



## LINCOLN COUNTY BOARD OF COMMISSIONERS

February 19, 2013  
Commission Chambers  
Lincoln County Courthouse  
181 Main Street  
Pioche, Nevada

### Commissioners

Paul Mathews  
Kevin Phillips, Vice Chair  
Adam Katschke  
Paul Donohue  
Ed Higbee, Chair

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

Chairman Ed Higbee called the meeting to order at 9:00 a.m. Clerk Lisa Lloyd called the roll.

PRESENT: ED HIGBEE  
PAUL DONOHUE  
ADAM KATSCHKE  
KEVIN PHILLIPS  
PAUL MATHEWS

LISA LLOYD, Clerk  
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 2-13-13. The Invocation was offered by Kevin and Adam led the Pledge of Allegiance.

### **#2-PUBLIC COMMENT**

Ed called for public comment. Kena Gloeckner addressed the Board concerning a decision received from the Bureau of Land Management (BLM) and the reduction of Animal Units per Month (AUM). Kena reviewed the draft determination document. Prior to receiving the document, Kena attended a meeting in the Commission room and was given a list of her allotments. It said that every allotment that they had wasn't up to par in terms of range health and standards, with the exception of the Pioche Bench where Listers run their cows. The Wilson Creek Allotment is over 1.1 million acres. Both Gloeckners/Lytles and Listers have AUMs in the same area, but Lytles don't actually put their AUMs in the same place as Bevan. The forage in that area is horrible and if Lytles added their cattle to Listers it would result in Bevan not being able to use the area. However, this is the only place that said it is achieved as it's running on about ¼ of the AUMs. BLM will give Bevan his current AUMs but completely remove Lytles. The cause factor for why they're not meeting healthy range standards is listed as "livestock/others". Anyone who's a rancher knows that the horses are the cause, but BLM has advised that it says "livestock" because that's the only thing they can control. Gloeckners will receive a 50% cut on nearly all of their allotments. Dry Lake Valley is where Lytles run their cattle for winter range. Whatever number of cattle can be run in Dry Lake Valley is the amount that they will run as a stable herd. Replacement heifers are fed at home as are the bulls in the winter. Every AUM lost on Dry Lake will result in the loss of that many cattle for everywhere else. There are huge crested wheat seedings that run from Pioche Bench to Paul's allotment in Pony. They have several other spring seedings. These are all crested wheat seedings that the ranchers made, paid for, seeded, and developed. Currently, there are 4,980 AUMs on Dry Lake Valley. The proposed change, with a two month decrease, is for 2,524. Lytles usually go off at the end of April, but they will now be required to go off February 28. There is 1,000 head of cattle that will be displaced for those two months. Economically, you could never afford to feed them for those months and it would cause the ranchers to go out of business. Thorley will go from 1,271 to 821; South Lake Valley will go from 2,731 and Lister's will maintain 1,400 while all other cattle AUMs will be eliminated. Patterson Wash will be reduced from 3,150 to 1,863. The seedings go on a three year rotation. There are three huge fields that are rested for two springs. The feed in Craw Creek is waist high right now. The feed is unbelievable and no cuts should be made. All of the seedings are "no horse" areas, but there has been fifty head in there for the last twenty years. When the elk plan was done the ranchers were asked permission to place the elk. Lytles have a ton of suspended AUMs. In reality, the ranchers should get those suspended AUMs back before another herd is placed. The elk were supposed to be capped at 300, but they're now well over 600 and the number of horses is quadruple that. 980 horses were removed a couple of years ago and nearly that many were left. There aren't supposed to be more than 230 in the area. Hamlin

Valley will be reduced from 2,633 to 1,207. 1990 was supposed to be the completion date for the re-evaluation. Lytles invested nearly \$1 million purchasing the other half of their family ranch AUMs. There was no warning whatsoever; this decision was just handed to them last week. It is similar to a salary cut wherein a person would be making \$60,000 and suddenly be cut to \$30,000. There have been 43,000 additional acres of burns. There are tons of feed in the burn areas. The report advises of damage to riparian areas. If there is a lot of foot traffic, the report will claim that the spring is being destroyed. However, the horses are destroying the springs. Most of the riparian areas are on private property. The report is biased towards elk, sage grouse, and horses. There have been 150-250 neighbor cows on Lytle's allotment in Dry Lake Valley. BLM won't trespass the individuals unless they see them there, but they always claim to be too busy to come and look. Lytles have offered to re-do all of their seedings, but BLM has told them they're too busy. Lytles have also offered to pay for the environmental assessment but met with the same response, BLM is too busy and doesn't have time. There haven't been any manipulations and the seedings were done in the 1950s. There was no warning whatsoever about the cuts. The last agreement they received was in the 1990s and it stated their range would be re-evaluated within a three year period. That re-evaluation never happened. Gloeckners have never received a letter advising that they're ranges are below standards; this is very poor management by BLM, who is claiming that the 1.1 million acres is incapable of running 1,200 head of cattle. The allotment was last evaluation in 1989, decision issued in 1992. They've agreed to reevaluate but it has taken them 21 years; out of the blue they handed down these surprise cuts. Kena presented an article from Idaho that depicts the same thing as happening to ranchers there. Kena attended the last cattleman's meeting; 1 AUM equals \$1,000 brought into the local economy. For every \$1 that ranching/agriculture produces it contributes \$7 to the local economy. If you review the amount of gasoline each rancher purchases it is unbelievable the amount of funds that go into the economy. The purchase of feed, wire fences, supplements, veterinary supplies, etc., brings in a great deal of money to the local economy. Kena is asking the Board for help with this issue. It is essential for the smaller counties to band together to combat the larger powers. Paul M. stated that much of the information that BLM has is old. If the eastern side of LC was evaluated it would be determined that the rainfall levels were above average. BLM will use the worst year out of the three year monitoring range. The range is a ranchers livelihood; they wouldn't be ruining it as it is cutting ones own throat to do that. The Idaho report advises that BLM has 68 more allotments to evaluate. Kena stated that the N-4 Grazing Board has been a tremendous help to the ranchers. They meet again on 2-26 and will then have a better idea of how this issue stands. If this report stands, the ranchers are out of business. Connie stated that the Board can ask the BLM to extend the comment period to the end of their summer grazing so that the ranchers aren't thrown off this year at least. It is justified to ask for a few months to allow the ranchers to respond. Delmues and Lytles have been successful in obtaining funds to hire a range management specialist to review the report. One rancher has said they've tried to get their range consultant (RC) to go with them but the RC had an excuse for not going every time asked. Kena stated there is no continuity with the range cons. No one wants to deal with a 1.1 million acre allotment and Gloeckners/Lytles have been bounced back and forth between BLM offices of Caliente and Ely. Kevin stated it is our duty as government to protect the rights of our citizens. Kevin suggested that Daniel look into legitimate lawsuits by LC pertaining to this issue. No matter what decision BLM puts out Western Watershed protests. If LC sues BLM will the federal government pay our fees, similar to how they pay Western Watershed? Adam commented that he would be happy to write a letter that would help; he is willing to work with Kena on bullet points for the letter. This issue will be on the next Commission agenda. Pete Delmue discussed the Hage decision. The oral decision contains language like "it sickens the Court" and "it disgusts the Court". It opens the door for Hage to sue BLM personally for exceeding their authority. The judge rescinded the monetary award but addresses nothing on the property rights issue. Hage still owns the forage rights. There was livestock on the lands prior to Nevada's statehood. Just because NV becomes a state, it doesn't provide for the rescinding of those forage rights. This so-called federal land should be turned over for local economy. The ranchers are the last toe-hold in these areas, the last paying users of the lands (with the exception of the mines). Fourth and fifth generations are using the rangelands and they are a viable resource for the economy. The ranchers are home-based businesses. Kena stated they have vested water rights to over 150 springs; if they lose the AUMs they will lose the rights to the springs. Ed agreed that it is the Board's duty to help the ranchers. Individual letters from the Commissioners can be written prior to the full Board's letter. This isn't a final document; the ranchers are supposed to review it and offer input. However, if it's anything like the last time, the overall cuts and numbers will be the same as the last evaluation. The 1992 evaluation resulted in a 50% cut to allotments as well. Ed commented that part of the reason that BLM faces such a huge problem is due to the horses. Kena stated that her daughter did a research paper on wild horses; the amount spent on these horses is astronomical.

Many people want the cattle gone and more AUMs given to horses. Cattle AUMs have been cut 65% in the horse areas.

### **CONSENT AGENDA**

- #3 Approve/Deny minutes of the February 4 meeting.
- #4 Approve/Deny tax refund for Charles Serneck, APN 01-103-03, in the amount of \$417.22. Board of Equalization granted Disabled Veteran's Exemption for current tax year.
- #5 Approve/Deny Notice of Intention to Act on a Resolution to Augment Budget: Alamo Town Board \$4,000 (donation), Alamo Town Capital Project Fund \$4,735 (beginning fund balance was larger than anticipated), General County \$286,294 (beginning fund balance larger than anticipated), Lincoln County Water Special Fund \$43,117 (beginning fund balance larger than anticipated), Panaca Town Building Fund \$10,204 (beginning fund balance larger than anticipated).
- #6 Discussion/Action regarding signing match approval letter for Grant Administration time on the submitted Alamo Sewer & Water General Improvement District's Community Block Grant application.
- #7 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).

**Kevin made a motion to approve the consent agenda; seconded by Paul M. All voted in favor.**

### **#8-VOUCHERS**

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$649,309.16 with estimated expenditures being \$192,995.03. General County will have a balance of \$456,314.13. Transportation has a cash balance of \$58,430.53 with estimated expenditures being \$5,104.31. Transportation will have a balance of \$53,326.22. Senior Nutrition has a balance of \$84,713.69 with estimated expenditures being \$11,270.37. Senior Nutrition will have a balance of \$73,443.32. Detention Center has a cash balance of \$2,363.44 with estimated expenditures being \$75,006.37. Detention Center will have a negative cash balance of \$72,642.93. Solid Waste has a cash balance of \$100,939.57 with estimated expenditures being \$685.75 and Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Airport has a balance of \$5,454.69 with estimated expenditures being \$406.70. Airport will have a balance of \$5,047.99. Planning has a balance of \$31,061.29 with estimated expenditures being \$1,695.28. Planning will have a balance of \$29,366.01. **Kevin made a motion to approve the vouchers as presented with the exception of the LCTS, Mountain Merc, Panaca Market, and Meadow Valley Pharmacy vouchers; seconded by Adam. All voted in favor. Adam made a motion to approve the vouchers for Mountain Merc; seconded by Paul D. Kevin disclosed he is part owner of the firm; he abstained from the discussion and vote. Motion carried. Kevin made a motion to approve the vouchers for MV Pharmacy and Panaca Market; seconded by Paul M. Adam abstained and disclosed that he is an owner of MV Pharmacy and Panaca Market. Motion carried. Kevin made a motion to approve the vouchers for LCTS; seconded by Adam. Paul D. abstained as he is an employee of LCTS. Motion carried.**

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

**SHERIFF** Kerry Lee suggested that it would be beneficial for Adam to take the quarterly jail tour. Kerry advised that they have worked diligently for the last six months to renew the position for the Sheriff's Office that is funded through BLM. They've done everything that can be done, but BLM has eliminated the position anyway. Kerry isn't ready to give up and stated he was told that BLM deemed it illegal to spend money on law enforcement. However, BLM funded about six positions in Clark County for law enforcement. In about three weeks, there will be no funding for the officer that currently holds the position. The position has been very successful and Kerry offered to provide copies of the last four years' activities. LCSO has been very active on public lands. Kerry stated that he can't respond out there like before. For the first three years of the funding, LCSO was responding to all calls on public lands. Once BLM got their ranger, LCSO continued to do a great deal of work. BLM has asked LCSO to revamp the proposal; that has been done multiple times. Unless a state/county ordinance crime is the issue being called in, LCSO will not be able to go out to public land. LCSO patrols the Tule Desert during the winter, but it is coming to an end as there is no funding. Paul M. commented that this issue was addressed during the time they were working on the business plan. We received a copy of the plan today and this is what was cut. County staff put a great deal of time putting the business plan together to cater to their needs but they've arbitrarily cut our needs from the plan. Paul M. suggested that it might be time to have an attorney at the meetings again. Kerry commented that a year ago he was told the only reason they couldn't come up with

the funding is because the county didn't have a business plan. We have one now and they've still eliminated the funding. Ed asked if there is a provision that allows the county to charge for responses to BLM/public lands areas. No. Mike Baughman suggested that there are precedents out there where other local jurisdictions have entered into agreements with the BLM for like activities. There is no reason why we shouldn't be able to continue to do this. Paul D. stated that a letter needs to be created that states that LC Sheriff is responsible for all law in LC. Sheriff Lee is elected by the people in LC to take care of all matters related to the law in LC. The next issue to be included in a letter is that LC will be happy to bill BLM for every incident that an officer is required to respond to. Paul D. further stated that the argument really needs to be who is in charge of upholding the law in LC. The respective county sheriffs are the only constitutional officer granted police powers. When NV became a state we agreed to disclaim right and title to the real estate; we didn't give away jurisdiction or sovereignty. If they are claiming ownership, we can't tax that. Kevin feels the county should tax them and send them a bill for services. BLM is under a Congressional directive to sell land in these counties, but they will not do it. Paul D. reiterated the need to send a letter to BLM concerning the officer as the Sheriff is the only legal entity allowed to address legal matters in this county. BLM is not only taking funds from the county but they are taking authority. Kerry stated that he doesn't believe the problem is coming from our local BLM district. The problem is from without the district. BLM has been signing law enforcement agreements throughout the west for years. The Forest Service contracts with the local sheriff's office for patrol as well. The only reason this was handled in the manner it was is because we could get more "bang for our buck" with a full time position. Why is it that all of a sudden this position can't work, the funding can't be used for this position? Cory will forward the business plan to the Board members and he will work with Kerry, Ronda, Wade, and several others to put the pressure back on them; there is no need to reinvent the wheel on this. Paul D. commented that this isn't a surprise; when have we ever gotten what we needed when we've commented on federal documents? Beginning next month, normal patrols in the public lands areas will no longer take place. If BLM doesn't change their mind they need to do their own dispatch. We will also have to let the local ranchers know that we aren't patrolling those areas anymore so they know if an issue arises they must now work with BLM. Adam asked how much overtime is involved with the officers. Right now there is a lot as we are short a couple positions in patrol staff. Normally, when all the positions are full, there is very little overtime. Adam stated it would make sense to have Evan Schimbeck return to patrol as it would save on overtime. Prior to SNPLMA LCSO was reimbursed for law enforcement but only on specific public lands, mostly Ash Springs. Mike Baughman suggested that the county not limit themselves to the business plan for funding. This issue will be discussed at the next Commission meeting.

#### **#10-HIGHWAY COMMISSION**

This item was handled under separate agenda.

#### **#11-LINCOLN COUNTY FIRE DISTRICT**

This item was handled under separate agenda.

#### **#12-PANACA FIRE DISTRICT**

This item was covered under separate agenda.

#### **#13-YUCCA CHUCKERS**

**Paul M. made a motion to approve Yucca Chuckers' Hell's Half Acre motorcycle race to be held on Six Mile Flat March 30, 2013; seconded by Kevin. All voted in favor.**

#### **#14-TRUSTEE AUCTION**

Treasurer Shawn Frehner reported the auction went very well; all the properties on the tax list were sold. Shawn submitted the Affidavit of Publication of Notice of Sale and Return of Sale. 14 parcels were sold for a total of \$40,598.10. \$23,738.09 were collected for delinquent taxes. There were a couple of properties that sold for an amount above the minimum bid; this amount will go into a separate fund for those people who can put in a claim for excess proceeds on their property. They have up to a year to submit the claim, if they fail to do so the money will go into the General Fund. **Kevin made a motion to accept the trustee auction; seconded by Paul D. All voted in favor.**

#### **#15-PUBLIC MONIES INVESTMENT**

This item concerns the authority of the Treasurer to invest public monies pursuant to NRS 355.170-175. Shawn is asking for direction from the Board pertaining to the county's investments and who has the authority to make said investments. Is Shawn supposed to decide on the investments and sign the investment docs or does the Commission? The Board may purchase the investments but they remain in the possession of the Treasurer. The Commission is to direct the Treasurer to invest its money. We invest with both Wells Fargo and Mellon. Most of our funding is with Mellon and we have \$1 million with WF. Recommendations for investment are made by brokers to the county; a list is sent to Shawn so that she might decide where to invest. There is a person at WF that Shawn works with directly who advises LC where to invest. WF puts more responsibility on LC to decide on the investments where Mellon aids more with the choices. Mellon is a broker. Where is the authority for the investments? In the past, the Treasurer's Office has made those decisions, but if Shawn doesn't have direction from the Board then the Board should be taking care of this. Shawn further advised that she isn't planning on removing the money from Mellon and jumping over to WF. Shawn is cautious and isn't willing to say that she's 100% sure we should move all investments to a banking situation. It isn't safe to put all of our eggs in one basket. Paul D. stated that we need to do whatever is required to get the maximum return on our investments. Daniel stated the law states it's the Board's discretion to decide unless they give the authority to the Treasurer. Everything the Treasurer would do is according to the law, which is very strict. Even if Shawn chose the riskiest thing possible it is still incredibly safe. **Kevin made a motion to authorize the Treasurer to invest the county's funds; seconded by Adam.** Paul M. stated he has no issue with this, but he would like to be kept informed. The Board should always be aware of the big picture so they aren't surprised at any point. Should the Board change its mind, it can take back the authority at any time. **All voted in favor.**

#### **#16-WELLS FARGO SECURITIES**

This item was addressed under the previous item; the Treasurer has the authority to sign investment documents.

#### **#17-DRY LAKE VALLEY NORTH SOLAR ENERGY ZONE**

Dr. Mike Baughman presented the letter to Amy Leuders, Nevada Bureau of Land Management (BLM) Director, requesting expedited development of Dry Lake North Solar Energy Zone Regional Mitigation Plan. **Kevin made a motion to approve; seconded by Paul D. All voted in favor.**

#### **#18-LC LAND ACT/LC CONSERVATION, RECREATION, & DEVELOPMENT ACT RESOLUTION**

This item concerns a resolution of the Board of Lincoln County Commissioners encouraging the Congress of the United States to amend the Lincoln County Land Act and the Lincoln County Conservation, Recreation, and Development Act to expand the allowable uses by Lincoln County and the Bureau of Land Management for land sale proceeds and other matters pertaining thereto. Dr. Mike Baughman presented and reviewed the resolution. **Paul D. made a motion to approve the resolution; seconded by Kevin. All voted in favor.**

#### **#19-LC NUCLEAR OVERSIGHT PROGRAM**

Connie Simkins addressed the Board and advised that she's helped Rick Stever prepare a plan depicting how one should prepare, and react, in the event of a natural disaster. If this mailing can be handled through their permit, this plan/brochure will be mailed to the whole county. There is a document retention seminar in Las Vegas on March 7. There is a proposal by Nye County to send a letter describing how they feel the nuclear program should go forward in NV. Connie will be terminating the instructor and web students at LCHS on June 30. Connie asked the Board members for help in preparing the budget. Kevin suggested that a meeting of the JCCIAC be called to aid with the budget proposal. Dr. Mike Baughman addressed the Board and offered a wide ranging report on nuclear waste issues, including the proceedings in the DC Court of Appeals.

#### **#20-TAX STRIKE**

Derek Foremaster requested a tax strike on APN 09-024-01 as his house is smaller than the Assessor's records show. **Kevin made a motion to approve the tax strike for Derek F. and Megan L. Foremaster, \$7,455 assessed/\$234.83 taxable value (refund is for 2011-12 in the amount of \$281 and 2010-2011 in the amount of 286.74); seconded by Paul D. All voted in favor.**

## **#21-TAX REFUND**

Derek Foremaster presented a request for a refund of wrongly assessed value from 2006 to 2010. Derek went before the Board of Equalization and received some adjustment. The square footage of Derek's house is actually smaller than the amount included in the Assessor's records. Derek provided the plans for his home in 2006; they depicted the correct square footage. Derek is requesting a refund for 2006-2010. Daniel advised of the process for tax strikes, or refunds. Once the error is detected, the Assessor presents it to the Board. The Treasurer then issues a credit for three years and the erroneous amount is applied to future taxes. The law states that the refund "shall" only go back three years. The refund can't go beyond three years. Previously, the Board approved a tax refund that went back further than three years for a different individuals. This opened a "can of worms" in that the Board realized that there is wisdom in the law but there may be many more unknown errors. Paul M. felt that the Board should stick with what the law requires. Derek responded that once precedent is set, then you start talking about fairness/unfairness to the people that come after. Derek advised that he isn't necessarily asking for a refund, but rather a credit. He's been overtaxed for seven years. Derek has paid taxes that he shouldn't have been required to pay due to an error. There is an obligation on the taxpayer's part to review their assessment. Derek stated that he trusts that the Assessor's Office will assess the property correctly. Derek further advised that the assessment from the Assessor's Office doesn't include square footage, so the taxpayer wouldn't be aware of that type of error. Daniel advised that when it comes to clerical or typographical error it allows the Assessor and Treasurer to work together to fix it via credit. If it's a factual error, it is taken to the Board for correction. Derek reiterated that precedence was set and he's requesting seven years refund, whether it be an actual refund or a credit. Adam stated the law is there for a reason, and he has a hard time going past the three years. The buck must stop somewhere. Derek asked that he be given the same treatment and resolution as the other individual who has been approved for a refund; if the individual is given his entire refund, Derek would like his, too, if the other individual is only given three years, then Derek would take three years. Daniel advised that in the memo he issued it stated the Board hasn't any authority to issue a pre-approved credit. The way it was done before saw the refund coming from the General Fund, but the policy for doing such was never settled on. If a refund is to be made it'll have to be because it benefits the county and it would have to be paid from the General Fund. Kevin asked how a refund to one individual benefits the whole county, this is the question to be considered. Derek stated it goes to the integrity of the county, what's rightfully the taxpayer's money. **Paul D. made a motion to handle Derek's case the same way that the previous case was handled. Motion dies for lack of a second. Paul M. made a motion to follow the law and make the adjustment for three years, applying the same law and logic to future situations and decisions in order to establish precedence; seconded by Adam. Kevin, Adam, Paul M., and Ed voted in favor. Paul D. was opposed. Motion carried.**

## **#22-MATHEWS DROP STRUCTURE**

Paul M. disclosed that he has a conflict on this issue and he abstained from all discussion and action pertaining to this item. Maggie Orr presented a letter to the State Natural Resources Conservation Service Office requesting technical assistance on the Mathews Drop Structure. There is no money in FPS for FY 2013. The request the Board made last July will not go anywhere and, if the Board desires, it will have to be resubmitted. **Kevin made a motion to approve and sign the letter; seconded by Adam. Paul M. abstained. Motion carried.**

## **#23-COMMISSIONER REPORTS**

**COMMISSIONER PAUL MATHEWS** and Kevin went to Reno to discuss the proposed Toquop Energy Site and NEPA issues. The landfill committee meeting will be held next week. **COMMISSIONER KEVIN PHILLIPS** and Cory Lytle looked at patented ground for a potential landfill site. **COMMISSIONER ED HIGBEE** reviewed his upcoming meetings, including a budget meeting on 2-25 and a civilian military meeting. **COMMISSIONER ADAM KATSCHKE** went to the Local Elected Officials consortium in Las Vegas last week. Adam advised that there is funding allotted for LC; he wasn't certain how much or how it can be used but will find out. Adam, Paul M., Denice, and Shawn will attend a landfill meeting shortly. **COMMISSIONER PAUL DONOHUE** advised that he will be out of town from March 20-27. Paul D. will have surgery on 2-27.

**#24-PUBLIC COMMENT**

Ed called for public comment. Connie Simkins advised they held a N-4 Grazing Board meeting last week; there are new officers. A comprehensive report was given from Mike Herder of BLM at the meeting. Connie, Ed Higbee, Kevin, Cory, and Vaughn Higbee have attended the local sage grouse planning meeting. They have dropped coyote control as a mitigation measure. Support is needed to ensure that coyote is listed as a predator. The government trapper had been trapping around known sage grouse breeding grounds and he'd caught about 113 badgers last year. Badgers are also a significant predator, not just the crows. Coyotes, eagles, hawks, and badgers need to be included on the predator list along with crows. The Grazing Board has made comments on a grazing allotment in Nye County. There was an allotment, the Little Smokey Valley Use Area, is run by the Borba Family. They have both sheep and cattle. BLM proposed to remove 10,000 acres from 67,000 to protect sage grouse. No active leks nor historic leks have been found. Four miles to the west is private property and water, so they were going to try and protect that property. Mike Herder has advised that they will not be removing those acres. Denice Brown advised that the gallery and jury seating have been completed in the courtroom. Denice will not be here March 4-7.

**#25-ADJOURN**

There being no further business for the Board to attend to, Ed adjourned the meeting at 2:21 p.m.

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

DRAFT