



LINCOLN COUNTY BOARD OF COMMISSIONERS

November 2, 2009
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners
Paul Mathews, Chair
Bill Lloyd, Vice Chair
Tommy Rowe
Ronda Hornbeck
Ed Higbee

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

Vice Chairman Bill Lloyd called the meeting to order at 9:00. Clerk Lisa Lloyd called the roll.

PRESENT: BILL LLOYD, Vice Chair
 RONDA HORNBECK
 ED HIGBEE
 TOMMY ROWE
ABSENT: PAUL MATHEWS, Chair

LISA C. LLOYD, Clerk
GREG BARLOW, District Attorney

There is a quorum present and the agenda was posted on 10-26-09 to comply with the open meeting law. The Invocation is offered by Ronda and Bill led the Pledge of Allegiance.

CONSENT AGENDA

- #2 Approve/Deny minutes of the October 19, 2009 Commission meeting.
- #3 Approve/Deny business licenses with staff recommendations (an itemized list of business licenses is available for public review in the Building Department prior to the meeting).

Ronda made a motion to approve the consent agenda; seconded by Ed. All voted in favor.

#4-VOUCHERS

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

#9-OFFICER/DEPARTMENT HEAD REPORTS

RECORDER/AUDITOR Leslie Boucher presented the cash balance reports. General County has a balance of \$798,297.34 with estimated expenditures being \$164,316.72. This leaves General County with a balance of \$633,980.62. Transportation has a cash balance of \$8,253.26 with estimated expenditures being \$3,318.90. This will leave Transportation with a balance of \$4,934.36. Nutrition has a cash balance of \$32,241.16 with estimated expenditures being \$8,084.18. This leaves Nutrition with a balance of \$24,156.98. Detention Center has a cash balance of \$130,852.77 with estimated expenditures being \$70,056.72. Detention Center will have a balance of \$60,796.05. Solid Waste has a balance of \$64,078.65 with estimated expenditures being \$17,767.50. This will leave Solid Waste with a balance of \$46,311.15. Airport has a cash balance of \$278.65 with estimated expenditures being \$103.18. This leaves Airport with a balance of \$175.47. Ed and Phyllis continue to work on collecting rent monies owed to the Airport Fund. Discussions are being held to increase fees so that they'll be in line with other airports. Phyllis advised that ½ of the hanger is being used by an entity that hasn't responded to any attempts to make contact and they haven't paid their rent. If there continues to be no response, the Airport Board is considering placing a lien on it. **CLERK** Lisa Lloyd advised that the rent monies being paid to the county by the LC Water District will be deposited into Department 108, not Fund 108. Fund 108 is the Panaca Fire Department.

#7-AUTHORIZATION LETTER FOR CYNTHIA THROM RE: INSURANCE QUOTES

This is a letter authorizing Cynthia Throm, Employers Benefits Design, Inc. to receive bids from any and all insurance carriers on LC's behalf. This letter is not a Broker of Record letter and does not change the county's current broker, current rates or plan of benefits in any way. Greg advised the Board that it is appropriate to shop

the insurance rates in order to get the best value. **Ronda made a motion to approve the authorization letter for Cynthia Throm; seconded by Tommy. All voted in favor.**

#18-GATEWAY SOUTH AND TRANS WEST EXPRESS

This item concerns the determination of cooperating agency status with the Bureau of Land Management (BLM) with regards to the Gateway South and Trans West Express. Cory Lytle cited these are both public utility companies and he's spoken with a couple of representatives. According to the LC Road Department there are no county roads that will be impacted. Cory said the county's Special Use Permit process can be used to address any permitting needs. These projects will be located approximately 19 miles into the county, located by Toquop, and Cory recommended the county pursue cooperating agency status. Kern River gas line will be in the same corridor as these projects. These entities have contacted Steve Chouquer of the LC Road Department and Steve advised there haven't been any issues with these projects. There are a lot of trails in this area that will have to be considered as well as all of the ranchers' needs. **Ronda made a motion to approve the request to BLM for cooperating agency status with regards to the Gateway South and Trans West Express; seconded by Tommy. All voted in favor.**

#5-HIGHWAY COMMISSION

This item is handled under a separate agenda.

#6-EMERGENCY MANAGEMENT

Emergency Management Coordinator Rick Stever presented these items. a) Update—LC Emergency Management has begun the process of updating the Hazard Mitigation Plan. Planning Department and Phyllis Robistow are working with Rick on the update. Letters have been sent requesting volunteers to sit on a committee to oversee the updates. b) Vehicle for Emergency Management—Rick feels it is critical to have a vehicle in the EM office. Most EM offices throughout the state have a vehicle. Tommy asked if the state or federal government would pay a portion of vehicle costs since Rick's office is funded through grants. Last year, Rick saved \$17,500 and a budget change request has been submitted and approved. The funds have rolled over into this year for the purchase of a vehicle and Rick has approximately \$4-5,000 in his budget that can be added. Rick presented an estimate from E-Lee Ford for a new ¾ ton gas pickup. The cost is \$25,700 and it has four wheel drive. A used 2008 pickup with 43,000 miles is \$29,000. Government discounts will not apply towards a used vehicle. Ed Wright questioned why the Board doesn't set up a car pool. Ed W. cited there is a new four door diesel in the Sheriff's possession they will be selling for auction. Ed W. has an issue with the county expanding when everyone else is hurting and he feels the vehicle in question should either be a used one or the county should set up a car pool. Rick commented there is a need for a pickup in order to pull equipment around. Ronda commented on her concern with the purchase of a new vehicle. Ronda asked if Rick has looked into leasing vehicles as opposed to expending the \$25,000. Rick cited his experience with leasing a vehicle requires a balloon payment at the end and it actually ends up costing more than the vehicle is worth. Bill advised that when he was the Assessor he leased vehicles and didn't purchase them at the end; he would lease another. Phyllis advised the grants that will be used for this are one time grants; they can't be spread out over the lease period. The addition of a caravan shell will increase the cost. Ronda suggested, if a new vehicle is purchased, that the up fitting of the vehicle be done in steps. Buy the vehicle first then purchase the other items like the caravan shell. The county needs to be frugal. Whatever funds come from FEMA will have to be matched. The county has a three vehicle car pool, but all of the vehicles in the fleet have over 100,000 miles on them; the vehicles are not extremely reliable. Ronda commented it is difficult to purchase a vehicle when the Board is asking people not to take raises. Ronda also doesn't want to pass up an opportunity on the vehicle if the majority of the funding will come from somewhere else. Before approval, Ronda would like to see hard numbers for what FEMA and DOE will come up with. No action is taken and this item will be on the next agenda. c) Building for Lincoln County Fire District and Emergency Management—This was a combined financial issue that was discussed at the last meeting. Part of the EM building in Panaca has been allocated for use by Panaca Fire District. LC Fire District has been acquiring fire equipment, but there is no place to store the items. The county has land for the location of the building, which would be shared between LC Fire District and Emergency Management. To erect a 6,000 sq. ft. building with equipment bays, restrooms, an office, a meeting room, fencing and a paved parking lot it will cost approximately \$300,000. Ronda believes there are other avenues and grants that need to be looked at for this building; these avenues need to be fully vetted prior to relying on one CDBG award for \$300,000. In order to get this building completed, Ronda believes it will require

a combination of grants as she doesn't believe CDBG will give the county \$300,000 for this. Tom Brown suggested the county look at leasing or purchasing the old fire station in Pioche as there are three bays and office storage. Rick advised Pioche Fire intends to keep an engine there due to the business district. During the winter it isn't possible to get up the street. The reason the new station was built was due to the new NFPA requirements and the station wouldn't hold a larger engine that transports a crew. Ed W. asked how many engines are in the new Pioche Fire station. There are three engines being housed in the old Pioche Fire station at this time. Ed W suggested the renter in the old building could be kicked out and this area could be leased/used for office space. Ed W. said that, sooner or later, departments are going to have to be combined. Rick has approached Pioche and Caliente about leasing space. There isn't any available right now. Ronda asked if it wouldn't be wiser, based on the financial situation the county/state/nation is in, to lease existing space. It would be possible to combine a CDBG grant and Homeland Security grant if the Board decides to pursue erection of a new building. If postponed, the county can start building up capital improvement funds. No action is taken as this will be addressed under Item 8. d) Moving the generator out of the Pioche fire station— Four generators were received from FAA, one of which was stored at Pioche Fire station. Pioche Fire is under the impression that the generator was to be used by them for emergency situation. However, PF has been informed this generator will be put on a trailer for use throughout the county during emergency situations. Rick doesn't know what the potential operating condition of this generator is. PF is now asking Rick to come get it. There is some discussion about selling the generator at county auction. Cory Lytle has spoken with Steve Chouquer about picking up the generator. The starter was taken off the generator, and Cory has all of the parts. **Ronda made a motion to move the generator out of the Pioche Fire station and include it with the other generators for sale at the Road Department auction; seconded by Tommy. All voted in favor.**

#10-LAW ENFORCEMENT ASSOCIATION LABOR AGREEMENT

Ronda made a motion to approve the Law Enforcement Association labor agreement; seconded by Ed. All voted in favor.

#9-OFFICER/DEPARTMENT HEAD REPORTS

DISTRICT ATTORNEY Greg Barlow advised there is a trial that will commence tomorrow. Next week, Greg will be in Las Vegas. Daniel and Greg will be going to Carson City Wednesday to argue cases at the Supreme Court; they will return Friday. The trial for the first week of December has been postponed to March 2010. Greg continues to make efforts to save money. **DENICE BROWN** will be gone November 12-13 and agenda items will have to be turned in early due to Veteran's Day. **COMMISSIONER TOMMY ROWE** met with Southern NV Workforce Investment Board in Las Vegas on 10-20. The next day, this group came to Caliente to tour the youth center. They are working on employing people for public works projects that will last approximately 90 days. Tommy attended an AULG meeting in Las Vegas last week. Funding has been reduced by quite a bit. Tommy and Ronda attended a swearing in ceremony for BLM. **COMMISSIONER RONDA HORNBECK** and Ed Higbee met with representatives from Nellis Airforce Base at Rachel concerning the importance of Rachel to military operations. Solar issues were discussed as well. A public scoping meeting took place in Rachel for the Rachel Park improvements that will be funded through SNPLMA. Discussions were held concerning how LC Fire District can help the residents of Rachel. Ronda met with BLM concerning the Habitat Conservation Plan and mitigation agreement. Ronda met with Ron Wenker of BLM concerning the Solar Programmatic EIS. Cowboy's Dream grand opening is this Saturday at 1:30 p.m.; it's only open to invited guests. Senator Reid's and Congressman Heller's representatives will meet with the county concerning the solar energy proposals; they will tour the areas. **COMMISSIONER ED HIGBEE** discussed the meeting with Nellis Airforce Base representatives, which went very well. Ed will attend a Mojave Resource Advisory Counsel meeting in Elko. **COMMISSIONER BILL LLOYD** attended Room Tax Board meeting on 10-26. Bill attended the Conservation and Farm Bureau dinner at Olson Senior Center.

#8-2009 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

Phyllis Robistow presented this item. This is the time set for ranking the four Community Development Block Grant (CDBG) projects that have been submitted for 2009. Proposed projects include a pinion juniper biomass project, a building for LC Fire District and Emergency Management, a building for Social Services, and a communications facility. CDBG will only allow submission of one project this year. Phyllis discussed the various projects. **Tommy made a motion to approve the Coyote Springs Communication Tower as Number 1; seconded by Ed. All voted in favor.**

#11-QUARTERLY JAIL TOUR

The Board conducted the usual quarterly jail tour and found all in good working order. Currently, there are 100 inmates.

Lunch break 12:00-1:15

#12-ORDINANCE #2009-07

This is the time and place set for public hearing on an ordinance renewing for the benefit of Christian Enterprises, Inc., D/B/A Rainbow Cable, A Nevada Corporation, its successors and assigns, a franchise for the right and privilege to construct, maintain, and operate a cable communications system within the county of Lincoln, State of Nevada, and to use property of the county of Lincoln or that portion of the county's property dedicated to public use for the maintenance of cables or wires underground, on the surface, or on poles for the provision of cable communications service. Ronda addressed the sunset clause, which is December 31, 2029, and commented that she feels it should only be for ten years. Greg responded that the Board can approve the ordinance today and he will make the date change. Bill read the ordinance by title. **Tommy made a motion to approve the ordinance with the correction of the Franchise Extension date to December 31, 2019; seconded by Ronda. All voted in favor.**

#13-ORDINANCE #2009-06

This ordinance imposes a 2% franchise fee on video service providers within Lincoln County. The ordinance title is an ordinance that imposes a franchise fee of 2% of gross revenues equally and uniformly on all video service providers operating within the jurisdiction of Lincoln County for the privilege of providing video service through a video service network that occupies or uses, in whole or in part, any public right-of-way or highway within the jurisdiction of Lincoln County. Bill read the ordinance by title. **Ronda made a motion to approve the ordinance; seconded by Tommy. Ed is opposed. Motion carries 3-1.**

#14-ORDINANCE #2009-05

This is the time and place set for continued public hearing on an ordinance to prohibit alcohol and open or uncapped or glass containers in the Alamo Town parks, Alamo, Lincoln County, Nevada. The issues brought up at the last meeting with this proposed ordinance haven't been addressed. Greg cited that changing the language in paragraphs three and four to read "Lincoln County Code 4-1-5-15(b)" may correct the issues. There is some discussion about whether or not this ordinance is supposed to pertain only to the Alamo Children's Park or whether it is to apply to all parks in Alamo. Based on the confusion as to which parks should be included, the Board takes no action and decides to continue the public hearing to the next Commission meeting.

#15-ALAMO INDUSTRIAL PARK

Joe Phillips of Sunrise Engineering offered a presentation to assist in determining the direction the Board would like the Alamo Industrial Park (AIP) to proceed in. Joe would like to issue an addendum to the existing master plan. The intent would be to make a shift but not do too much with the master plan as it exists. Phase I will be shown as it currently is but at a reduced development cost. There will be three phases as opposed to the original four. The Board has never desired to assume the role of developer; there is no desire or interest for the county to have to install roads and any type of infrastructure. It may be possible to go to EDA to get a grant to put in infrastructure. The EDA grant is an incentive; 40% of what the county has to do will be paid for by a grant, but the county will be responsible for orchestrating. There is discussion about selling the back pieces. Joe continued to review the changes that will occur, including the depth of the road pavement. The entire idea is to get the property to a point where buyers will be comfortable making purchases. Clint Wertz advised it might be possible to require, at a time in the future, buyer participation in an improvement district. This may allow the county to move forward without the EDA grant. The buyers would be proportionally responsible for the improvement district; it would be based on the size of their property. Sunrise will make these changes while working under the original scope of work and budget. Joe will draft an amendment for approval at a future meeting that will show the change in scope. **Ronda made a motion to have Sunrise Engineering draft an amendment and change in scope of work for approval at a future meeting; seconded by Tommy. All voted in favor.**

#25-PUBLIC COMMENT

Bill called for public comment. Ilene Pearson advised there is a meeting in St. George tomorrow concerning how our county can get out of bed with the Federal Government.

#17-SOLAR PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

This item concerns a letter to the Bureau of Land Management (BLM) outlining final recommendations for Solar Programmatic Environmental Impact Statement (PEIS). Ronda reviewed the history of this item. When Ronda met with Ron Wenker the other day, Ron advised that the possibility exists that BLM will move forward with the original maps. Connie Simkins reviewed the most current maps, and advised she understands Mr. McGiffert has changed even these. There is a dispute with the Rattlesnake allotment as there is a great deal of white sage in this area. Ronda commented there will be concerns no matter what the county does. The ranchers and anyone concerned with this needs to understand the importance of submitting comments on the PEIS. No matter which areas go through the EIS process, if someone wants to make application on BLM they have every right to do that; it's public land and you can't stop anyone from making application on it. Ronda would like the county to support the area in the Delamar Valley alternative that has been agreed to by the ranchers. Ronda advised that she will be touring the areas with Senator Reid's and Congressman Heller's office on 11-9. Doug Carriger commented it appears a win/win situation could be reached if the allotment holder was compensated; if some of the solar money could be allocated to the AUM holder it could be used to mitigate the loss of AUMs. This is one of the reasons the N4 Grazing Board asked for cooperating status; they desire to aid BLM in writing the requirements that will be made of the solar companies. Ronda suggested the 7,000 acres in south Delamar be left as were previously stated and that Sanders' recommendation be included for north Delamar. There is discussion about the East Mormon areas. Ronda told BLM the Commission isn't satisfied with these recommendations in this area; the Board doesn't support the designated areas in the East Mormons, East Mormon 1 or 2. Ronda has been advised the BLM will go forward with East Mormon 2. Tommy commented this is the same thing that happened to the county with the wilderness bill. Ed stated there is room for solar in the East Mormon areas if the BLM would just listen to the locals and ranchers. Tommy said the county should request support from NACO on this issue. Right now, the county only supported the Dry Lake North proposal. The Board members agreed to continue recommending the area in Dry Lake North. The letter needs to stress that the county is willing to make this work but BLM has to be willing to work with the locals. **Ronda made a motion to accept the Dry Lake North area with the boundaries shrunken as depicted by the newest BLM map, to continue with the original recommendation for Delamar Valley, and to make no recommendation for any area in the East Mormons; seconded by Ed. All voted in favor.**

#19-VINCENT DEVELOPMENT TURN LANE

This item concerns a letter of request to Nevada Department of Transportation (NDOT) for a turn lane onto Vincent Avenue. The letter hasn't been prepared and this item is tabled.

#20-PEARSON AND MEDLIN LAND DISPOSALS

This item is tabled to the next meeting.

#21-INFORMATION TECHNOLOGY COMMITTEE

This item is tabled to the next meeting.

#23-BUILDING DEPARTMENT

Cory Lytle, Building Department Coordinator, presented these items. a) Update—There have been complaints from Norcal concerning the Alamo transfer station. Cory has discussed these complaints with Greg and Ed. Cory has been told the Hiko transfer station has the same problem. The waste is spread all over the place and includes items such as a camper shell and refrigerators. Wade Poulsen advised that Larry Dillingham used to go over there and clean up the mess. However, Larry's been ill and recently passed away. Recology Lincoln County (formerly Norcal) contracted with Larry, who would scavenge the aluminum and clean the area up. Recology hasn't hired anyone to replace Larry. There is some discussion about whether or not a burn can take place. Cory offered to contact EPA concerning a burn. Cory would like signs to be posted advising of the placement for certain things, i.e. limbs, cinder blocks, white goods. An area has been designated for the placement of limbs in Eagle Valley. The Honor Camp chips the limbs that are left in Eagle Valley. It costs \$500 per day for the Honor Camp to chip. Recology has advised they will bill the county if they have to clean it up.

Cory is working on getting a part-time person hired through the Workforce Investment Board to do public works projects. This person could be hired to aid with this, but it will be in the distant future. It will only solve the immediate dilemma since this will be an ongoing problem. In the past the Road Department has gone to Alamo to pile all of the debris up. Tommy commented that an investigation can be done on the camper shell and the owner can be made responsible for removal. Cory will continue to work on this problem. Cory advised he is working with Caliente towards hiring people over 18 years of age to be involved in public works projects. The crew will consist of about 3-4 people, one of which will be the supervisor. b) Ordinance regarding locksmith businesses in Lincoln County—There is a gentleman in the county who is interested in being a locksmith. Under NRS 655.070 the county may adopt an ordinance governing locksmiths and setting fees. It sets fees and requirements. Deputy DA Daniel Hooge has committed to drafting the ordinance. **Ronda made a motion to authorize Cory to move forward with the creation of an ordinance governing locksmiths; seconded by Ed. All voted in favor.**

#16-NATIONAL ASSOCIATION OF COUNTIES

Jeff Fontaine, Executive Director of Nevada Association of Counties (NACO), presented an update on NACO's activities. NACO is following the Clean Water Act, Senate Bill 787. Wild horse management is another issue being followed, HR 1018. NACO continues to pay close attention to Health Care Reform. Mining reform is in the forefront and NACO expects to see continued efforts to increase taxes on hard rock mining. PILT and Secure Rural Schools continue to be issues for NACO. NACO has passed a resolution opposing the listing of sage grouse as an endangered species. Jeff discussed the stimulus funding. Jeff is working with the Governor's broadband task force. RS2477, rights-of-way, will be discussed when NDOT hosts a video conference on 11-10; they will be reviewing how counties can get their claims in. NACO is going to appoint a public lands committee at the 11-13 board meeting. It is estimated that counties lost over \$235 million between the December 2008 special Legislative session and the 2009 Legislative session. The medical indigent fund was lost to all counties. The agreement between the Hospital Association and NACO is that the hospitals won't sue the counties if the counties can't pay their bills. The idea is for the hospitals and NACO to go back to Legislature to get the funding restored. AB 522 concerns renewable energy; the tax abatements will come by way of abatements to local taxes, not state. Tax abatements for geothermal don't have to be granted if the county doesn't want to grant them. NACO has been heavily involved in the Indigent Defense issue. There is a possibility the Supreme Court will issue mandatory caseload for indigent defense. There is still a possibility of a special Legislative session. There was carryover from last year's budget and there is still the opportunity to borrow money from the local governments. NACO has advised the Governor and Legislature that the counties are much better off than the state. NACO is concerned about property tax. It is believed property taxes will decline in 2011. NACO has sent a letter saying the counties have done enough to aid with resolving the state's budget problems. If the problems continue, it has been suggested that the state raise taxes. The counties and NACO continue to work together to share services, but they aren't willing to stake their positions. SB264 will study Home Rule. SCR37 is the revenue study committee, which will review the state's taxation structure. Another study to be reviewed is the consolidation of services. Discussions concerning closing the Tonopah Honor Camp are taking place again. A great deal of time was spent on renewable energy during the last Legislative session. Renewable energy doesn't bring a lot of jobs. AB522 extended tax incentives for a long time. 55% of property taxes are abated for at least 25 years. Sales and use taxes have been abated as well. 55% of the remaining 45% will go into the general fund. The counties are only getting about 25% of the renewable energy projects. Ronda reviewed the current situation the county has with the Solar Programmatic Environmental Impact Study. NACO was listed as a cooperating agency on the PEIS, but didn't get involved. Jeff feels that BLM should take LC's efforts seriously and he offered to aid the county in getting BLM to accept the county's recommendations. National Association of Counties will be held in Washoe County next year in July.

#22-GRANTS

Phyllis Robistow, Grants Administrator, presented these items. a) Update—USDA performed an ADA audit on counties with grants. LC needs to add the TTY service to the county agendas. Pioche Public Utility had quite a few infractions. State sales tax fell by 24.1% in August. The county pays 8% on our taxes to pay for county match program; we saved approximately \$19,000 due to stimulus funds. This money can be rolled over into next year and can be used to pay for indigent medical. The county received stimulus funds to aid with the Senior Nutrition program. Phyllis secured \$56,000 in stimulus funding to aid with Social Services. These funds

will be used to pay Trina Lytle's salary, a portion of Meals on Wheels, purchase a good sized shredder, and the rest of the money will be used to stock the Food Bank and pay Gloria Banta's salary to get the Food Bank up and running. Phyllis has received the MOU from the state with regards to the Echo Project that will add 20 camp sites. b) Resolution to renew the loan with Nevada Bank and Trust for the land purchase at Alamo Industrial Park—A letter has been received from NV Department of Taxation approving the Medium Term obligation for the land purchase of the Alamo Industrial Park. Phyllis will take all of the required information to the bank. Paul will have to sign the loan application. c) Level of Environmental Review Determination and Environmental Assessment for the Community Development Block Grant (CDBG) funded project for Alamo Sewer and Water sewer pond improvements—Everything came out well from the Environmental Assessment. The ponds are being expanded a bit and the affluent is being sent into two different rancher's fields (there are letters requesting the affluent). **Ed made a motion to approve and sign the Level of Environmental Review Determination and Environmental Assessment for the CDBG funded project for Alamo Sewer and Water pond improvements; seconded by Ronda. All voted in favor.** d) Placement of a notice in the newspaper regarding the Environmental Assessment for the Community Development Block Grant (CDBG) funded project for the Alamo Sewer and Water sewer pond improvements—Once HUD has reviewed and accepted this has to be published. **Tommy made a motion to approve; seconded by Ed. All voted in favor.** e) Letter committing match funds up to \$8,000.00 for GIS consultants for work on the Pre-Disaster Mitigation Plan—Updates on the Pre-Disaster Mitigation Plan have begun. In order to complete the updates, Phyllis is seeking a FEMA grant. The FEMA grant requires a match, which the county has in PILT funds. Gnomon will be hired for GIS and the grant will pay for ½ as well as time and travel. **Tommy made a motion to approve the letter; seconded by Ed.** Most likely this will come out of next year's budget. This will be approximately a \$32,000 project. **All voted in favor.**

#27-AMENDMENT TO ENTRIX, INC.

The contract has expired and this amendment is needed so that Entrix can finalize the HCP documents. This extension is for March 2010 and will add an additional \$5,000.00 to the contract. BLM is funding this. **Tommy made a motion to approve; seconded by Ronda. All voted in favor.**

#24-PLANNING ITEMS

Clint Wertz presented these items. a) Preliminary review of Public Lands Policy Plan—Clint reviewed the Public Lands Policy Plan. Clint hopes to submit the final in December for Board approval. No action taken. b) Preliminary review of Fiscal Impact Studies/Cost of Land Use Study, Phase I—Clint reviewed the study. No action taken. c) Contract for GIS services with Gnomon, Inc., of Carson City for continued GIS support, database development, web mapping services for a previously approved amount not to exceed \$25,000—No action is taken and this item will be on the next agenda. d) Update—Clint did a joint planning commission training last week for the city and county boards. Cory Lytle, Varlin Higbee and Clint attended the State Land Use Advisory Council in Virginia City. Clint presented some of the challenges we've been facing with regards to development. Clint expects information to be returned from Census at any time.

#25-PUBLIC COMMENT

Bill called for public comment. Ed discussed a complaint he received from a gentleman who has a four wheeler business in the southern end of the county; this man thinks the county is against him as he is required to have an approach among several other things. Cory Lytle commented it is the state that is requiring the approach. Cory sent him a letter concerning the requirements that this man will have to meet in order to obtain a Special Use Permit. Also, this man's business is located in desert tortoise habitat and Ronda asked Cory to advise him of the HCP requirements. This man has advised Ed that the county is shutting him down because of all the requirements being placed on him. Phyllis Robistow advised the county is going to bid for the Pioche Upper Park. Ronda outlined the Recovery Act funding that has been received by the county; Senator Reid has helped the county secure over \$18,815,000. Tom Brown advised that the county hasn't been active enough in getting the wind generation moved somewhere else. Tom suggested the Commissioners get our state representatives on board with the county's desires (this includes support from the Governor's office and perhaps even from Clark County). Tom is worried it will be too late for the county to do anything if we sit back and wait. The Board needs to take a much more proactive approach. Ronda advised Tom that this issue will be addressed on 11-9 with Senator Reid and Congressman Heller. Tom requested Ronda to contact our state senators and assemblyman before the 9th. Tommy Rowe advised NDOT opened the bids for construction of the road down

Rainbow Canyon last week; he hasn't heard the results. Since the county manager left, the negotiations with Western Elite have fallen through the cracks. Clint Wertz advised he has a signed Special Use Permit showing the requirements that were placed on Western Elite. Ed and Clint will work on this.

#26-ADJOURN

There being no further business for the Board to attend to, **Ed made a motion to adjourn the meeting at 4:56 p.m.; seconded by Tommy. All voted in favor.**

Attest: _____ Approve: _____

DRAMA