



## LINCOLN COUNTY BOARD OF COMMISSIONERS

January 18, 2011  
Commission Chambers  
Lincoln County Courthouse  
181 Main Street  
Pioche, Nevada

### Commissioners

Paul Mathews  
Kevin Phillips  
Tommy Rowe, Chair  
Paul Donohue  
Ed Higbee

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

Chairman Tommy Rowe called the meeting to order at 9:00. Deputy Clerk Teresa Seevers called the roll.

PRESENT: PAUL MATHEWS (leaves mtg. at 12:15 p.m.) LISA C. LLOYD, Clerk  
KEVIN PHILLIPS DANIEL HOOGE, District Attorney  
TOMMY ROWE, Chair TERESA SEEVERS, Deputy Clerk  
PAUL DONOHUE  
ED HIGBEE

There is a quorum present and the agenda was posted on 1-11-11. The Invocation is offered by Paul D. and Tommy led the Pledge of Allegiance.

### **CONSENT AGENDA**

- #2** Approve/Deny minutes of December 20, 2010 regular Commissioner Meeting, December 22, 2010 Emergency Meeting and January 3, 2011 regular Commission Meeting.
- #3** Approve/Deny appointment of Dan McArthur as independent auditor for Fiscal Year 2010-2011.
- #4** Approve/Deny the appointment of Bill Lloyd to the Board of Equalization as a member at large.
- #5** Approve/Deny: Human Services to use fundraiser money to purchase needed equipment.
- #6** Approve/Deny: Letter of support for Mary Jean Lucht, Public Health Nurse.
- #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).

**Paul M. a motion to approve the consent agenda, with the exemption of the January 3, 2011 minutes, seconded by Ed. All voted in favor.**

### **#8-VOUCHERS**

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$528,862.69 with estimated expenditures being \$165,384.91. This leaves General County with a balance of \$363,477.78. Transportation has a cash balance of \$10,055.44 with estimated expenditures being \$2,801.70. This will leave Transportation with a balance of \$7,253.74. Nutrition has a cash balance of \$35,413.24 with estimated expenditures being \$6,836.60. This leaves Nutrition with a balance of \$28,576.64. Detention Center has a cash balance of \$214,941.66 with estimated expenditures being \$87,675.20. Detention Center will have a balance of \$127,266.46. Solid Waste has a balance of \$100,338.42 with estimated expenditures being \$5,306.04. Solid Waste Fund owes Water Plan/Development Fund, Fund 87, \$27,484.15. Airport has a cash balance of \$1,056.07 with expenditures being \$298.97. Airport will have a balance of \$757.10. Planning, Fund 110, has a balance of \$48,737.88 with estimated expenditures being \$6,362.90. This leaves Planning with a balance of \$42,374.98. DA Daniel Hooge has sent a memo to each commissioner letting them know about the ownership of a business by a commissioner. If the business is the sole source of the item purchased there is not a problem, but if it can be purchased elsewhere in the county there is a \$1500.00 limit. This is the responsibility of the individual commissioner. Daniel will write a letter to each department so they are aware of this. **Paul M. made a motion to approve the vouchers as presented with the exception of the LC Telephone vouchers and Mountain Mercantile vouchers; seconded by Ed. All voted in favor. Paul M. made a motion to approve the LC Telephone vouchers; seconded by Kevin. Paul D. abstains. Motion**

carries. **Paul M. made a motion to approve the Mountain Mercantile vouchers; seconded by Ed. Kevin abstains. Motion carries.**

**#9-OFFICER/DEPARTMENT HEAD REPORTS**

Ed and Kevin attended the Blue Ribbon Meeting. Kevin attended Quad State meeting in Pahrump, feels we should continue the membership. NW Pipe Company has invited Mayor Larson and a commissioner to tour their plant in Utah Kevin and Paul M. would like to attend. Paul M. will be leaving today at lunch. Paul M. addresses that he is still assigned to oversee the budgets, he will be going to see some of the offices and speaking with employees and Denice will be accompanying him. Tommy attended a local elections meeting in Las Vegas. NACO board meeting in Carson City he has the power point presentation that was given if anyone is interested. Attended a Tri county meeting in Pioche. CS has filed on their taxes and will be going in front of the Board of Equalization.

**#10-HIGHWAY COMMISSION**

This item is handled under separate agenda.

**#11-LINCOLN COUNTY FIRE DISTRICT**

This item is handled under separate agenda.

**#12-EMERGENCY MANAGEMENT**

Rick states that January has been declared radon awareness month. He is trying to establish some radon testing within the County, is hoping to get 250 tests for individuals to test in their homes. Rick has received the emergency management vehicle, waiting for the shell, once it is received will take the vehicle over to have it detailed.

**#13-RESOLUTION LC WATER DISTRICT**

Dylan Frehner addresses the board. The WD is moving forward on application in Clover Valley they have an agreement with the State Engineering Department in regards to the land, because the proposed us is out of the basin one of the notices is for the County to be involved and have representation. Right now they cannot make any decisions on part of the county. If they attend meetings on part of the county that a decision needs to be made they will bring it to the board. Kevin questions advantages/disadvantages. Mr. Frehner feels that the county does not have the staff, so instead of appointing a commissioner the WD is requesting to be appointed as agents for the County. Bevin Lister objects to the WD being appointed as an agent, feels there has to be separation. Paul D. questions municipality water rights, could Pioche town be included. Mr. Frehner states that they have no control or decision making and the WD does not have any authority over municipalities. Wade addresses the board. WD filed protests Garden Valley and Clover Valley, if they are not agents how can the WD help protect the counties interest. Kevin is opposed to the resolution. Feels the board has a responsibility to the people. WD attends a lot of meetings for the county and are asked questions. WD has to let entities know that they can not answer for the County. Tommy feels it is a good idea. **Paul M. made a motion to approve the resolution, seconded by Tommy. Kevin, Ed, and Paul D. oppose. Motion fails.**

**#14-APPOINTMENT OF COMMISSIONER/COMMISSIONERS**

Paul M. is appointed to the Tri-County Weed District, Cooperative Agent Status for Southern Nevada Water Authority, and Soil Conservation. Kevin is appointed to the Pinion/Juniper Partnership and Habitat Conservation Plan (HCP) Committee. Ed is appointed to the Archeological Resource Committee, Paul D. is appointed to the Cooperating Agent Status for Southwest Intertie Project (SWIP) North and South LS Power and NV Energy and Toquop Power Site. **Paul M. makes a motion to appoint commissioners as listed, second by Ed. Motion carries.**

**#15-FUND TRANSFER**

**Paul M. made a motion to approve the transfer of \$30,000.00 from the Pioche Town BI&R Fund to the PPU Water Capital Improvement Fund seconded by Kevin. Ed is not present Motion carries**

Ed leaves the meeting at this time.

#### **#16-FUND TRANSFER**

**Paul M. made a motion to approve the transfer of \$11,900.00 from the Pioche BI&R Fund to the PPU Sewer Capital Improvement Fund, seconded by Kevin. Ed is not present, Motion carries**

Ed returns to the meeting.

Paul Mathews is absent from the afternoon session.

#### **#17-ALAMO FUTURE FARMERS OF AMERICA**

The Alamo Future Farmers of America Debate Team offered a power point presentation to the Board concerning National Conservation Areas.

#### **#18-DISPATCHERS CONTRACT**

DA Daniel Hooge addressed the Board and reviewed the open negotiation for the Sheriff's Office Dispatchers' contract. The contract being considered today is actually for 2010-2011. \$300 increase to uniform allowance was agreed upon during negotiations. Mr. Nelson, of the Teamsters, is present for this item as is Bob Rollins of the Dispatchers' Unit. A letter was received from the Unit as their contract expires again this year. There are four full time dispatchers and one part time. Bevan Lister addressed the Board and asked if this is retroactive to last year. Bevan also asked why the County has a contract with the dispatchers when the County doesn't hire, fire, discipline or set out work stations; wouldn't it make sense for the Sheriff to hold this contract. Bevan believes the contract should be with the Sheriff as an elected, constitutional officer of the State of Nevada. Paul D. commented that this is the same thing with the other Election Officials, who have the right to hire and fire their deputy. Still, the Board negotiates their contracts. Bevan doesn't believe this is a correct process. Daniel advised this is a one time reimbursement for those who have already purchased uniforms. Daniel agreed that the Sheriff has the discretion to hire whoever he wants, but it's included in the Personnel Policy that the Board formally approves all hires. The Board controls the purse strings. Daniel advised that the Board could delegate the discretion and the contract to the Sheriff, if they so desired. **Ed made a motion to approve the contract, including the uniform increase to \$600; seconded by Paul D. All voted in favor.**

#### **#19-APPOINTMENT – REGIONAL TRANSPORTATION COMMISSION**

Kevin has been the representative of Caliente and feels that a resident of Panaca or Pioche should be appointed or appoint Keith Larson and shift Kevin's assignment to someone else. **Kevin made a motion to appoint Keith Larson and appoint Paul D. seconded by Ed. Tommy made a motion to appoint Keith Larson and change commissioner appoint from Kevin to Paul D. All voted in favor.**

#### **#20-LETTER TO DEPARTMENT OF TAXATION**

This item has been tabled.

#### **#21-AMBULANCE ADMINISTRATOR**

Two letters of interest were received for the Ambulance Administrator position, Melissa Rowe and Ann Smith. Louise Buettner requested the opportunity to be on the hiring committee. Tommy disclosed that he is related to one of the applicants and advised that he would like to be excluded from anything related to the hiring. Jason Bleak suggested that Dr. William Katschke be involved as he's the medical director of the ambulance. The committee will consist of Kevin, Paul D., Louise, and Dr. Katschke. Tommy suggested that Louise schedule the times for the interviews. Louise agreed to do this. **Kevin made a motion to set the committee up as outlined, Louise will set up the time and date for interviews; seconded by Paul D. All voted in favor.**

#### **#22-DEPUTY DISTRICT ATTORNEY**

Daniel advised that he received 22 applications. Daniel has chosen Theresa Liedlich for the Deputy District Attorney position, starting annual salary of \$55,000 plus benefits. Bevan Lister asked, if the Board is doing the hiring, shouldn't they take the applications and tell Daniel who his deputy will be. **Paul D. made a motion to approve the hiring of Theresa Liedlich at \$55,000 plus benefits; seconded by Ed. All voted in favor.**

### **#23-HAZARD MITIGATION PLAN REQUEST FOR QUALIFICATIONS**

Hazard Mitigation plan has to be updated. A grant in the amount of \$24,000 has been applied for. The updates were to be done in house by Clint, but since Clint is no longer employed by the county this may make it difficult. Phyllis has said that she will assist with the updates. She is willing to come back as a part-time employee. **Paul D makes a motion TO ask for a request of qualifications not to exceed \$10,000, seconded by Paul M. Motion carries.**

### **#24-SOUTHEASTERN LC HABITAT CONSERVATION PLAN ADMINISTRATOR**

Dr. Mike Baughman presented this item, which concerns the posting and advertisement for the position of Administrator of the Southeastern LC Habitat Conservation Plan Administrator. The administrator will answer directly to the Chairman of the Commission, or the Board's designee. Salary is not to exceed \$40,000 for the first year. Expected start date is March 1, 2011. This is an at-will position. Funding for this will come from Fund 837 and from Fund 111, Section 10 funds. Mike recommended that the money from Fund 837 be used first. Kevin advised that this is a two step process. First, the job description and scope of work need to be addressed and approved. Second, would be to proffer an announcement of the position. Mike advised that the technical committee approved the proposed job description. Doug Carriger commented that Coyote Springs privately financed their HCP and they manage it with private funds. Several months ago LC formed a general improvement district to manage the HCP. A tax has been placed assessed to support the GID, which divorces the financial obligation for the HCP management from all of the other tax payer in LC that are not within the HCP. Doug suggested that this be maintained so that all other properties in the county do not become obligated to pay for the HCP area near Toquop and other areas. Doug believes the GID should be the entity hiring this person. Mike advised that the permit is with the County, and the County is the obligated party to implement the HCP. The LC Land Act (LCLA) GID has a tax rate set up only for the LCLA area. The County has the funds right now, not the GID. The Commissioners serve as the board for the GID as well. The Southeastern LC HCP excludes the Coyote Springs area. Doug further commented that his reservation is that if this person is a County employee it could become a general obligation to the public at some point in the future. Something should be set up in the funding that it is limited to the areas within the plan. The costs should be placed where they occur. Mike commented that the funding mechanisms are included in the HCP. Ronda Hornbeck commented that the Section 10 is not only for the County but it's for Caliente and UPRR as well. Doug reiterated his request to have language inserted that it will never become a general obligation on the public. This position can't exceed 1,040 hours per year. Kevin reiterated that "tweaking" to the job description is necessary and suggested that an amended job description proposal be brought back at a future meeting. Mike commented that this is partly a timing issue. **Kevin made a motion to approve the general job description and to advertise/post it; seconded by Paul D. Ed abstains. Motion carries 3-1.** Doug commented that the upcoming budget problems may require the Board to reduce the work force. There is a potential for a person whose job is being reduced could perform this job and they'd be able to continue their employment with the County. Vaughn Higbee asked what hiring this person as an employee of the County will do to the hiring freeze. Kevin advised that the County is "on the hook" for this plan; it's not optional.

### **#25-SOUTHEASTERN LC HABITAT CONSERVATION PLAN**

Dr. Mike Baughman presented this item, which concerns a recommendation from the Southeastern LC Habitat Conservation Plan (SCLHCP) Implementation and Monitoring Committee to accept a proposal from Cardno Entrix to prepare a road, trails, and fencing plan for the LC Land Act area for a cost not to exceed \$47,000.00, and approval of the Client Master Agreement between LC and Cardno Entrix to complete said plan for a cost not to exceed \$47,000.00. This plan is intended to identify the areas around the perimeter of the Land Act that will be fenced. The fencing is to prevent desert tortoises from migrating back in from the adjacent ACEC. There will be designated points of access from the LCLA area. Trails will also be identified. The developers are responsible for constructing the fence; this is a component of developing the land. Mike commented that Ken Dixon's work is the frame work, or the "plan to plan". There are half a dozen land owners and all of these parties have to be consulted with. The details of what needs to be done in terms of implementation need to be defined. Ken Dixon advised that the Board hasn't signed the final document on the road, fence, and trail plan is because it couldn't be signed prior to the issuance of the permit. Previously, BLM and F&W looked at the plan Ken put together. BLM still has to do the traffic plan for the Resource Management Plan. Ken wanted to get this out prior to the traffic plan so BLM follows the plan we've put together. Ken doesn't agree with spending \$47,000 to flesh this out. The person hired for the administrator position should take on the responsibility of

further defining the plan, if it needs it. BLM and F&W were happy with the plan. Connie Simkins asked who has a “say so” in the actual make up of the fence. Las Vegas Paving has been making a turtle fence for over 1.5 years, which will not deter any cow or horse. Connie would like the Board to understand that this fence needs to deter cows. Part of the plan needs to include a fence that will keep the cows, wild horses, burros, and tortoises out. Kevin stated that going beyond Ken’s plan would be having the fencing engineered. Mike responded that the nature of the fence and signs have to be specified. Mike further commented that our responsibility is to implement the plan and to make sure the implemented plan does what it’s supposed to, protect the species on both sides of the fence. Bevan Lister said the simple and single purpose of the HCP is to extort money from businesses and landowners. That money then is used to feed government employees and consultants. Bevan further commented that the endangered species act is being fulfilled by giving \$47,000 for a “tinker toy” fence design. Ken stated the exterior fencing around the land act area is the developer’s responsibility and it has to be a permanent fence, meaning a block wall. There are places where this is not feasible, but it’s been addressed in the working plan. There is no control on what happens inside the private property area; the only thing the County controls is outside the private property. Initially, the fencing can be temporary, but if it’s breached this is where the HCP process comes into play. The administrator will have to monitor this. F&W will monitor as well. If the temporary fencing is breached, it must be repaired. The County has nothing to do with the construction of the fence, other than it has to be built to County specifications. Ed asked who will be building in this area and if we have any developments online. Ed doesn’t believe the development will happen based on all of the restrictions. The County has an obligation to develop a plan. Kevin is simply questioning what level of specificity is required. Ronda Hornbeck suggested that this be held until the new administrator is in place so that this individual might make recommendations to the Board as to whether or not another level of specificity is required. Vaughn Higbee commented that he visited with the contractor who is building the fence from Las Vegas. The bid was \$24,000 per mile and this is a fence that won’t even hold a cow. Vaughn’s point is that the County is committing to hire someone and cover all of this. Vaughn asked who will cover the \$24,000 per mile of fence. It is the developer’s responsibility. Vaughn questioned why anyone would even want to develop down there based on the costs. Ronda advised this is a Section 10 requirement. The rules and regulations exist as to how it has to be handled. The County, Caliente, and UPRR are required to do certain things in order to protect endangered species. When it comes to putting tortoise fence up there, it is not the County’s responsibility. The developers understand this and they are familiar with the rules and regulations, Ronda said. The County doesn’t have any say in how much the fence will cost or whether or not the County will accept what they build; the developers are under a Section 10. Vaughn said that’s the point; we have no control, it has been given away through Section 10. Development in these areas has been eliminated for the commoner. Paul D. commented that the HCP is permission to have development and mitigate potential impacts. If the County doesn’t have an HCP in these areas, the developers have to get their own and it’s expensive. **Kevin made a motion to table this item to a future meeting and refer it to the Implementation Committee to determine the level of specificity required; seconded by Ed. All voted in favor.**

#### **#26-GRANTS**

a) Update—Received the paperwork from SNPLMA for the LC fair/rodeo in Panaca. Paperwork is in the process for the completion of the Rail City linear park in Caliente. If the Legislature cuts health and human services programs the county will have to pick this up. The county does not have trained staff to perform these duties. State health nurse can still be cut. Family resource money and CSBG money may be combined. Will be attending a SNPLMA presentation there is 6million dollars available for a total of 8 projects. There is 28million dollars in applications. Most of the money will go to Clark County. Caliente Park came in 3<sup>rd</sup> in ranking projects. This was to be Lincoln County’s year to be the shadow with the Partners Working Group, they have requested that LC take a one year pass due to Ronda and Phyllis no longer being with the county. Paul M. recommends that the county passes for one year. b) Point in Time (PIT) Homeless count in Lincoln County—Shawn advised she is working on the count for LC. The homeless count for January 27 is the only date that will count. Homeless is anyone that doesn’t have a home they are living in. This includes people living in a hotel or with someone else who would be homeless if they weren’t residing with others. There may be a possibility that LC will have to seek grants for this issue. Shawn has contacted all of the clergy in every community, Sheriff’s Department, motels, county nurse, and the hospital. This program is being done through HUD.

## #27-LINCOLN COUNTY NUCLEAR OVERSIGHT PROGRAM

a) Update—Connie Simkins advised there is a lot of activity considering that the Yucca Mountain Project is closed down. Connie advised that the Argon National Lab representative, DOE coordinator, and BLM coordinator will be in Caliente to discuss the draft programmatic solar EIS on February 17. A meeting has been set up with Argon, DOE, and BLM to discuss the concerns the Commissioners have with the PEIS. Dr. Baughman, Jeremy Drew and Connie are compiling comments for the Commissioners to review prior to the meeting on the 17<sup>th</sup>. Connie has changed the reservation for herself to attend the ECA meeting; she's canceled in order to stay here and help the Commissioners present the comments in the private meeting. Connie referred to an article in the Las Vegas newspaper citing 6 companies that have established themselves outside of Boulder City; the cost of producing the solar energy is unknown. John Holdren wrote a memo in December 2010; he is a special advisor to Pres. Obama for science and technology. The memo discusses that all should be done by science and politics should stay out of it. Connie would like to bring a recommended letter that this Commissioner stands in support of pinion-juniper utilization/restoration. Connie attended the Tri-County meeting and offered comments on the previous stance the Commissioners have taken with regards to solar acreages in LC. There is an area of public lands that concerns LC; it could concern the YM project. There is a proposal by Pres. Obama to designate wildlands. Draft instructional memos have come out and the N-4 Grazing Board will be making comments. Congressman Simpson from ID sits as chairman of the House Appropriations Subcommittee; he's taking a dim look at this policy. Connie will bring a letter from N-4 Grazing Board on the draft instructional memos. Solar energy zone plan has announced all of the public meetings; Vaughn and Connie will be attending various meetings. Vaughn Higbee commented that his greatest concern is that Mike Baughman, Connie and a number of people worked hard to identify acceptable places for solar. BLM criteria were used. Then, LC was completely ignored. Vaughn said it puts another nail in the coffin and creates the attitude of "what good is it to do all this work". It will take more than comments; LC will have to get to some of the legislators. The current continuing resolution for the AULG funding runs out March 4. There is strong indication that there will be another continuing resolution. Congress is just in gridlock. b) Proposed Lincoln County position on solar energy projects with priority location by invitation on private land as pilot demonstration project—Ed has spoken with many people, including Air Force. The Air Force would be more than happy if the County favored private land. AF would be helpful to LC if we were helpful to them. Ed doesn't feel the use of BLM land for the solar projects is viable. Ed feels if it doesn't work on private lands it just isn't going to happen anywhere else. Vaughn Higbee agrees that the solar should be located on private property. Solar is too costly. They will never wheel power down the SWIP line from LC as it will cost too much. Vaughn feels it could be viable if another line was run through here and it went through Area 51. The last thing LC wants is a whole bunch of land broken up and the ranchers/businesses are impacted. Coyote Springs has 1,000s of acres, why not see if it'll even work. Ed commented that the government is in our face telling us where it will be put. Ed proposed that LC write a letter to the AF. Doug Carriger advised that private property in LC is limited that could be used for solar. The current Ely District RMP identifies 1,000s of acres that could become private. There is the potential that some of the land, even though it's near communities, could be used for solar production. It could possible even go along the LC Power District lines. Doug suggested that the public lands be converted to private lands for this use. Ed will draft a letter for future consideration. c) Proposed letter to Department of Energy Nuclear Energy Washington, D.C., re: need for Affected Units of Local Government (AULG) funding to conduct monitoring of Yucca Mountain related activities—Connie provided the proposed letter for AULG funding addressed to Dr. Chu. It is suggested that until we receive confirmation that the YM project has definitely ended, a proportional distribution is being requested for the continuation of oversight activities. Dr. Mike Baughman suggested the actual distribution amongst the ten counties be included in this letter as opposed to the aggregate total. This allows for DOE to wire the money to the respective counties. Connie advised that historically DOE hasn't dealt with the individual counties; they rely on the association of the ten counties to divide it appropriately. Connie recommended that the Board direct Mike to aid her in adding to the letter. **Paul D. made a motion to direct Dr. Mike Baughman to work with Connie in adding detailed monetary information and to send the letter; seconded by Ed. All voted in favor.** d) Travel expenses for two people to attend the Blue Ribbon Commission (BRC) meeting January 26, 2011 tour of Waste Isolation Pilot Plan (WIPP), January 27, 2011 Carlsbad, NM and January 28, 2011 in Albuquerque, NM—**Kevin made a motion to approve the travel of Paul M. and Ed to these meetings; seconded by Paul D. All voted in favor.** e) Memorandum of Agreement between LC and LC Regional Development regarding Department of Energy (DOE) procurement and economic impact monitoring update—Dr. Mike Baughman presented this item. Doug Carriger complimented the LCRDA for their activity and support in the A Power project. It wouldn't have happened

without LCRDA's help. Doug feels this money is well spent. **Paul D. made a motion to approve; seconded by Ed. All voted in favor.** Mike advised that the JCCIAC recommended \$50,000 to LCRDA, not \$40,000. Mike asked the Board to reconsider the motion to include the MOA to be \$50,000. **Paul D. amended his motion to include the payment of \$50,000; seconded by Ed. All voted in favor.**

#### **#28-BUILDING/PLANNING ITEMS**

Cory Lytle a) Update—Cory presented an update on current projects. Final engineering will be completed on Panaca Pioneer Park. It is hoped that the project will start as soon as Little League is over. DC Day Park will start a little earlier than Panaca. Fair & Rodeo restroom and concession stand is somewhat in limbo. Cory intends to talk to the Room Tax Board. There is no water or sewer there, but part of the SNPLMA grant is to get the water and sewer put in. Cory is contemplating a septic system due to the situation with Panaca's sewer. The courthouse boiler required work. The EECBG energy upgrade continues to be worked on; Cory will meet with Sunrise this week concerning initial drawings for the HVAC system. Coating has been put on the Million Dollar Courthouse for the winter. The auction for the IOOF, Odd Fellows Building, is scheduled for January 20, 2011. Some repairs have been done to the 4 wheeler at the Panaca Airport. A collapsed septic tank had to be removed and the sinkhole filled in. Final comments on the Open Space Plan have been sent to RCI. Cory is working on the Community Assistance Visit (CAV) report. Cory met with Doug Miller of Alamo Power District concerning flood control. They walked the site to look at the possibility of building a driveway "easement" along the south property line of the power district. The road would run across the top of the embankment and appropriate fill material taken from inside the catch basin could be used as road fill to create a gradual slope off of the east portion that would lead into the Packer property. Cory will work in coordination with Connie Simkins and Dr. Mike Baughman to address potential County issues with regards to the Programmatic Solar EIS. Dawne Combs issued a letter to the BLM on behalf of the LC Commission addressing the current direct sales of land in Tickaboo Valley and Camp Valley. Through review of possible modification to Title 15, it was discovered there are discrepancies among versions of Title 15 located in the Clerk's office, Planning Department and other hard copies. Dawne has compiled those differences and provided a clean copy to all departments affected. There are approximately 240 licensed businesses in the County. Cory reviewed the current mileage and condition of the Ford Taurus, For Ranger, and Ford F-150. b) Setting of a public hearing date for a resolution adopting the Lincoln County Public Lands Plan—**Paul D. made a motion to set the public hearing date for February 22, 2011 at 11:00; seconded by Ed. All voted in favor.** c) Introduction and possible setting of a public hearing date for an ordinance establishing permit policy, fees, and procedures for special events throughout LC and providing exemptions from such fees and procedures—Cory reviewed the proposed draft. **Paul D. made a motion to set the public hearing for March 7, 2011 at 11:00 a.m.; seconded by Ed. All voted in favor.** d) Introduction and possible setting of a public hearing date for an ordinance amending Section 2 of Chapter 2 of the LC Code to allow the Board of Lincoln County Commissioners to exclude or amend provisions or requirements of the international codes adopted in 2001 from time to time by resolution—**Ed made a motion to set the public hearing for February 22, 2011 at 11:00 a.m.; seconded by Paul D. All voted in favor.**

#### **#29-PUBLIC COMMENT**

Dylan Frehner advised that currently the county is paying yearly for the use of the Public Defender's office. Dylan is in the process of putting a bid together to take this contract over from the State of NV. There are some concerns that we will be cut out of the state budget with the state anyway as we are the only district left that uses the PD's office. Dylan is hoping that he will be able to do the public defense work here in LC, which will result in county funds staying within the confines of the county. Dylan has submitted a tentative proposal to the Judges, but the ultimate decision is the Board's. Connie Simkins advised that she and Tommy had the opportunity to talk to the project manager of LS Power regarding the power line that's going down Dry Lake Valley. NV Energy's sole project has applied for the tax abatement, which is 55% off of the property and personal property taxes. Connie suggested that we watch this closely as it will be a big cut to the County's potential revenue. Tommy advised that LS Power will start their project in the north and come south. Every 50 miles there will be a staging and storage area. Tommy told them to be certain to consider the Caliente Industrial Park as a staging/storage area. Paul D. emphasized the opportunity to broadcast Commission meetings over the internet; it's being donated by LC Telephone System. The County's obligation will be to purchase a couple of cameras and a lap top. It will not be interactive just yet. Tracy Lee commented that this meeting will create some issues with the audio sources. Changes will be needed and a lectern will be required.

**#30-ADJOURN**

There being no further business for the Board to attend to, Tommy adjourned the meeting at 4:52 p.m.

Attest: \_\_\_\_\_ Approve: \_\_\_\_\_

DRAFT