



LINCOLN COUNTY BOARD OF COMMISSIONERS

November 16, 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

Chairman Paul Mathews called the meeting to order at 9:00. Clerk Lisa Lloyd called the roll.

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

LISA C. LLOYD, Clerk
GREG BARLOW, District Attorney

There is a quorum present and the agenda was posted on 11-10-09 to comply with the open meeting law. The Invocation is offered by Bill and Ronda led the Pledge of Allegiance.

CONSENT AGENDA

- 2* Approve/Deny minutes of the November 2, 2009 Commission meeting.
- 3* Approve/Deny hiring replacement of Administrative Assistant with the Cooperative Extension Office.
- 4* Approve/Deny hiring of replacement Cook with the Senior Nutrition Program.
- 5* Approve/Deny Authorization for closure of the Courthouse on December 24, 2009, the day Before Christmas.
- 6* Approve/Deny Payroll Change for Mercedes Howard to \$15.50 an hour, probationary period completed.
- 7* 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).

Item #6 is discussed. This wasn't incorporated in the budget. Greg commented this increase is part of Mercedes' hiring agreement. The Board recalled that all raises were removed from the budget and this is similar to the requested increase for Steve Chouquer, which was not granted as it wasn't included in the budget. Leslie questioned whether or not there is a probationary period for the cook being considered under Item #4. Paul suggested there is a need to keep everyone level. Ronda requested Item #6 be handled separately from the Consent Agenda. Item #5 will be taken separately as well. **Ronda made a motion to approve the consent agenda with the exception of Items #5 and #6, which will be discussed separately; seconded by Tommy. All voted in favor.**

#5-AUTHORIZATION FOR EMPLOYEES TO TAKE OFF DECEMBER 24TH & TO CLOSE LC COURTHOUSE

Last year when employees were given December 26th off there was a discrepancy about payment of part time people. Part time employees' place of employment will be closed and there is some question as to why these individuals would be paid. Last year some of the part time people were paid and some were not. If the building is closed these individuals will not be coming to work anyway. Tommy cited part time people shouldn't be paid. Dawne Combs asked why these people wouldn't arrange to work another day. Treasurer Kathy Hiatt cited part time people don't get paid vacation. **Ronda made a motion to authorize the closure of the Lincoln County Courthouse on December 24, 2009 (this applies to all county personnel whether or not their offices are located within the courthouse, with the exception of essential personnel at the Sheriff's Office), all full time employees will be paid for that day, but part time employees will not be paid (Road Department will receive regular pay if they are called in on the 24th); seconded by Tommy.** There is some discussion about

clarification concerning what day the Road Department will take off. It shouldn't be an issue since the 24th is a Thursday; Ronda stated RD will take the 24th off just like everyone else.

#6-PAY INCREASE FOR MERCEDES HOWARD

Ronda suggested this item be handled the same way as the Road Department Supervisor and Assistant requests for increases; it will not be addressed until all budget numbers come in and it is known whether or not the budget can tolerate increases. **Ronda made a motion to deny the increase for Mercedes Howard until Dan McArthur presents solid budget numbers; seconded by Ed. Tommy is opposed. Motion carries 4-1.**

#8-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and a cash balance report. General County has a balance of \$707,320.83 with estimated expenditures being \$135,163.04. This leaves General County with a balance of \$572,157.79. Transportation has a cash balance of \$6,629.65 with estimated expenditures being \$1,729.27. This will leave Transportation with a balance of \$4,900.38. Nutrition has a cash balance of \$29,537.28 with estimated expenditures being \$9,991.28. This leaves Nutrition with a balance of \$19,546.00. Detention Center has a cash balance of \$225,947.96 with estimated expenditures being \$105,931.97. Detention Center will have a balance of \$120,015.99. Solid Waste has a balance of \$48,744.15 with no estimated expenditures. Airport has a cash balance of \$293.47 with estimated expenditures being \$263.93. This leaves Airport with a balance of \$29.54. **Ronda made a motion to approve the vouchers as presented; seconded by Bill. All voted in favor.**

#9-HIGHWAY COMMISSION

This item is handled under a separate agenda.

#10-OFFICER/DEPARTMENT HEAD REPORTS

SHERIFF Kerry Lee advised the vehicle sale is going and all of the old vehicles have been stripped and transported to the Road Department. Written bids are due by noon on November 30th. There are minimum bids on some of the vehicles. The transmission went out on one of the old Crown Victoria cars last week, so it was stripped and added to the sale. The new Crown Victoria previously approved by the Board has been received but still needs upfitting. Some of the vehicle sales go into the Drug Forfeiture Fund. The rest of the sales will go to the Vehicle Capital Fund. Kerry attended a meeting for jail liability hosted by POOL/PACT. Policies and procedures for the jail were reviewed. The Detention Center is full and things are going well. Ed discussed the piling of debris at the transfer sites and asked when the officers will begin to enforce the dumping policies. The debris is being dumped by the transfer sites but not inside the fence. There is a definite need to enforce this and address dumping. Kerry commented Washoe County has an issue with this as well as the cost is enormous to dump certain items. If a complaint is lodged by the county or BLM the SO can address it as there is a provision in the county code to handle illegal dumping. Kerry doesn't feel tree limbs should be dumped at the transfer sites; a place should be designated for limbs and like items so that a controlled burn or chipping can be done. There is a sign at the Pioche transfer station designating the area for limbs; NDF then comes with their chipper and takes care of it. The SO will address the dumping of white goods in the desert if determination of ownership can be made. Once a complaint is lodged, the SO will fine and cite the individuals. Ed will work on resolution for this issue and it will be on a future agenda for action.

#11-EMERGENCY MANAGEMENT

Emergency Management Coordinator Rick Stever presented these items. a) Update—Rick has received inquiries about Automatic Electronic Defibrillator batteries. The majority of the AEDs received through a grant and distributed throughout the county have batteries that are no longer working; people have advised they don't have the money to replace them or the pads that have gone bad. Batteries are about \$350 and the pads are \$60 per set. Ronda asked, in reality, how many of these should be in service. Sheriff Kerry Lee needs one for every patrol car and one for the jail. Also, there should be one in the courthouse. Grants are not available for battery replacement or maintenance. Ronda asked for a replacement price; Rick estimated it will cost about \$15,000. Pioche Fire Department has used their AED 5-6 times and funded the replacement batteries. Kerry advised he has purchased an AED trainer and he has employees that are trained to use this. Kerry feels public officers should be required to take CPR and AED training. AED training is part of the CPR class. Rick will work on this and put it on a future agenda for action. b) Vehicle for Emergency Management—Rick asked for the

Board to vote on whether or not he can purchase a vehicle. Rick has money available and has received pricing for both the vehicle and up-fitting with decals and a shell. Rick has money left in service and supplies from last year. A new vehicle costs \$25,600 and a used vehicle with 43,000 miles costs over \$29,000. This vehicle will be used for both Emergency Management and LC Fire District. Two vehicles are needed; one for state travel and one to pull heavy equipment/trailers. LCFD and EM require a great deal of travel, both statewide and countywide. Ronda commented, with funding the way it is for the county, it is difficult to consider spending \$25,000 for a new vehicle. Ronda doesn't feel the county is ready to expend funds for a new vehicle, plus maintenance, at this time. Paul questioned whether or not the carryover in services and supplies can be spent for a vehicle. The state has approved the use of these funds for a vehicle. These funds will be lost if not used. The county would have to provide \$3-4,000 in addition to the funds Rick currently has. Kerry commented the SO got their vehicles GSA, and there is a possibility Rick could buy under that since Emergency Management would respond to any discovered meth labs. Kerry saved approximately \$6,000 per Expedition. Ronda asked Rick to get an actual amount for a vehicle that could be purchased through GSA. No action is taken as Rick is doing more research.

#12-MARGARET HARDING DAY

A letter from Sandy Hulse was received requesting a proclamation for Margaret Harding, who will be turning 100 years old on December 5th. Margaret has lived and worked in LC the majority of her life. **Tommy made a motion to approve the proclamation declaring December 4, 2009, as Margaret Harding Day; seconded by Ed.** Keith Larson advised Caliente would like to be part of this and would like to be grouped in with the county and asked the proclamation address both the county and the city. **All voted in favor.** The District Attorney's office will create the proclamation.

#13-TREE REMOVAL AROUND LINCOLN COUNTY DETENTION CENTER

Meril "Van" Van Dusen is requesting permission to cut down burned trees around and below the LC Detention Center (LCDC), approximately 9 acres belonging to Lincoln County between LCDC and Bartolo Road. Van will not sell the wood; he wants to cut it down as it looks bad. The smaller branches will be delivered to the wood chipping area. Tommy asked that Van take the stumps down to 4 inches. **Tommy made a motion to authorize Meril Van Dusen to cut the burned trees, with stumps being a minimum of 4 inches; seconded by Bill. All voted in favor.**

#14-BUREAU OF LAND MANAGEMENT UPDATE

Wells McGiffert presented an update on BLM activities. Wells addressed the Solar Programmatic EIS (PEIS) and presented a new map of those areas going forward. The map includes 77,707 acres in Dry Lake North, 6,166 acres in East Mormon 2, 8,974 acres in East Mormon 1, and 10,886 acres in Delamar Valley. The decision to bring these areas forward was due to short timelines. Argon Laboratories in Washington, D.C., is doing a very thorough analysis. The Dry Lake northern piece stayed much the same as the original. Argon's comment is that any development in the northern area will have a significant impact on ranching. There will be strong language asking developers not to go in this area. The areas identified to the south will be strongly pushed. Delamar Valley is reviewed. There are no applications in this area and the military has major concerns in both the Delamar and Dry Lake areas; fifty foot restrictions will be included for Delamar and approximately 100 foot for Dry Lake. East Mormon 1 is the original solar study area. Wells believes the analysis will flesh out whether or not this is a good site for the location of solar. East Mormon 2 was part of the alternate process; it was brought forth as it is part of a major burn area. The allotment has been temporarily closed due to the burn. There are some major concerns from a rancher in this area and there are two pipelines that are the heart of his operation. The rancher is completely against solar placement in this area. Ronda advised that the rancher was never given the opportunity to make a comment on this section; when will that time be? Wells responded the comment period will take place once the draft is issued. All ranchers in Delamar and Dry Lake have responded and will not have to respond again once the document is released. Wells suggested they comment again, but it's a matter of whether or not they feel the analysis is thorough enough. Ronda asked how BLM will notify people. Wells has a mailing list. Ronda commented Ken Newby must be involved with this based on the newly identified East Mormon 2 area. Wells offered to schedule outreach meetings and Ronda commented on the necessity of these meetings. Ronda further commented there will be issues with the ranchers again and the ranchers certainly should have the opportunity to address them. Wells has BLM district support to do as much outreach as possible. It is anticipated the draft analysis will be released early summer 2010. Wells feels the

analysis will support all of the work that has been done; it's just that the map isn't changing. Wells will believe the analysis will achieve the hoped for desire, which is to deter development in the areas with the largest impact and concerns. All applications will be considered on a first come, first serve basis. Due diligence on the behalf of the developer will be required in addition to a full development plan. Ronda asked if there is a hindrance due to the fact there is a two year process to get through this; anyone who is looking at doing a project has a two year period to receive tax credits. These individuals will not be able to receive the tax credit based on this as they'll miss the window. Wells feels they are looking at 16 months from now when their timeline will commence. There is a lot of detail that will stem from the PEIS, which will speed up the 24 month period on the back end. The less resource impacts the easier the NEPA process will be. Minimal NEPA would be an Environmental Assessment (EA). If someone came in and applied for lands not included in this study, they would have to go through the entire process as well. There are great concerns from individuals in the community, but Wells will contact them and provide them with maps. Wells advised the comments are instrumental and are going a very long way. Wells offered an update on other BLM projects in LC: two met towers that will be installed-Horse Corral Pass and Muleshoe, Wilson/Table wind generation project, and two new transmission applications-Zephyr and Chinook Transmission Lines. Ronda reminded Wells of the requirements for these projects to obtain a LC Special Use Permit.

#15-LETTER OF SUPPORT FOR BUREAU OF LAND MANAGEMENT ROUND 11 SNPLMA

This is a request from BLM for a letter of support concerning Round 11 Southern Nevada Public Lands Management Act (SNPLMA) proposal entitled Bureau of Land Management Ely District Area of Critical Environmental Concern (ACEC) Management Plan for desert tortoise and other special status species' habitat. The state office selected this project to move forward. Agency offices can apply for projects throughout the county. All projects require support and BLM is sending a conservation initiative forward. Ronda commented the roads discussed in the description make her nervous. There is language discussing the rehabilitation of roads after five years; Ronda asked that the county be allowed to offer input on road closures prior to them taking place. Mike Baughman advised permits will be obtained after the first of the year. Mike asked that, if BLM is in a planning process, it doesn't result in holding up any individual projects that need to be implemented. Language is included in this plan addressing HCP projects. The ACEC will not preclude the HCP. The support letter will aid BLM in forwarding the project. This is a five year project so that there will be enough time for public comment on road closures. **Tommy made a motion to approve the letter of support; seconded by Ronda.** Vaughn Higbee asked for exact location and whether or not it will involve Willow Fly Catchers. Vaughn commented the Willow Fly Catcher has never existed in Pahranaagat Valley and they don't exist there today. ACECs are already designated. Vaughn commented stipulations will be added and the Board will not have any control over the stipulations. These stipulations placed by the bureaucrats will require us to live with them. Ronda commented the Board isn't giving BLM permission to do anything other than what is already in place. Travel only on existing roads and trails makes BLM management difficult. The SNPLMA funding will be used to conduct travel management, which will allow for review of every road, two track and motorcycle trail within LC. This will aid in deciding whether or not the roads stay open, get closed or have limited access. Tommy commented it is the county's goal to keep all of the roads area. A request to create a rock climbing area will be addressed with the receipt of this funding as well. **Ed abstains. Motion carries 4-1.** Ronda and Denice will create the letter.

Lunch 12:08-1:00

#16-AFFECTED UNITS OF LOCAL GOVERNMENT (AULG)-BLUE RIBBON COMMISSION

Connie Simkins presented a draft a letter to Dr. Chu regarding participation and provision of information to the Blue Ribbon Commission (BRC). This letter suggests that each county have the opportunity to present information based on our own view points as opposed to one person representing all of the counties to the BRC. Ace Robinson agreed with Connie, the county would like the chance to present concerns that are specific to LC. It is unknown how the BRC will be appointed. All this letter does is request the opportunity to be involved in the deliberations of the panel. **Ronda made a motion to send the letter to Dr. Chu in reference to the participation with the Blue Ribbon Commission; seconded by Tommy. All voted in favor.**

#17-AFFECTED UNITS OF LOCAL GOVERNMENT (AULG) 2010 FUNDING

Connie Simkins presented this item, which concerns approval or revision of Affected Units of Local Government (AULG) funding for federal fiscal year 2010 for the Lincoln County Nuclear Oversight Program. Connie reviewed the distribution of funding between the counties. \$950,000 is the amount allotted for LC as opposed to last year's \$1.3 million. Flat funding was suggested at the AULG meeting, but it was ignored by the moderator. Six of the counties requested more funding; they "ganged up" on LC. As the meeting went on, LC was asked to make some concessions. The change in funding was drastic enough Paul feels the entire Commission should address the issue as opposed to just signing it. At this point, the Board needs to address the issue, which is sign the letter or fight for flat funding. There is a \$6,000 difference in the entire amount of money from last year to this year that has to be divided between the 10 counties. DOE considers this program to be business as usual and the changes that Connie has heard about are rumors. Elaine Zimmerman, Connie's assistant, has found information concerning a "leaked memo" discussed in a newsletter entitled Energy Daily. As of right now, these rumors remain that, rumors. NV has taken the business as usual standpoint as well until the Nuclear Waste Policy Act is changed, among a couple other things. Connie feels the county should continue with flat funding until rumored changes become fact. Another rumor is that there will be no AULG funding next year. If there is no money, the county will still be obliged to do close out and a federal audit. The reduced amount equals reducing the county's program by 27%. Connie would like the county to have enough funding to remain effectively involved in the Yucca Mountain/nuclear waste management oversight. Tommy advised he made an oral agreement with the other counties to accept the reduced funding. However, since the 11-9 meeting, some things have changed. There is some discussion about the possible outcome, which could include another AULG meeting. Ronda commented that Inyo County brought their full board of supervisors to AULG meetings because they needed a full consensus on funding. It shouldn't be on Tommy's shoulders to make the decision to accept the 27% cut; it rests on the entire Commission. Ronda disagrees strongly as all of the rest of those counties can gang up on LC. There is a plan in place for LC to spend the \$1.3. Ronda commented that there are many counties that don't have a plan in place that "backs up" their request for increased funding. Ronda asked why this county should give up its funding when we have a plan. Connie commented the defense of the license application will be canceled prior to the end of the year. The counties that argued they need more money to get ready for the contention hearings don't have a leg to stand on. 4 of the contentions will be heard in this year's hearings. The smaller counties that ganged up on us will not have any contentions to be heard in the coming year. Reduced funding means all of LC's contentions will not be heard. Connie received a phone call from Nye County's consultant Cash. Cash has been instructed to set another meeting of just County Commissioners. This isn't fair as many of the county's are served by contractors; this means that some of the county's contractors will be able to attend but ours won't. Ronda feels there needs to be another meeting as LC didn't get a say in this. LC got railroaded in the funding and we have been a strong player in the AULG process; LC has been a team member and this isn't a good indicator of everyone working together. Ace Robison observed, with regards to Cash's conversation with Connie this morning about a principal's only meeting, having a meeting without all of the participants present simply doesn't make sense. There must be a meeting of all the AULGs to look at this in light of all the circumstances that have developed since the meeting. The alleged purposes for the split have been severely impacted by the rumors, if they're true. Ace has heard there is a memo to withdraw the license application; if this is done the entire issue of contentions becomes a non-issue. During the next year the county must go forward on a business as usual basis. \$1,288,000 is the actual amount of money received by the government as they kept \$12,000 of the county's \$1.3 million. Tommy was contacted Friday by the Chairman of Nye County Commission. She expressed it was a necessity to handle this with haste. Tommy asked if there is a time limit involved in acting on the funding. If not, Tommy suggested the Board not consult in another AULG meeting until DOE has made its decision. In other words, if DOE is going to do away with the contentions there shouldn't be an AULG meeting until January. There is some concern that DOE will take the money back, and Mike Baughman commented he thinks the odds of this happening are slim to none as this money is earmarked. It would take Congressional action to take the funds back. With regard to waiting until DOE makes a decision, Mike doesn't recommend the Board do this as it is unknown if there is any intent by DOE to take any action. It could be months, if ever. Some of the counties are nervous and perhaps running out of funding. They don't want to lose money and/or want to gain access to funds immediately. Mike encouraged the Board to get back together with AULGs to reach a consensus. DOE will not grant the funds until consensus is reached. If the county holds its position, at the end of the day, those counties that can't justify the funds will have to budge. Marge Detraz commented Clark County is down to 20.0 and none of the papers want Yucca Mountain. Marge advised the Board they have a responsibility to the public since they are spending

public funds. Those who were silent and didn't go against LC were White Pine, Clark and Inyo Counties. Ace commented they've known for months this setup was coming. From the very beginning of the meeting LC was twisting in the wind. Ace cautioned the Board about public discussion of latitude. Clark County has, in the past, entertained proposals for a cooperative agreement to help fund what the sister counties think is needed. Mike suggested this Board might consider, on an as needed basis, a cooperative agreement for needed projects. This will require those suggesting the cooperative agreements to justify the request for increased funding. There are several counties that don't have Phase I contentions; LC does. **Ronda made a motion for LC to stand firm with the amount of money it has received in the past, \$1.3 million, and to go back to another full AULG meeting that includes all participants as present at the last meeting to review funding, and to give latitude to the two Commissioners to go forward with an agreement with another county that may need funding, and that the party the agreement is made with will have to present a plan as to why the funding is needed; seconded by Bill.** Marge commented she lives in Caliente and doesn't want it. Marge argued the public never gets to go these meetings; this is high level nuclear waste and it kills people. **All voted in favor.**

#20-ORDINANCE #2009-05

This is an ordinance to prohibit alcohol and open or uncapped or glass containers in the Alamo Town Children's Park. Wendy Rudder reviewed this item. This ordinance pertains only to the Alamo Town Children's Park. Wendy advised they've had issues with people drinking at the park and broken bottles everywhere. Paul read the ordinance by title. Paul called for public comment; none is offered. **Ed made a motion to approve the ordinance; seconded by Ronda. All voted in favor.**

#21-ORDINANCE #2009-08

This is an ordinance amending Title 15 of the Lincoln County code to revise the definition of "Electric Generating, Distributed" and Use Table E-1.0; revise the definition of "Electric Generating Station" and Use Table E-1.4; add the definition for a "Data Center" and a "Server Farm"; add Use Table D-1.0 for a "Data Center"; revise the definition of a "Public Utility"; add the definition of a "Private Utility"; add a footnote to Section 15-3-05 concerning maximum building or structure heights allowed for "Electrical Generation, Station" use; adding to Section 15-3-13 the authority for the Administrator to determine the on-site parking requirements for "Electric Generation, Station" and "Data Center" uses; revise Section 15-3-20 by changing "District" to "electric power provider"; revise Section 15-3-21 to address both public and private natural gas systems, and; adding to Section 15-3-24 a clarification of elevation points resulting from a wash or ephemeral channel elevation. Paul read the ordinance by title. Doug Carriger reviewed the proposed ordinance. This ordinance only applies to Coyote Springs, not any other area in the county. Clint Wertz advised no comments have been received and he has nothing to add. **Tommy made a motion to approve; seconded by Ed.** Paul called for public comment; there is none. **All voted in favor.**

#22-ORDINANCE #2009-09

This is an introduction of an ordinance to merge Coyote Springs-Lincoln County Fire Protection and Emergency Medical Services General Improvement District (GID) into Coyote Springs-Lincoln County General Improvement District (GID) and the reorganization of the GID. The proposed ordinance will change the name to Coyote Springs-Lincoln County Consolidated General Improvement District and the Board of County Commissioners will be appointed as the Ex-Officio Board of Trustees. John Brown, legal counsel for the GID, discussed the ordinance. Nevada Revised Statute (NRS) 318.490 is the statute governing this ordinance. Ronda commented that when these were set up, it was done so individually. The original GID is capped for taxes, and Ronda asked for the fiscal analysis telling the Board that these services will be provided and there will be enough funding under the GID as it exists now. Taxation provides a whole host of requirements without the addition of the fire district and medical. Ronda commented that each of the fire districts has the ability to tax and bring in revenues. The tax base for the general GID will account for everything that is needed within the fire district. Doug Carriger discussed the original service plans. There was never the intent for the Commission to be Ex-Officio boards; they were set up to have elected boards. It was felt at the time the fire district could be more effective if the people on the board were more interested in fire. Those two service plans were complimentary and each of the districts with the separate service plans could've had their own tax rates. What this ordinance will do is pull the two districts' tax rates together. The GIDs both have the ability to generate revenue through other things like fees for service and there are many other ways to generate revenue if there's a problem. There will be enough

revenue for both districts to provide services, if combined. As things progress, the board will make the decision as to how the revenues are allocated. In order for the current board to remain in place for an extended period of time and for them to keep all current powers, this was the easiest and best way for this to happen. There are impact and development fees that can come from district provided services. Ronda commented John's first question should've been how this will be funded. Ronda's issue isn't who has control, it's how this will be paid for. Ronda commented the Commission Board will have to worry about the budget, including figuring out how to make a fire district and EMS work. Ronda commented they should be worried about how this will be funded as two or three revenue options will be eliminated by combining. The development agreement doesn't want to fund a fire station, does this become the county's responsibility? Ronda is very concerned about putting this under one umbrella when we are already maxed to the hilt on taxes. Greg Barlow commented that the two separate entities have the ability to levy a tax to support the district. By merging, there is only one source of tax. Development fees and hookup fees are a one time shot. The ability to tax whatever the rate is is an ongoing revenue stream that would pay for maintenance and "down the road" costs. By merging the two, the tax stream of one is destroyed and, if the other is capped out, there is no other way to increase the revenue stream to cover both districts. Doug stated it is anticipated that when fire/EMS becomes affected the current GID rate will be dropped. An agreement would be required to divide the revenue. Doug feels the County Commission is in the best position to look at these issues globally. Wendy Rudder commented if they relied on the tax base to fund PV Fire District they wouldn't have revenues; the ambulance brings in the funds for the district. EMS is what will fund the district and there will be a small tax base. Wendy advised the tax base will not run the district. Ronda commented this isn't being taken away by not merging. John commented that he isn't looking at the accounting of it; the initial thought was to dissolve the district and reform it. This merger will allow the board to capitalize on the very best things, including a global perception. Paul reminded everyone this is merely the introduction of the ordinance. Between now and the public hearing, issues can be vetted. Ronda said a complete fiscal analysis is needed, then. Doug responded it can be done. The core issue will be whether or not there is a tax loss. Either way, separate or merged, these districts will have to share the 91 ½ cents. Wendy has a request in to Dan McArthur to prepare the numbers. **Tommy made a motion to propose the ordinance and set it for public hearing on January 4th at 1:00 p.m.; seconded by Ed. All voted in favor.**

#23-LINCOLN COUNTY AMBULANCE ADMINISTRATOR

Louise Buettner presented a report to the Board. A class was started with eleven people. Five took practicals and all five passed. There are two that have to take the computer test. As of right now, there are three new EMTs-Pioche, Panaca, and Caliente. The RAM billing software has recently been updated and is working out very well for insurance and private pay billing. The hospital entered into an agreement with a collection agency, National Business Factors. Returns on regular business has been great; Medicare is more challenging. Louise advised they need to raise rates. There aren't set rates for ambulance services to attend events like racers. Many of the races bring a contracted ambulance. With the limited number of EMTs we have, Louise doesn't feel it's a good idea to attempt providing ambulances for these types of events. Ronda suggested a fixed rate for hiring out an ambulance needs to be set. Another EMT class, EMT I, will be held in the spring. There was an accident on the county line with one fatality. A girl who'd been thrown out of the car had a broken spine. The Pioche EMTs packaged this girl so well that she is not paralyzed. If the girl hadn't had such great pre-hospital care, she would've been a paraplegic. The caliber of teaching is very good. The biller employed through Grover C. Dils has been out on maternity leave and has opted to be a stay at home mom; she has continued working during the past few weeks to bring everything to current status. The facility is working to replace and train this person.

#18-2010 LINCOLN COUNTY LABOR MARKET SURVEY

This item pertains to the distribution of Fiscal Year 2009 Lincoln County Labor Market Survey to households in the county. Mike Baughman, Intertech Services, Inc., is present for this item and reviewed the 2009 Labor Market Survey. This is a mail survey that gets sent to every household in the county. Last time this survey was done, a raffle was held in an attempt to increase the response rate. Due to the conditions of the county, cash prizes will be donated by Intertech Services. Mike proposed to have five \$150 prizes this year. The survey will go out in the mail after Thanksgiving. Return deadline will be December 15th. **Ronda made a motion to approve distribution of the LC Labor Market Survey; seconded by Tommy. All voted in favor.**

#19-BIOMASS FEASIBILITY STUDY GRANT REQUEST

This item concerns a request for approval to submit a grant application to the Economic Development Administration (EDA) for a Biomass Feasibility Study. Mike Baughman, LC Regional Development Authority, presented this item. EDA believes this project will qualify for this funding. The total of this project is \$135,000, including \$62,500 from EDA, \$47,500 from the applicant (\$45,000 as approved by JCCIAC for matching a grant, and \$2,500 for in-kind for Phyllis Robistow's, LC Grants Administrator, time), \$10,000 from LC Power District, \$5,000 from LCRDA, and \$10,000 from BLM. The goal is to create a package for presentation to investors. BLM, through the RMP, have identified many areas in LC for biomass. **Ronda made a motion to grant the application for the biomass feasibility study; seconded by Ed. All voted in favor.**

#25-TURN LANE ONTO VINCENT ROAD IN PIOCHE

Nathan Adams, Pioche Public Utility general manager, presented a proposed letter from the Pioche Town Board (PTB). Nathan read the letter into the record. Suggestions presented by citizens to the PTB include the following: 1. Reduce the speed limit on US Highway 93 from 55 mph to 45 mph, 2. Install necessary turn, acceleration and deceleration lanes at the intersections of US Highway 93 with SR 322, Airport/Vincent, and Franks Streets, 3. Extend the "No Passing Zone" north bound on US Highway 93 to north of Frank Street, 4. Replace the existing stop signs at the intersections of US 93 with Vincent, Airport, Baptist, and Franks with 48" stop signs that have appropriate reflective sheeting and mounting posts, 5. Install red flashing warning lights (similar to the one recently installed at the intersection of US 93 and SR 319 in Panaca) on the stop signs at the intersection of US 93 with SR 322, Vincent, Airport, Baptist and Franks Streets. PTB is also requesting the Board to set up a meeting with NDOT staff to address concerns. There is some discussion about past history pertaining to requests from NDOT for reduction in speed. NDOT has told the county we can erect a light but it will be at the county's expense. **Tommy made a motion to support the Pioche Town Board in their endeavors and to send a letter to NDOT requesting a meeting; seconded by Bill. All voted in favor.**

#26-PEARSON & MEDLIN LAND DISPOSALS

A letter of support needs to be sent to Bureau of Land Management (BLM) for the Pearson and Medlin land disposals. **Tommy made a motion to send a letter of support to BLM with exact legal descriptions as provided by BLM; seconded by Ed. All voted in favor.**

#27-INFORMATION TECHNOLOGIES COMMITTEE

If this committee is appointed, based on the Open Meeting Law, they will be required to keep agendas and minutes. There is some discussion about appointing a committee. The Board decides not to take action and no appointments are made.

#29-GRANTS

Denice Brown presented these items. a) Update—No update is offered. b) Change in Scope for Sunrise Engineering for the Alamo Industrial Park—**Ronda made a motion to approve; seconded by Tommy. All voted in favor.**

#24-LOCKSMITH ORDINANCE

This ordinance pertains to the government of locksmiths in LC. Cory Lytle commented the District Attorney's office has been working on this. James Bienes requested that whatever fees are set that they be reasonable. James has been in contact with Sheriff Lee for 6-8 weeks. No action is taken and this item will be addressed on the December 7th agenda.

#28-OFFICER/DEPARTMENT HEAD REPORTS

This is a duplicate item on the agenda.

#30-BUILDING DEPARTMENT

Cory Lytle presented these items. a) Update—Fair & Rodeo Building will require a small change order to finish the electrical components. A&F Electric will do the work. Cory has prices for the concession stand and restroom; these will have to go out to bid. The backup generator overheated one night during the planned power outages, but the problem has been solved. The main breaker shut off the second night, and Cory will continue to work on resolving this issue. The money earned from the generator sales will be turned over to the Road Department and, in lieu of the money, the Road Department will donate a vehicle for the Workforce

Investment Board employees. Cory continues to work on the Special Events Policy. Cory is working on replacing bad heaters in the Library. b) Alamo and Hiko solid waste transfer sites cleanup—Cory received new photos of the Hiko drop station. Part of the Workforce Investment Board plan is to get workers to clean these sites up. Cory is in the process of receiving permits from Environmental Protection Agency. Cory is looking for a long term solution and is on the agenda to speak with the Alamo Town Board this week. c) Contract for Pearson Brothers Construction on Alamo Annex—This contract includes renovation of restrooms, hallway adjacent to the men's restroom and the drinking fountain. The ladies that work there have requested an expansion onto the back patio that would provide private restrooms and restrooms for individuals who are in custody. These updates are being funded by Administrative Assessment fees. **Tommy made a motion to approve; seconded by Ed. All voted in favor.**

#31-PLANNING DEPARTMENT

Planning Director Clint Wertz presented these items. a) Update—Clint is working in crisis management mode. In early 2008, the county was in a rush to get the new addresses finished and sent to the Census Bureau. About 1900 addresses for residential structures were sent. They erred on the side of, if they weren't sure it was a residence, listing it as a residence. Census has accepted 450 of our addresses. When Clint contacted the regional office in Denver he received all of the old addresses. At the same time, LC developed a whole system for new numbers. When we submitted, Census asked us to send in new addresses and they would verify them. For a variety of reasons, many were missed. Clint is going through all 1900 records and comparing. The issue is that 2/3 of the residents haven't posted their addresses. The second issue is that the street names were changed but the old signs are still up. The appeal is due December 2nd. LC can contest any of these that are problems. When the canvass people were here to do the census Clint and Dawne talked to them. However, they never talked to someone taking care of Alamo. 2/3 of the addresses missed are from Alamo. There are a variety of issues Clint is working through. When Clint called the regional office in Denver and explained we were starting a new system when they were canvassing. Clint was told the appeal period may be extended. Clint has called Washington, but this may necessitate one or more Commissioners contacting Senator Harry Reid's office. Clint contacted the appeal office on Thursday and left a message. LC followed the exact instructions of the Census, but when the people canvassing came around things got fouled up. When Clint is checking addresses he can see who has posted their addresses and who hasn't. USPS is nearly finished putting all of the new addresses into the system; they then send a card advising they link the new physical address with the mailing address. Clint was nominated to be on the State's Complete Count Census Committee; first meeting is tomorrow in Tonopah. Clint will meet with Sunrise Engineering the first week of December concerning the master plan for Alamo Industrial Park. Ed advised the radio tower for Harvey Kaplan was denied, but Harvey is still being charged \$500 for the application. The Planning Commission has the authority to deny; all of the residents immediately around it were opposed. The bottom line is that it's a residential neighborhood and the property was purchased prior to making sure this use would be approved. Tommy asked that Clint be involved in resolving the issue of fees required of Western Elite. Clint has the last file when the WE permit was signed. The permit has conditions, one of which included payment of fees. WE will now be receiving tires. b) Approval of GIS Services Contract 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 on this item.

#32-PUBLIC COMMENT

Paul called for public comment. Carl Wilson from Dry Valley informed the Board that there are petro glyphs in the outlet of Toquop Gap. Carl wants to ensure all rules and laws are being adhered to when the pipelines go through. The BLM EIS indicated there were no archaeological sites of interest. Paul suggested Carl point this out to BLM. Carl responded that he's spoken to the lady from BLM that wrote the EIS; he's gone out of his way to ensure BLM knows about this. Lynn Wolf, archaeologist, has informed Carl this site has been put on the National Registry. Carl gave photos and GPS locations to the BLM, who has indicated they want to show various Indian tribes the site. Ronda commented the site may be taken care of through the Resource Management Plan (RMP). Carl is having a problem with the addressing system; no one seems to know how it works. Carl asked if there is a guideline for how it works. The Board recommended Carl speak with Clint Wertz. The county is working on street signs. Cody Whipple met with Dottie Maitland, a nationally known expert on tourism, and advised he will employ her skills as a resource next year.

#33-ADJOURN

There being no further business for the Board to attend to, **Ronda made a motion to adjourn the meeting at 3:42 p.m.; seconded by Ed. All voted in favor.**

Attest: _____ Approve: _____

DRAFT