



LINCOLN COUNTY BOARD OF COMMISSIONERS

June 20, 2011
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners

Paul Mathews
Kevin Phillips
Tommy Rowe
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 a.m. Clerk Lisa Lloyd called the roll.

PRESENT: PAUL MATHEWS
KEVIN PHILLIPS
TOMMY ROWE
PAUL DONOHUE
ED HIGBEE (joins the meeting at 12:08p.m.)

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 6-14-11. The Invocation is offered by Tommy and Paul D. led the Pledge of Allegiance.

CONSENT AGENDA

- #2 Approve/Deny minutes of the May 31, 2011 budget meeting and June 6, 2011 regular meeting.
- #3 Approve/Deny terms and conditions of accepting airport improvement program grants for the Alamo land field airport.
- #4 Approve/Deny supplemental grant award for Nutrition for a total revised amount of \$21,832.00 from State of Nevada Aging and Disability Services Division.
- #5 Approve/Deny terms and conditions of accepting airport improvement program grants for the Lincoln County (Panaca) airport.
- #6 Approve/Deny a resolution to transfer within the General Fund.
- #7 Approve/Deny a resolution to transfer within the Alamo Town General Fund.
- #8 A resolution to transfer within the Panaca Town General Fund.
- #9 Approve/Deny a resolution to transfer within the Pioche Town General Fund.
- #10 Approve/Deny final change order in the amount of \$117,796.00 for Pearson Brothers Construction on the Alamo Rodeo Grounds.
- #11 Approve/Deny Change Order #6 on Rail City Linear Park for Jim Wilkin Trucking in the amount of \$26,693.15.
- #12 Approve/Deny Change Order #1 on Detention Center HVAC upgrade for S&S Mechanical Contractors in the amount of \$2,272.00.
- #13 Discussion/Action final change order in the amount of \$40,133 for Pearson Brothers Construction on the Alamo Children's Park.
- #14 Approve/Deny original and renewal 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 D. made a motion to approve the consent agenda minutes; seconded by Kevin. All voted in favor.

#15-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$650,967.71 with estimated expenditures being \$200,238.26. This leaves General County with a balance of \$450,729.45. Transportation has a cash balance of \$31,161.21 with estimated expenditures being \$2,274.01. This will leave Transportation with a balance of \$28,887.20. Nutrition has a cash balance of \$14,481.81 with estimated expenditures being \$11,530.28. This leaves Nutrition with a balance of \$2,951.53.

Detention Center has a cash balance of \$60,082.52 with estimated expenditures being \$72,792.83. Receipts not posted total \$158,060. Detention Center will have a balance of \$145,349.69. Solid Waste has a balance of \$54,711.08 with no estimated expenditures. Solid Waste Fund owes Water Plan/Development Fund, Fund 87, \$27,484.15. **Paul D. made a motion to approve the vouchers as presented with the exception of the Mountain Mercantile and LC Telephone vouchers; seconded by Kevin. All voted in favor. Paul D. made a motion to approve the Mountain Mercantile vouchers; seconded by Paul M. Kevin abstains. Motion carries. Kevin made a motion to approve the LC Telephone System vouchers; seconded by Paul M. Paul D. abstains. Motion carries. Ed Higbee is absent at this time.**

#16-OFFICER/DEPARTMENT HEAD REPORTS

DISTRICT ATTORNEY Daniel Hooge advised that his office was awarded a grant for a computer system. Daniel will hire someone part-time to scan the files in the basement, paid for through the grant. Daniel has a meeting in Mesquite on the 29th concerning the annexation of Toquop. Crime has increased and the jail is full. **GRANTS ADMINISTRATOR** Shawn Frehner advised that a park update meeting will be held in Rachel. Shawn will have a monitoring visit from Department of Energy for the grant to do upgrades at the Detention Center. LC still doesn't have approval for the Save America's Treasures grant, but will go out to bid as the SHPO funding expires August 30. If we wait until we have full approval we won't have enough time to advertise and go out for bids. **CLERK** Lisa Lloyd advised that she will be gone this week to attend clerk's meetings in Virginia City. The clerks meet with the Secretary of State's office Friday morning to discuss the special election. Lisa warned that she is still quite certain the State will not be funding the special election, and she should know for certain by the end of the week. **EMERGENCY MANAGEMENT COORDINATOR** Rick Stever advised that he attended exercise training last week pertaining to possible dam break in Pahranaagat Valley. Rick discussed a resource list that could be maintained throughout the county. Annette Curve from Elko County is here to assist Rick with the completion of the list.

#17-HIGHWAY COMMISSION

This item is covered under separate agenda.

#18-INSURANCE RENEWAL

Wayne Carlson and Gordon Wadsworth presented the renewal proposal from NV Public Agency Insurance Pool (POOL). Total program cost for coverage is \$276,639.58, which is an 11% increase over last year. **Paul M. made a motion to approve the renewal of insurance; seconded by Kevin. All voted in favor.** Gordon presented information concerning the airport liability insurance, which covers both Alamo and LC Airports. The annual premium is \$2,600, which is the same as last year. **Paul M. made a motion to approve the airport liability insurance at the basic rate of \$2,600; seconded by Kevin. All voted in favor. Ed Higbee is absent and did not vote at this time.**

#19-TRAINING

Paul D. advised that he attended meetings with POOL/PACT and also met with Recorder/Auditor Leslie Boucher, Clerk Lisa Lloyd, and Bill Zelinsky from POOL/PACT concerning the need for training. Training has been offered in the past and of the many people that need it, only 8 or so will attend. Paul D. cited that the training needs to be made mandatory. Paul D. would like to have training concerning defensive driving, customer relations, and Open Meeting Law. Training should be held quarterly. Paul D. suggested that language be included in the employees' contracts for next year that make training mandatory. Daniel cited that each department head/elected official can make attendance at the training sessions mandatory. No action is taken as this is an informational item only.

#20-LINCOLN COUNTY FIRE DISTRICT

This item is covered under separate agenda.

#21-PANACA FIRE DISTRICT

This item is covered under separate agenda.

#22-LINCOLN COUNTY SOLID WASTE MANAGEMENT PLAN

Cory Lytle addressed the Board and advised that minor changes have been made. A request was made to add items and Cory will address this in the near future. The county will not be responsible for closure of the solid waste facilities. Crestline and Western Elite (WE) own their landfills. NDEP requires them to have closure bonds; they do and NDEP oversees the closures. Doug Carriger asked that the Board include the following language: SEE TAPE. A provision of the agreement restricted the location of trash, transfer or similar facilities within a ten mile radius. At the time this was adopted, WE was a reclamation facility. In 2003 they asked the Commission for a special use permit (SUP). WE has been approved to be a Class III landfill for construction waste, which Coyote Springs (CS) has no objections to. CS is concerned that if WE becomes a Class I landfill in the future it will affect their property. Cory will continue to work on this and bring it before the Board at the next meeting. No action is taken.

#23-NEVADA DEPARTMENT OF TRANSPORTATION PROJECTS

Rudy Malfabon, Cleveland Dudley, Jason Vanhable, Heather Vanzo, and Todd Wright presented NV Department of Transportation (NDOT) Transportation System Projects Work Program. Doug Carriger, Geysers Ranch, complimented NDOT for working on their fences from Bristol Road to Pony Springs. The fence has been replaced. Doug asked that NDOT look from Pony Springs to the county line on the north. On both sides of the road, the fence is incredibly old. The fence was built when the road was done, but they need repair. Peggy Decker, Pioche Chamber of Commerce, asked that the speed limit be reduced on the lower road. This road doesn't bypass Pioche any more; it goes through the center of town. There is a great deal of traffic between the two parts of town. **Paul D. made a motion to approve the NDOT Transportation Systems project; seconded by Paul M. All voted in favor. Ed Higbee is absent at this time.**

#24-MILLION DOLLAR COURTHOUSE

Jane Humphries works at the Million Dollar Courthouse (MDC) and asked when the last time was that the Board members visited the MDC. Jane invited the Board to come visit MDC as there is no way they can know the condition of the building and the deterioration of the building unless they come each year. The condition of the building is escalating to the point that we may possibly lose the building if the grant isn't acted upon. There was little to no transparency in the grants spent previously. Jane has researched the last seven years, including invoices and contracts. Jane is disgusted at the waste of money. It is our responsibility to spend the grant funds wisely. In 1971, we received over \$100,000 for the restoration of the MDC. The purpose of the grant was for restoration. This grant enabled us to advertise what a wonderful, historical building we have. Last year we had 6,010 visitors in the museum and MDC, including Robert Weilacher (TX historical commissioner). Mr. Weilacher submitted a letter to the editor about the current condition of the building, and stated that it is inconceivable that an engineer would sign off on the use of wooden braces versus metal braces to support the incredible weight of the building. Jane advised that this last year at one point she removed over 200 gallons of water; much of the building sustained water damage. Jane discussed the 2002-2004 grant that was received for MDC for \$95,000. This grant was to repair the roof, gutters, drain pipes, tie back walls, re-grade road segment, stabilize retaining wall with draining pipes, consultants and engineering. Jane pulled all of the checks and receipts related to this grant as well as spoke to the man who did the roof repairs. The supplies were less than \$2,000 and the labor was \$900. So, for a \$25,000 grant we received about \$2,500 worth of work. Jane cited that we receive the grants, but there is no overseeing of the work or how it is done. Jane expects all of us to do better with this new grant for the MDC. The previous grant administrator was not truthful with Jane, Leslie Childers, and the museum board. The Commissioners signed off on the grant, and Jane doesn't blame the contractors as there was no oversight of the job they did. The county must be clear on the work that must be done. The new contract will be just as bad if the county doesn't take charge of it. Jane commented that our Building/Safety Department doesn't maintain county buildings. The new contracts that were signed cite that the county will maintain the building after the grant is fulfilled. Jane asked how the county plans to maintain the building. Paul M. responded that perhaps we shouldn't get the grant money and we shouldn't continue to pour money into this old building. Jane stated that the MDC is right behind parks and recreation for visitors. Paul M. suggested that MDC be made to pay for itself. Jane stated that if the county can't complete the contract by providing maintenance on the building it should've been reviewed prior to signing the contract. Paul M. supports the grant, but advised that the county budget is very constrained. In contemplating the budget, the maintenance of old buildings wasn't high on the priority list. Tommy advised that the agenda lists the repair of the MDC as the topic. The grants administrator is working to get the grant in place. Shawn advised that she stays in close contact with Jane about the progression of the grant. Paul D. commented that there are budgetary restraints but

we have a gaping hole in who follows up on various issues. The county doesn't have a maintenance department and no funding at this time to create one. Tommy advised that the Building Department will inspect repair situations and bring it to the Board's attention for resolution. Jane commented there has been no maintenance on MDC for three and a half years. It isn't possible to file an insurance claim as there is no maintenance on the building. Jane asked the Board members to come and look at the building so that she can show them the vast deterioration. Jane said we can't keep asking for grant money over and over for the same things. Then new grant is for a total of \$400,000; this money must be spent before August 30. Jane asked the Board to take a step back before agreeing to the grants so that they might look at what we're asking for. Just because we can get \$400,000 doesn't mean we should take it and waste half of it. The funding should be spent properly. Jane advised that there wasn't one mention of mold/mildew removal in the ad that was placed in the newspaper. The mold/mildew has been reported to the county Building Department; nothing has been done. Jane has been spraying Clorox on it periodically. Mold/mildew removal will have to be done as it is a safety issue. Jane commented that a handicap accessible bathroom isn't needed nor is heating in the bathroom as the building is closed in the winter months. The priority is the roof; one part of the grant says "repair the roof" and one part says "replace the roof", but the ad in the paper says "repair the roof". How will a contractor submit a correct bid if the ad in the paper is incorrect? Jane had no intentions of walking in here and ruffling feathers today; she just wants the county to realize that we've wasted before, we're in a time crunch now, and when the contractors come in they need to be made aware of the mold/mildew removal. Shawn responded that this isn't part of the grant and it can't happen this time, unless a scope change is done. There are no scope changes left on the SHPO funding. If the concerns had been addressed in 2009 when this grant process started there would be no need for it now. When the roof is taken down to the rafters the mold/mildew will be exposed; Jane questioned what will be done then. Cory provided background on this issue. The grant was obtained in 2009. A list of needed items was included on the original list submitted. Cory commented that there is no use in looking back to past years; we will do the best we can to move forward from this point. There must be a reason for everything that is done that must be backed up by documentation from professionals. At the time the money was received, the August 31 deadline was unknown. In 2009 some repairs and maintenance were done on the failing roof. The roof was failing at that time, it was known, but there was no funding available to replace it. Since then, more band aids have been applied but again there was no funding to replace. Once a grant is received from SHPO, they own you; you must have a historical architect come in and advise of how things can be done. Cory cited that they try to do what they can and they're aware of the problems. Cory cited that the reason that the handicap restroom was included is because it gives you a better shot at receiving grants. When the grant was obtained the wall hadn't fallen over. Soil studies, geotech reports, and hundreds of pages of documents have been done. Shawn has been in contact with the museum board on this particular project. Cory said that they do inspections and work to keep a better eye on where the money goes. Vaughn Higbee commented that all of the Board members are born and raised here in the county, and want the best for the county. However, there will come a time when the Board needs to start saying no. Vaughn suggested that the Board say no. Sooner or later some of these things are going to have to go; we've been living for 20 years on a champagne diet on beer wages. Sooner or later, some Commission will have to say no. Vaughn advised that it would cost \$200,000 to get EPA people to check the mold. The EPA would shut this building down. Funding to address the mold wouldn't be received. Vaughn reiterated to the Board that the time must come when the Board has to say no. No action is taken on this item.

#25-MOTOR SPORTS PARK

Freedom Fourwheelers, Kirt Johnson, sent a request to the county for designation of a portion of the Panaca Fairgrounds as a Motor Sports Park (MSP). Kirt advised that they would maintain the MSP. Paul M. advised that the Fair Board designates how the fairgrounds are used. Also, an engineer has been working on the design of the fairgrounds through a grant. A plan and layout for the fairgrounds exists. Paul M. suggested that the master plan be consulted. Cory commented that the master plan is phased from the fence line south. Cory feels the MSP works well into the master plan. The Fair Board needs to take action on this and recommend it. Kirt has provided a copy of the request letter to the Fair Board as well. Freedom Fourwheelers has 8-9 local members as well as a couple of members in UT. No action is taken as it needs to be addressed on the next agenda of the Fair/Room Tax Board.

#26-QUARTERLY JAIL TOUR

This item has been tabled.

#27-COYOTE SPRINGS GENERAL IMPROVEMENT DISTRICT

This item is covered under separate agenda.

#28-LINCOLN COUNTY HUMAN SERVICES

Trina Lytle presented a request from Human Services to close down on July 1 due to the holiday. There are four employees that will take it as a vacation day and the remaining employees will take it without pay. Many of the employees have family coming into town or they are going out of town to visit. As far as the meal program, senior receive frozen meals for the weekend that would be delivered on Thursday. Trina asked for direction as to July 4, would the Board then like them to take holiday pay? Normally, July 4 would be holiday pay for those who have to work. **Paul D. made a motion to approve the closure of Human Services on July 1; seconded by Ed. All voted in favor.**

#29-COLLECTIVE BARGAINING AGREEMENT

Daniel asked to have this item put on. The Board has a proposal to amend the Sheriff's Office negotiations and collective bargaining agreement. \$20,000 was taken out of LC Land Act Education to fund a program for Sheriff's education. Sheriff Kerry Lee understood that there was \$60,000 of concessions that the Board had to accept by the Board. Kerry can't accept the concessions, only the Board can. The Board is looking for direction from Kerry as to whether or not the concessions are workable. Paul D. commented that the Board needs to concessions in writing so that an exact number is known. If the Board agrees to no layoffs, and the services/supplies takes a hit the Board will have to address it later on through augmentation or other means. Kerry advised that the Law Enforcement Association is aware that if state numbers come in lower than anticipated then "all bets are off". Paul D. commented that the Board needs to make sure that services/supplies is fully expended before augmentation take place. Kevin advised that consideration of Teamsters negotiations will come before the Board in the near future; they also want the Board to agree to no layoffs. There is a point where the no layoffs guarantee becomes null and void. Daniel cited that there are always unforeseen circumstances that change the plan. Paul D. cited that the same conversation will take place next year. The concession from LEA is for one year and this is a band aid. Paul D. asked Kerry if the band aid makes things worse. Sooner or later the Board will be forced to make hard choices, but Paul D. doesn't want to eliminate people if it can be avoided. Kerry responded that this is putting a band aid on things. The LEA had a contract that didn't need to be opened up; they had another year on their contract. All four contracts will be open next year and that gives the county an advantage. Leslie will have to follow the contract on July 1, and if the contract isn't changed by then Kerry will have to lay someone off. Physical agility pay is usually done in the fall, and Kerry didn't feel it was an issue. Paul M. didn't feel the timing on this is extremely tight, and there is a little bit of time to get this worked out. Steps or anything that would go into place on July 1 will not be affected if this isn't addressed right now. It is a valid question, does the Board want to sign off on the concessions or just say "Sheriff, here's your budget, have at it"? Paul M. feels that the Board should sign off on it and agree to it if they want to avoid imminent layoffs. Kerry understood at the time of the budget that the Board would accept \$60,000 in concessions and \$20,000 from the Education Fund. LEA has voted on the concessions and passed them. This will be tabled to July 5th so that the Board can have exact figures and correct terms to work with. No action is taken.

#30-RESOLUTION #2011-10

Paul M. made a motion to approve the cooperative agreement between Lincoln County and the Lincoln County-Coyote Springs Consolidated General Improvement District for Performance of Services to the District; seconded by Paul D. Kevin cited that the Board is working to legitimately find funding to support a county office. The GID has money. The LC Water District has money. Kevin commented that the long term problem needs to be addressed and the basic needs must be funded. The Board needs to figure out how to do this. Even this resolution is a band aid. **Ed opposes. Motion carries 4-1.**

#31-AGREEMENT BETWEEN LC/SEVENTH JUDICIAL DISTRICT COURT

The agreement is slightly different than last year's as the State Demographer's numbers for LC's population are higher. There is some discussion about the total amounts budgeted for District Court. Kerry asked if the State is charging LC for Presentence Investigations. Yes. PSI's weren't included in the 2011-2012 budget and it isn't part of this agreement. Lisa advised that salaries will be different than what is reflected in the last budget

hearing book. Salaries were reworked after the last hearing on the budget and Lisa advised that the Clerk's budget itself is short \$4,000 for salaries now. The Board feels that the lack of a particular dollar amount in the contract is something like an open door. The Board discussed the possibility of renegotiating the agreement. Paul M. suggested that the agreement can be passed with the stipulation that it can't exceed the budget amount of \$240,000. Daniel responded that technically this is a counteroffer. There is continued discussion about negotiating or making a counteroffer on the costs of the agreement. Kerry Lee asked if Presentence Investigations can be done in house as the estimated cost is \$82,000. Daniel believes the new law requires the State to do the PSI. The budgeted amounts for District Court include \$65,000 for salaries/wages, \$12,690 for services/supplies, \$40,000 for services/supplies/court costs, and \$122,000 for public defender. **Paul M. made a motion to table this to the next meeting to see if the 30% fits within the budget constraints; seconded by Kevin. All voted in favor.**

#32-BUDGET TRANSFER

Ed made a motion to approve the budget transfer from Federal In Lieu Special Fund to Agricultural Extension Fund in the amount of \$20,000; seconded by Paul D. All voted in favor. Ed Higbee is absent at this time.

#33-BUDGET TRANSFER

Paul D. made a motion to approve the budget transfer from Room Tax (Fund 51) to the Fair Board in the amount of \$10,000; seconded by Ed. All voted in favor. Ed Higbee is absent at this time.

#34-LETTER TO SOUTHERN NV WATER AUTHORITY

This item concerns a letter to the Southern NV Water Authority (SNWA) identifying the location and use of water and/or water applications that Lincoln County is to receive pursuant to Lincoln County's 2003 agreement with SNWA and Las Vegas Valley water District from upcoming water hearings on Dry Lake Valley Basin #181, Delamar Valley Basin #182, Cave Valley Basin #180, and Spring Valley Basin #184. Wade Poulsen presented this item. **Paul M. made a motion to approve the letter; seconded by Paul D. All voted in favor. Ed Higbee is absent at this time.**

#35-RESOLUTION #2011-09

This item concerns a resolution identifying the preferred place of beneficial use of water and/or water applications that Lincoln County may receive pursuant to Lincoln County's 2003 agreement with Southern NV Water Authority (SNWA) and Las Vegas Valley Water District. These applications are located within the Delamar Valley Basin #182, Dry Lake Valley Basin #181, and Cave Valley Basin #180. Wade Poulsen read the resolution into the record. **Paul D. made a motion to approve the resolution; seconded by Kevin. All voted in favor. Ed Higbee is absent at this time.**

#36-COOPERATIVE AGREEMENT FOR PANACA SHARED USE PATH

The agreement includes that NDOT will install the path and then the county is required to do the maintenance. Cory asked if NDOT can do the maintenance. At the time the grant was awarded, it required that the county do maintenance and that the school district do certain things, including snow removal, as well. The county agreed to the maintenance. The agreement states that if the path falls into disrepair NDOT can come in and make repairs, then submit the bill to the county. Paul M. recalled that both Steve Chouquer and Shane Cheeney of the Road Department attended the meeting, including the portion of the meeting that covered maintenance; they both agreed they could do it. Cory will research this and bring it back before the Board. No action is taken.

#37-LINCOLN COUNTY CODE AMENDMENT

Daniel addressed the Board and cited that a modification to the current ordinance addressing Curfew, Section 7-2-1 of the LC Code, is needed. **Paul D. made a motion to set the public hearing for July 18 at 11:00 a.m.; seconded by Ed. All voted in favor.**

#38-LINCOLN COUNTY PERSONNEL POLICY

Paul D. put this on the agenda for discussion. To date, there are three different personnel policies being used. There is quite a bit of confusion as to which one is the correct one. The updated PP was approved April 2010, but copies were never distributed. Paul D. asked that the policy be found, printed, and sent out to all

employees. Hiring policies need to be changed. Daniel commented that he has the most recent sample of the PP from the POOL/PACT; Daniel prefers this one to the current policy. Daniel cited that with different districts and elected officials, the policy will have to be adopted by them as it won't count for their employees. Daniel will email the April 2010 version to all departments so that they have the most current edition. In the meantime, changes can be proposed and worked into the document. No action is taken.

#39-PIOCHE PUBLIC UTILITY MAINTENANCE EMPLOYEE

Nathan Adamson presented this item and cited that the Board previously approved the hiring of a full time maintenance position. The Pioche Town Board has decided to go with a part time position, not to exceed 1039 hours. The Town Board interviewed applicants and recommends Russell Thompson. Nathan advised that the TB didn't approve a pay rate, but initially discussed \$15.00 for 30 days then increase to \$17.00. Nathan recommended \$16.00 an hour. **Paul D. made a motion to approve the hiring of a part-time maintenance/laborer position not to exceed 1039 hours (starting salary to be designated by Pioche Town Board as long as it's within the budget); seconded by Ed. All voted in favor.**

#40-NUCLEAR WASTE ISSUES

Dr. Mike Baughman reviewed the letter to the Blue Ribbon Commission on America's Nuclear Future containing comments to "Draft Disposal Subcommittee Report to the Full Commission" and "Draft Transportation and Storage Subcommittee Report to the Full Commission". The comments are due June 30, 2011. **Kevin made a motion to approve; seconded by Paul M.** Paul D. commented that he understands that the LC Commission is on the record and maintains a neutral position. Paul D. feels the letter sounds like we support it. Kevin responded that it is the observation and belief of the studies of this body that it remains the quickest solution to the Nation's dilemma. The recommendation is to finish the study, and have someone other than DOE lead the program. There should be a disconnect between the funding and annual appropriations. This letter suggests that the same procedural changes, if applied to Yucca Mountain project, will get us an answer quicker than starting over somewhere else. **Paul D. is opposed. Motion carries 4-1.**

#41-NUCLEAR OVERSIGHT PROGRAM

Dr. Mike Baughman discussed the current standings of the licensing proceedings. Vaughn Higbee reported on his trip to Carlsbad and various issues related to Yucca Mountain. Connie Simkins advised that Mr. Ostendorf is up for reconfirmation. It was thought that it wouldn't be considered before the July 1st break, but that is not the case. He is looked at as a "no" vote on the Nuclear Regulatory Commission. Missouri River has had dramatic flooding; there are two nuclear power plants in NE. They have checked operations to ensure that all works well during disasters. Connie will take part in a teleconference with the Pinyon Juniper Partnership. There is a meeting here on 6-29 at 3 p.m. with NV Energy and LS Power, who will speak with ranchers whose property will be crossed by the power lines. NV Energy has agreed to buy water from NV Department of Wildlife in the Lund area. This has been questioned as there are private sellers in the area; the State is in competition with private enterprise.

#42-BASIN ENGINEERING CONTRACT FOR COUNTY SURVEYOR

Kevin made a motion to approve the contract change order for Basin Engineering for county surveyor/civil engineering services and plotting of mining claims on county base maps; seconded by Ed. All voted in favor.

#43-PLANNING FEES REFUND

Cory advised that Pete Peterson's home in Panaca shows a five foot easement that runs into a dead end in another lot. Pete requested a withdrawal of that easement and paid his fees. It moved forward but was never finished. As far as Cory can tell, the easement is still there and Pete just wants his money back. **Paul D. made a motion to approve the refund of planning fees to C. Pete Peterson in the amount of \$150.00; seconded by Kevin. All voted in favor.**

#44-BLM DISPOSAL LANDS

A letter has been prepared and addressed to Bureau of Land Management (BLM) stating that the county intends to nominate up to 3,000 acres of land located in Lincoln County for disposal by the BLM, pursuant to the Lincoln County Conservation, Recreation, and Development Act (LCRDA) and BLM Ely District Resource Management

Plan (RMP) of 2008. Nominated acres will be submitted to BLM for processing and released through competitive sale. This is going to be a lengthy process, but Cory Lytle cited that he would like to move forward with it. Cory has had some discussion with other individuals who are ready to move on certain parcels right now. The deadline from BLM was June 30th, and this will buy the county some time. If the county will be nominating lands it must be included in the BLM budget. **Ed made a motion to approve; seconded by Paul M. All voted in favor.**

#45-BLM CAVE & LAKE VALLEY WATERSHED ANALYSIS/TRAVEL MANAGEMENT PLAN

Cory Lytle presented comments concerning the BLM Cave and Lake Valley Watershed Analysis and Travel Management Plan. There is a great deal of emphasis on OHVs and limited route closures. Tommy commented that the opinion of most people is that we don't want any roads closed. Most of the roads being considered are located in LC. Cory has an issue with those in the Muleshoe Burn and Grassy Mountain. Doug Carriger met with BLM and they sent a young person up the windy roads; this person went up the dozer cuts. Cory cited that many of these roads will rehab themselves; once the wood is gone people will not travel these roads. **Paul D. instructed Cory to include that the Commission will not support any road closures in LC or any public land in NV; seconded by Ed. All voted in favor.**

#46-COMMISSIONER REPORTS

COMMISSIONER KEVIN PHILLIPS met with Paul D. and the Teamsters. Kevin will travel with Shawn Frehner to Rachel on Friday. **COMMISSIONER ED HIGBEE** stated that the races in the desert are very bothersome. The racers gathered at Lasike's and then they were turned loose. BLM claims that the racers disturbed the tortoises, fined them, and will now force them to go out further. Ed commented that the biggest deterrent for any economic growth in our county is the federal government. Cory advised that this is one of his main discussion points on the wind towers; it puts the sage grouse one step closer to being listed. **COMMISSIONER PAUL DONOHUE** will continue to push training for county employees. Paul D. stated that Open Meeting Law and Customer Relations will be the first two considered. Paul D. met with Mr. Carlson on the top of Mt. Wilson regarding wind generation. Paul D. supports the Board in the fact that we don't want wind generation on Mt. Wilson/Table Mt. However, Paul D. cited that the Board isn't listening to the science that Mr. Carlson presents. Paul D. met at Caliente Youth Center to discuss the bridge. The telephone company put on OSHA 10 training; several town board members attended. Paul D. received a phone call from Linda of NV Energy, who advised that they've filed for the sales tax abatement.

#47-PUBLIC COMMENT

Tommy called for public comment. Jeff Jenson of Forsgren provided pamphlets to the Board for their engineering/surveying services. Shawn Frehner wants the Board to begin thinking about how we will maintain grants. Shawn doesn't feel she has the right to say whether grants are good or not, but she is concerned about the airport grant for Alamo and the associated maintenance. Shawn suggested that Ed take this back to the airport board for consideration. Maintenance is a big issue and how we will handle that needs to be addressed. Tommy asked that Shawn provide pros/cons for upcoming grants.

#48-ADJOURN

There being no further business for the Board to attend to, Tommy adjourned the meeting at 3:56 p.m.

Attest: _____ Approve: _____