motion to approve the vouchers as presented; seconded by Ed. All voted in favor.**

#10-OFFICER/DEPARTMENT HEAD REPORTS

RECORDER/AUDITOR Leslie Boucher presented the cash balance reports. General County has a balance of \$660,026.33 with estimated expenditures being \$212,865.50. This leaves General County with a balance of \$447,160.83. Transportation has a cash balance of \$25,767.35 with estimated expenditures being \$1,202.71. This will leave Transportation with a balance of \$24,564.64. Nutrition has a cash balance of \$24,405.06 with estimated expenditures being \$12,062.43. This leaves Nutrition with a balance of \$12,342.63. Detention Center has a cash balance of \$294,470.92 with estimated expenditures being \$67,413.54. Detention Center will have a balance of \$227,057.38. Solid Waste has a balance of \$52,351.

#6-RESOLUTION #2009-19

Tommy made a motion to approve the resolution to transfer General County Funds; seconded by Bill. All voted in favor.

#7-RESOLUTION #2009-20

Ronda made a motion to approve the resolution to transfer within Pioche Town, \$800.00 from Town Hall to General; seconded by Bill. All voted in favor.

#8-RESOLUTION #2009-21

Ronda made a motion to approve the transfer of Alamo Town Funds, \$10,000; seconded by Ed. All voted in favor.

#9-LC HIGHWAY COMMISSION

This item is handled under separate agenda.

#10-OFFICER/DEPARTMENT HEAD REPORTS

TREASURER Kathy Hiatt advised that the PILT payment arrived in the amount of \$749,000.

#11-RESOLUTIONS TO AUGMENT

Ronda made a motion to approve the resolution (Resolution # 2009-22) to augment the Transportation Fund, \$28,122.00; seconded by Ed. All voted in favor. Ronda made a motion to approve the resolution (Resolution #2009-23) to augment the Solid Waste Management Fund, \$32,702.00; seconded by Tommy.

All voted in favor. Ronda made a motion to approve the resolution (Resolution #2009-26) to augment the Building Department Enterprise Fund, \$40,000.00; seconded by Ed. Bill advised that the Building Department is supposed to be self-sufficient. If necessary, the Board will have to make them live within their budget. Bill will vote in favor of the augmentation this year, but not in future years; they must live within their budget. All voted in favor. Tommy made a motion to approve the resolution (Resolution #2009-24) to augment Detention Center Enterprise Fund, \$300,000.00; seconded by Ronda. All voted in favor. Ronda made a motion to approve the resolution (Resolution #2009-25) to augment the Public Improvement Fund, \$223,420; seconded by Tommy. All voted in favor.

#12-LINCOLN COUNTY FIRE DISTRICT

This item is handled under separate agenda.

#13-PANACA FIRE DISTRICT

This item is handled under separate agenda.

#18-PIOCHE FIRE DISTRICT

Bruce Hale presented this item. Pioche Fire District is requesting aid in the diversion of storm water from one side of Airport Road to the other. Pioche Fire is prepared to black top their parking lot. The storm water is running through their approach and leaving a large ditch. When Airport Road was moved there was supposed to be a culvert put in place to control the flood water. Ronda advised that they brought this up about a month ago with the Highway Commission. Steve Chouquer's comment was that if the culvert is moved to the other side of the road there are homes that will be affected. Bruce advised that there are no homes that will be affected and if moved, the water would be diverted to run down into the other existing culvert. If moved, the water will be diverted to the other side of the road. Bruce suggested that the water be diverted to the right-of-way on the other side of the road so that it will naturally flow to the other culvert. Bill cited that this issue should be addressed on the Highway Commission agenda. When the road was engineered this culvert was included in the plans but never put in place. The ditch is very deep and it continues to be washed out. If PFD accommodates the flow there will still be a requirement to keep a ditch in place in order to avoid the water from coming onto the parking lot. Phyllis advised that they are going out to bid for the parking lot; it will be advertised on the 18th and awarded on July 20th. The work must be done prior to that time. **Ronda made a motion to table this item to the 7-6 Highway Commission agenda; seconded by Ed. All voted in favor.**

#3-BOOKMOBILE DRIVER AND ASSISTANT

This position quit. In order to go to the Honor Camp there must be two employees in place. The circulation at the Honor Camp is large. The assistant quit in March. There is some discussion about the wages for these two positions. The difference in wages between the two positions was \$.60. The assistant will be hired at \$7.55 per hour and the driver will be \$8.15 per hour. **Tommy made a motion to approve the advertising of these two positions, driver at \$8.15 per hour and assistant at \$7.55 per hour; seconded by Ronda. All voted in favor.**

#14-NV DEPARTMENT OF TRANSPORTATION

Rudy Malfabon, Mary Martini, Cathy Weaver, Joe Peltier, Melvin Macallum, Sandy Stanio, Terry Compton, Bill Storey are present for this item. Rudy offered a presentation concerning past accomplishments and upcoming projects. Rudy cited that Ed Higbee is a former NDOT employee and is familiar with many of their issues. NDOT has seen a drop in funding and tax revenue. Customer service and agreements are two of the things that they are working to streamline and make better. NDOT wants to be very transparent and they endeavor to put a great deal of information on their website. NV is in the top five in the Nation for road conditions and maintenance. The SR 318 reconstruction/overlay project is the only one slated for Lincoln County under the Stimulus Funding. As the gas prices creep up people drive less. People are also becoming more environmentally aware and driving more fuel efficient cars. Gas tax revenue has decreased as a result. The Highway Bill, a 6 year bill, determines what will be spent on transit. This bill expires this year and last time it took two years to get another one in place. NDOT wants to see Congress enact this legislation and forward it to the President for approval. The bill could increase the gas tax, among several other things. The current amount of gas tax isn't enough to sustain what the states are spending. Spending levels are being discussed and they will have to see how to increase revenue. There is some discussion about taxing people for miles driven; those who drive more, pay more. People don't want the government in their cars and the technology is several years

out. There have been some states working on pilot programs with volunteers. Both the states and federal government realize that there are some huge issues. Public meetings will be held to see what the public sentiment is towards this type of thing. Rudy covered highlights of NDOT's programs, including the Enhancement Program and Safe Routes to School. Centerline rumble strips have been put in place in hopes of increasing safety. Restoration of SR 317 to pre-flood conditions is just one of many projects. NDOT is requesting approval for the annual work program. There is some discussion about putting a bicycle plan in place for Lincoln County. Typically the bicycle routes are on right-of-ways. Rudy will get the requirements to the Board for these types of projects. Enhancement funds can also be use for historic preservation. There is some discussion that NDOT is willing to look at traffic calming devices for the area around US 93 and SR 322 by Pioche. Ronda asked that they give LC two years to try it out. **Tommy made a motion to approve the proposed Transportation System Projects, including the work program annual, short and long range elements; seconded by Ed. All voted in favor.**

Lunch 12:00-1:00

#15-GREAT BASIN TRANSMISSION/LS POWER

Nadza Jusufovic presented these items. a) Update from Great Basin Transmission/LS Power re: ongoing projects—Construction on the project should begin later this year. This is the most advanced high voltage transmission line in the west. They continue to work on the SWIP north and securing permits. SWIP south will bring benefits to the county, including jobs and increased sales tax. SWIP, north and south together, will provide for new and renewable energy sources in the county. The two projects will increase the reliability of the power grid. The timeline for the northern and southern segments is approximately 2012.

Paul leaves the meeting and the Chair is turned over to Bill.

b) Resolution for support of PUCN Filing for Southwest Intertie Project North—**Ronda made a motion to approve the resolution; seconded by Ed. All voted in favor, with the exception of Paul, who has temporarily left the meeting.** Connie Simkins asked that no net loss of grazing AUMs be included in the resolution and invited the GBT to work with N4 Grazing board. This resolution is for the part of the project that doesn't cross LC. Conditions were placed on the other portion of the project. Nadza stated that she will get the information on possible loss of AUMs and get the information to Connie. Loss of AUMs is not something that the county would've reviewed; it's done by BLM. Nadza believes that none of the AUMs will be impacted. Ronda questioned whether or not the resolution for the LC portion of the project included no net loss of AUMs. Ronda asked if LS Power is willing to work with the N4 Grazing Board. Ed asked that "no net loss of AUMs" be included in the resolution for LC as well. Connie asked that the company work with the N4 Grazing Board in writing the stipulations. The right-of-way grant with BLM has been issued so it won't be possible to revisit the stipulations. Nadza offered to reconfirm that there will be no impact to AUMs. Ronda cited that this resolution has nothing to do with LC, it simply lends support for the project. If this language was included in a resolution it should've been done for the portion that impacts the south. Dr. Mike Baughman stated that if there is a reduction in AUMs it's already occurred; these permittees will have already been notified. Someone simply needs to contact BLM. Mike stated that it is possible that there was no reduction in authorized use for AUMs. Mike recommended that someone call to verify whether or not there was a reduction in AUMs. When the special use permit situation is addressed the loss, if it exists, could be addressed with BLM at that time. Doug Carriger advised that they've not received a notice of reduction of AUMs. Donna Bath, former White Pine County Clerk, advised that Brent Eldridge was very astute and instrumental in making certain this was done; Brent sits on the N4 Grazing Board. Donna believes that all of these AUM concerns were taken care of.

Paul resumes the Chair.

#16-NUCLEAR OVERSIGHT ISSUES

Connie Simkins presented these items. a) Contentions that Lincoln County will participate in as an Interested Governmental Participant in the Yucca Mountain Licensing proceedings—Connie and Dr. Mike Baughman reviewed the contentions. 24 contentions were presented to JCCIAC and have been approved. There is a number of subject matter; some of which are due to lack of information in EIS. Some are NEPA and some safety, especially where they feel that safety wasn't addressed as it should've been. As an Interested Governmental Participant the county can participate in the hearings, designate single representative, engage in

discovery, enter upon land, introduce evidence and file proposed findings of fact and conclusions of law. The county can weigh in on the desired outcome for contentions. LC doesn't have to be represented by an attorney and can't introduce witnesses. California has raised additional contentions. LC can weigh in on late file contentions. It is doubtful that any of these contentions will "go away" as DOE didn't appeal any of them. Mike advised that the county can choose the extent to which they participate for each individual contention. **Ronda made a motion to send notification outlining the 24 contentions as brought forward by JCCIAC; seconded by Tommy. All voted in favor.** b) Consultant contract for Core Geo Data in the amount of \$80,000—Ronda asked if it is an issue that the county has reduced the mileage rate to \$.29 per mile and the contracts include "\$.55 per mile". Jason's contract says "per LC's travel policy". Ronda asked if the county has granted Caliente \$75,000. It's in the budget but they've not come to the Board for approval to spend it. Ronda advised that the City has a need to represent themselves. Within these contracts, it says that they will work with Caliente. Ronda questioned if the county is allowing Caliente to have \$75,000 as well as letting them work with the county's contractors. Yes. The county wants to work with Caliente. As an incorporated city they may have some interests that aren't important to the county. If they want to pursue these they can use the \$75,000. If the City comes back for a request on the \$75,000 and it's repetitive of the contracts the Board can make decision on it at that time. Wade asked if the contracts are reflected in the overall budget for nuclear waste. Yes, they are in the budget that has been submitted. Jason Pitts joins the meeting. Tommy reiterated that the \$75,000 is to be used by the City in the event that they need to seek something else that isn't covered under these contracts. If these contracts are approved it is not a "double dip", Paul said. Jason addressed the Board and provided examples of current projects. **Ronda made a motion to approve the contract for Core Geo Data, \$80,000, with the amendment that the county's mileage rate will be used; seconded by Bill. All voted in favor.** c) Consultant contract for Intertech Services Corp in the amount of \$235,000—Mike stated that his mileage rate will be reflective of the county's required mileage rate, which is \$.29 right now. Mike reviewed the contract. **Ronda made a motion to approve the contract for Intertech Services Corp, \$235,000, with the amendment that the county's mileage rate will be used; seconded by Ed. All voted in favor.** d) Consultant contract for Resource Concepts, Inc. in the amount of \$50,000—**Ronda made a motion to approve the contract for Resource Concepts, Inc., \$50,000, with the amendment that the county's mileage rate will be used; seconded by Tommy. All voted in favor.** e) Consultant contract for Robison/Seidler, Inc. in the amount of \$285,000—**Tommy made a motion to approve the contract for Robison/Seidler, Inc., \$285,000, with the amendment that the county's mileage rate will be used; seconded by Ed. All voted in favor.** f) Consultant contract for Bret Whipple, Attorney at Law, in the amount of \$50,000—**Ronda made a motion to approve the contract for Bret Whipple, Attorney at Law, \$50,000, with the amendment that the county's mileage rate will be used; seconded by Ed. All voted in favor.** Marge Detraz advised that she never misses a JCCIAC meeting. Marge cited that the Board has misused these funds. Paul reminded the Board that her comments need to pertain to the contracts. Marge read from the Las Vegas Review Journal dated May 29, 2003 concerning the use of funds and the challenge alleging that funds were misspent. Marge advised the Board that they wouldn't approve these contracts if they knew about these audits. Joe Falini owns a ranch that has nineteen miles that will be affected by the rail route. Paul reminded Marge to keep the discussion pertinent to the contracts. Marge discussed the Central NV Protection Working Group. Marge said that this is still working. Ronda advised that this topic is way off subject and doesn't pertain to the contracts. Paul asked Marge to keep her discussion pertinent to the contracts. Marge discuss "Radiation Basics". Marge doesn't want the contracts renewed. Deputy DA Hooge advised Marge that she can speak to these issues under public comment; this isn't the appropriate item to discuss this. Marge questioned why the contracts are being renewed when Yucca Mountain is dead. NV Delegation will never let LC build the railroad. Paul let Marge know that her comments would be taken under advisement. Marge continued. Connie Simkins discussed the audits that Marge reviewed. Connie cited that they went through everything line by line and the money has been returned.

#17-LINCOLN COUNTY TELEVISION DISTRICT

Terry Jones had an unexpected emergency and is not here. a) Resignation and appointment of board member—This item is tabled. b) LCTVD progress—This item is tabled.

#19-PATENTED MINING CLAIM AFFIDAVIT/PETITION

This item concerns an affidavit and petition from Wesley Wayne Hackbarth, Jr., to explore a patented mining claim that belongs to Lincoln County. The previous owner, before LC took it, had paid the fees to reestablish their mining claim. It is unknown if the county has the right to grant permission for use. Two years ago these

claims were taken for back taxes. This mining claim is at Tempiute. No action is taken as this needs to be researched, which Deputy DA Hooge will do with Kathy.

#20-NORCAL AGREEMENT

Paul reviewed the recent history of this item. Ronda cited that she continues to have an issue with the 3%; she's not comfortable with "shall not be less than 6% and not more than 12%". Ronda has advised Norcal that she's comfortable with 3%, at the most 5%. Bill said that he could agree to the 3-6%, but not higher. Deputy DA Dan Hooge referred to Section 1. Dan questioned the "DBF revenue"; these are accounting phrases that don't make sense and aren't simple. DA's recommendation and Mr. Grossbeck's recommendation is that this needs to be simplified; it can be tied to CPI or consumer index. Most of these contracts that Mr. Grossbeck has seen throughout the nation are for 2-4% and based on CPI. 12% is three times the average and the amount that Norcal is asking for. This only lasts until September and then the county gets right back into this complicated issue. Paul cited that Norcal is having heart burn with Ronda's suggestion of 3%, versus 6-12%. The rest, up to the 30% would go into a deferment account. Dan discussed not even having a deferment account. The deferment account takes away future revenue streams. Norcal is balking at going 3% lower. Norcal won't accept a hard line stance; they'll say that the county is in breach of 30%. Dan discussed the doubling rate. Every 2 ½ years the county will be doubling if using the rate that Norcal wants. If the county goes with the DA's advice we will not be in a position to extend the contract and will be looking to get out of this contract in 1 ½ years. The county will also be in negotiations again regarding whether or not the county has the right to set the rate or whether we owe them the 30% per year. Ronda questions if the recommendations from Mr. Grossbeck were not to extend up to the five years and leave it where it is. Dan cited that the extension is a concession. If Norcal wants a contract they will have to concede some of the strong points for LC. Norcal is basically saying that the county has balked at the 30% increase and wants only a 3% increase; they'll forgive it this year and then the contract will be amended to include that the extra increase will be placed in a deferment account, increase amounts will be lowered to 6%. Since Norcal will give the county these concessions they'll expect the county to extend the contract. At this point the Commission has to decide if they want to wait out the contract or give Norcal their concessions. Ronda advised that the county itself is going through the pains of requiring its people not to take a 3% COLA. Seniors on retirement and those on Social Security aren't receiving their 3% COLA. Ronda questioned how the people will pay a 6-12% increase when they could barely pay the last increase and, further, who will pay the difference for those that can't pay. The reason for the extra three years is to allow Norcal to secure the Los Angeles contract. If the county doesn't want this stigma, then they need to tell Norcal. If the amendment is accepted then the county is locked into having the garbage hauled at these prices. If the amendment isn't accepted then what are the alternatives. Norcal allows the county to set the rate, up to 30%, however, they won't accept less than 30%. If the 30% is denied, then the county works with them to resolve it; if it isn't resolved by the next year then Norcal gets it anyway. There is no incentive for Norcal to resolve since they will get the 30% anyway. Paul asked if the county is in a legal battle with the garbage company who will haul it. What is the backup plan? There is continued discussion. If the contract ends, Norcal still maintains ownership of Crestline. Paul expressed the position that the county is in when considering the amendments. Norcal's position hasn't modified much; they aren't giving up much. Ronda has spoken with Norcal; they are willing to work with the county. However, Norcal hasn't given up the 30%, it will be put into a deferment account. At some point in time, if Norcal finds someone that wants them to haul their garbage into LC, instead of LC getting the tipping fees Norcal will keep them (based on the deferment account). If Norcal begins hauling trash in here on the fourth year, they will still forgive the deferment account in the fifth year. This account still goes away in the fifth year. Paul questioned what happens after the fifth year. What happens if there is no garbage coming in from L.A.? The county will still have to pay, but it is believed that they will withdraw from the county anyway if no contract is received. There is a complex formula where Norcal comes up with the amount that they're losing; then they come up with the rate that makes them profitable. They then set a cap, which happens to be 30%. The county can set a cap and then Norcal can't ask for more. Dan believes that they will ask for more based on their losses. Ronda said that Norcal will always ask for the cap; they won't settle for anything less. Glenn Zelch suggested that the county just let the contract run out. If the county agrees to the 6-12% and gives them five more years the county will be looking at \$1.5 or so million in the deferment account. Which is worse, staying with the current contract and the demanded increases or extending five years with the deferment account? This is what the Board needs to decide. If the county sticks to the term of the contract Norcal will cite the county for being in breach of contract. If the county continues with the contract as is it will result in a 70% increase to the residents. The amendment says that it's at the county's discretion, but it's really not, Dan said. Glenn recommended that the paragraph that says that "if it's not resolved they get it

anyway” be stricken from the agreement. Norcal needs this extension or they won’t be able to land the L.A. contract. **Ronda made a motion that on Step 7, Adjusting Service Rates, it be shown as “not less than 3% and not more than 6%” and also under 4.9, Annual Rate Adjustments, that the DA’s office review the language so that it might be worded in the county’s favor; seconded by Bill.** Glenn Zelch discussed the deferment offer, which “puts the monkey” on Norcal’s back to get the garbage hauled in here or they lose the higher percent. Doug Carriger advised that the Commission should have a meeting to “consider approving” rates as opposed to the current wording that says the Commission will hold a meeting “to approve”. There is no incentive for Norcal to cut costs in any way, shape or form and Wade Poulsen suggested that language be included that requires Norcal to show what they are doing to keep LC’s costs down. Several Board members agreed that with these two concessions, as worded in the motion, they would be willing to agree to an extension. **All voted in favor.**

#21-PLANNING ITEMS

a) Update—Clint Wertz, Planning Director, reported that the Strategic Planning Session for this week is off. Clint is working on another date. b) Continued work on Capital Improvement Plan (CIP) Program—Rick Hardy reviewed his work to date on the CIP. Once approved, Rick will add the five things that Phyllis has, put the CIP on state forms and turn it in according to the required timeline. **Ronda made a motion to approve as presented; seconded by Ed. All voted in favor.** Phyllis advised that they’d applied to Community Development Block Grant for an in depth CIP but we were not selected.

#4-PLANNING COMMISSION PAY REDUCTION

The Planning Commission (PC) approved a reduction of reimbursement for FY 2009-2010. Clint advised that his department came in with a ten percent budget cut as asked by the Board during budget hearings. This was initially set up with an \$80 per meeting stipend plus mileage. This has been in place for several years. There is a concern about the possible need for extra meetings; as budgeted, there is only enough money to cover one extra meeting. It would be possible to take the PC payment out of large project fees. Payment for 12 meetings is \$60 per meeting plus \$.29 per mile for mileage. **Ronda made a motion to bring the rate of pay for Planning Commissioners to \$60 per meeting, require the county’s policy for mileage (\$.29 per mile), and that each additional meeting will be at the expense of the developer (this motion expires at the end of this budget cycle—FY 2009-2010—and will be revisited); seconded by Tommy. All voted in favor.**

#22-BUILDING DEPARTMENT

Cory Lytle presented these items. a) Update—Cory informed Jule Wadsworth that the fairground building will not be erected and finished in time for the fair. Richard and Cory went up to look at Pioche Library and Museum. The roof on both buildings needs attention. The roof in the Library is leaking and patch work must be done now. It needs to be repainted and re-carpeted. The roof needs immediate attention. The insulation in the Rachel Quonset hut has nails that are sticking out. Ronda received calls about the nails and the concern that someone might be hurt. It isn’t possible to bend the nails as they could break off and the insulation would come off. Cory advised that this is one of those things that are a process. Framing the sides will be done, but it waits for a grant. If anyone gets hurt on the nails the county is liable for it. Cory will go down and look at the nails to see if there is some type of resolution. Ken Dixon advised that there are safety caps for the nails. b) Contract for Jim Wilkin Trucking to handle dirt work at Lincoln County Fair and Rodeo Grounds—Bid total is \$17,375 and will be paid for through a grant. Cory didn’t go out to bid on this to save time. All statutes have been met. **Tommy made a motion to approve; seconded by Ed. All voted in favor.** c) Lincoln County Business License—The DA’s office has a form for the business license. It will be reviewed. July 1st is when it will be required. Cory advised that a triplicate will be made of the form, with the business retaining one of the copies. Business license will be available on the internet. The Board needs to move on this quickly. Notice is being published in the LC Record this week and next. Cory asked where the funding for initial costs will come from. Where do the fees go? The Board agreed that it should go into the General Fund. Phyllis suggested that the funds could stay in the Building Department if BD is doing all the work. Dan advised that the fees should go into the General Fund and be a line item. Phyllis suggested that a department be established in the Building Department Enterprise Fund. Expenses can be paid out of Miscellaneous General Fund. Leslie suggested that a new account number be created under General Fund for licenses/permits. **Ed made a motion to create a department in the General County Fund for business licenses; seconded by Ronda. All voted in favor.** d) Thompson Opera House rental agreement—Cory and Bill met with the Chamber of Commerce last week; they are basically taking over TOH. An agreement will be signed with the Chamber for usage. Chamber has

talked about moving some of their office down there, which will result in a constant presence there. They will then use the Chamber Cottage as storage. The upstairs will be the area utilized for public function. Cory discussed insurance situation. As it stands, a private party is required to provide private party insurance. For insurance purposes the type of use of the building is the deciding factor in whether or not the county insurance covers the event. Paul stated that the county should approach Dolan and Edwards about just covering the usage. Michelle Wadsworth is working on this issue. The county's insurance covers typical county business. If it's sponsored by the county, the county's insurance covers it. Pioche Labor Day and Pioche Chamber can't fall back on the county. Currently, there are two events scheduled for June and July. Pioche Town Board never even thought about insurance. Until such time as the county has a blanket policy, private parties will have to get their own insurance. Cory will bring an agreement with Chamber to lease the TOH as their office to the Board at the next Commission meeting. Chamber will have to get their own insurance if they lease the building.

#23-HUMAN SERVICES/SENIOR NUTRITION

These are not part time people; they are full time people that don't fall under \$7.55 per hour. These people are covered by insurance. Leslie advised that she'd brought up the issue about Hollin Osborn because in previous minutes it stated that he was the head cook. At one point Hollin went back to being a bus driver and then when this position was filled he returned to head cook. Leslie's office was never notified and he wasn't ever paid out of Transportation. There is some question about whether or not, during the bus driving time, Hollin was paid as a head cook or bus driver. Rachelle Perkins was the head cook and was making \$7.50 per hour. Hollin was making \$7.25 per hour and they are now asking him to take on Rachelle's duties since she quit. Angela Davis—Toni wants to increase to \$7.25 per hour and make her assistant cook. These two individuals work eight hours per day and are not part time. Leslie's records show that Hollin Osborn has been the head cook since 2008. There is some discussion about whether or not a bus driver makes the same amount as a head cook. a) Update—Division of Aging Services has awarded LC various grants, two of which are stimulus funds. b) Hollin Osborn transfer back to Head Cook at \$7.50 per hour, effective 5/4/09—**Tommy made a motion to approve, effective 6/01/09; seconded by Ronda. All voted in favor.** c) Angela Davis transfer to Assistant Cook at \$7.25 per hour, effective 5/4/09—**Tommy made a motion to approve, effective date is 6/01/09; seconded by Ronda. All voted in favor.** d) Advertisement and hiring of replacement food server for the Alamo Senior Center—The rate on this will be \$7.55, effective 7/01/09. **Tommy made a motion to approve; seconded by Ed. All voted in favor.**

#24-GRANTS

Phyllis Robistow, Grants Administrator presented these items. a) Update—Phyllis advised that NACO, the counties, and cities have been working together to submit projects to the state under NDOT funding. Sandy Stanio of Carson City office acknowledged receipt of the projects in April. LC has been accepted and is eligible for \$364,000 under NDOT funding. Phyllis will submit the fact that LC would love to accept the money to both NACO and the state. The funds will be used in Alamo. Ronda advised that Panaca is the entity that is consistently left out for road projects. Bids for the Rail City Linear Park were opened last week; there is only \$400,000 and bids came in at over \$1 million. Phyllis has been notified by SNPLMA that the SAR account money was received for Alamo Children's Park, Alamo Rodeo Grounds, Dixon Softball and Caliente Pool Park. EA for Alamo Airport is completed and on its way to FAA. If it's acceptable the application that was made this last spring will be processed. Phyllis has been working with Intertech on energy projects. There are five projects: Lincoln County Courthouse, Lincoln County Detention Center, Lincoln County-Alamo Annex roof replacement, Lincoln County-Alamo Ambulance Barn, and Lincoln County Million Dollar Courthouse. Every year LC receives state demographer figures. Phyllis came up with information on the state. Eureka is the fastest growing county in the state and Lincoln County is second fastest. Phyllis presented pictures of the use of the second floor of the TOH. b) Acceptance of Amendment of Assistance Agreement with the Bureau of Land Management (BLM) for funding from the Southern Lincoln County Multiple Species Habitat Conservation Plan in the amount of \$275,000—**Ronda made a motion to accept; seconded by Ed. All voted in favor.** c) Food Bank Policy—Ronda asked that this item be tabled until the next Commission meeting. d) \$4,800 match for Homemaker Program for 2009-2010 from PILT fund—**Ronda made a motion to approve; seconded by Ed. All voted in favor.**

#25-COUNTY MANAGER ITEMS

County Manager John Lovelady presented this item. a) Update—John has been meeting with Western Elite concerning a host fee. John has spoken with Scott Seastrand and they are firm in offering the county a host

fee. Opening number is almost \$75,000 per year. John will work to get another \$75,000. John is working to have this in place before July 1st. Clint advised that there have been a series of special permits for Western Elite. The most recent file contained conditions, one of which is that the county would work with them to establish this fee. To date, the county just has never gone after the fee. Paul stated that these negotiations are very preliminary. John intends to have an agreement in place for presentation to the Board before the end of June. Ronda asked about the personnel policy; has a meeting with all department heads taken place? No. b) Proposals for Information Technology Services—A committee formed of Captain Gary Davis, Sheriff Kerry Lee, Clint Wertz, Clerk Lisa Lloyd and John Lovelady reviewed and ranked the RFPs as follows: 1. Xtreme Technologies, Tracy Lee; 2. Daniel Porter; 3. Innovative Technology Solutions. John reviewed various points as discussed in the meeting. A special meeting needs to be held to approve a contract. **Ronda made a motion to approve Xtreme Technologies' RFP and begin negotiations for contracts; seconded by Ed. All voted in favor. Ronda made a motion to hold a special meeting on 6-24 at 9:00 a.m. to accept the contract, if negotiations can't be reached, a second meeting is set for 6-29 at 9:00 a.m.; seconded by Ed. All voted in favor.** c) Services for completion of the Southern Lincoln County Multi Species Habitat Conservation Plan—Dr. Mike Baughman's contract expires in July, Ken Dixon's expires in August. Entrix has already been extended. There is much discussion about the current standing of the MSHCP. There is some discussion about whether or not Planning Department will be responsible for this. Clint Wertz advised that he needs to get up to speed with how this will affect his department. Some of this grant can be used to reimburse the county for time; it's complicated, Phyllis said, but very similar to SNPLMA. This grant can only be used from here forward; it can't be used to pay for activities in the past. This grant can be used to cover whatever is required to create the plans. If an entirely new department has to be created to handle this, it can be done under the grant. If there are contracts out there that are due, now is the time to begin reviewing them. Ronda feels that both Ken's and Intertech's contracts need to be reviewed. Ken advised that some of the time that he spends on this can be reimbursed to the county. Tommy reiterated that this is a planning item and should be handled by a professional planner. Ronda disagreed. HCP is a separate office in Clark County and is run under the County Manager. Ronda cited that Clint is hammered now and the Board can't continue to dump on him. Clint stated that part of the issue that he has is that he's not been included in the project. He's implemented these plans in other states for endangered species; he's unfamiliar with how it's done here. This is preliminary discussion and John simply brought it up to make the Board aware. No action is taken. d) Memorandum of Agreement with Teamsters #14 and Lincoln County Law Enforcement Association—Paul asked that this item be moved to a special meeting for in depth review. This item will be addressed at a special meeting on 6-24.

#26-PUBLIC COMMENT

Tracy Lee advised that he will be asking for an agenda item to provide for peripherals for the Commissioners' laptops. Tracy would like to add a wireless router in the Commission room and purchase a mouse for each Commissioner.

#27-ADJOURN

There being no further business for the Board to attend to, **Ronda made a motion to adjourn the meeting at 5:38; seconded by Bill. All voted in favor.**

Attest: _____ Approve: _____