

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**February 22, 2011**

STATE OF NEVADA            )  
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COUNTY OF EUREKA        )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on February 22, 2011. Present were Chairman Leonard Fiorenzi, Vice Chair Mike Page, Member Jim Ithurrealde, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conference system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

Commissioner Ithurrealde motioned to approve the agenda as posted; Commissioner Page seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Fiorenzi called for public comments; there were none.

**FINANCE**

Payment of Expenditures: Expenditures were presented for approval by County Recorder & Auditor, Mike Rebaleati. Commissioner Ithurrealde motioned to approve expenditures in the amount of \$734,606.63; Commissioner Page seconded the motion; motion carried 3-0. Commissioner Page motioned to approve Yucca Mountain expenditures in the amount of \$1,336.50; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Auditor's Report: Mr. Rebaleati presented the Auditor's Report for review. There were no comments or questions.

**RECESS FOR DEVIL'S GATE GID MEETING**

The Board recessed for the Devil's Gate GID meeting.

**PUBLIC WORKS**

Water Service Application: Commissioner Ithurrealde motioned to approve a water service application and inclusion in the Devil's Gate water district from Don Valaire Hull for APN 007-380-88, as approved by the Devil's Gate GID Board of Directors at their February 7<sup>th</sup> meeting; Commissioner Page seconded the motion; motion carried 3-0.

Petition to Join Devil's Gate: Commissioner Ithurrealde motioned to approve a petition to join the Devil's Gate GID from Conley Land & Livestock for APN 007-340-33, as approved by the Devil's Gate GID Board; Commissioner Page seconded the motion; motion carried 3-0.

Commercial Water Service Application: Commissioner Ithurrealde motioned to approve a commercial water application from Conley Land & Livestock for APN 007-340-33; Commissioner Page seconded the motion; motion carried 3-0.

Water & Sewer Service Application: Commissioner Ithurrealde motioned to approve a water and sewer application from Hollon Moll for 131 N. Spring Street in Eureka; Commissioner Page seconded the motion; motion carried 3-0.

Sewer Applications: Department Assistant, Kim Todd, presented sewer service applications from Ron and Kathy Damele at 200 Tannehill Road, and Rex and Linda Moore at 100 Tannehill Road, including cost estimates for a main line extension which will be shared by

both parties. Commissioner Ithurralde motioned to approve the sewer applications for Rex and Linda Moore at 100 Tannehill Road, and Ron and Kathy Damele at 200 Tannehill Road; Commissioner Page seconded the motion; motion carried 3-0.

Fairground Bleachers: A quote was received from Reno Forklift, Storage & Scales for purchase and installation of bleachers at the Fairgrounds. Public Works Director, Ron Damele, explained that the County will be responsible for moving the old bleachers and pouring the cement pads. Commissioner Ithurralde motioned to approve the quote from Reno Forklift, Storage & Scales for bleachers at the Eureka Fairgrounds, not to exceed \$49,900.00; Commissioner Page seconded the motion; motion carried 3-0.

Hoss Disposal Contract: A three-year contract with Hoss Disposal for collection of refuse was proposed with no fee increase, but included a fuel escalation clause. Hoss Disposal will also store their truck and bins at the Landfill in exchange for free garbage pickup at the Fairgrounds during the Fair and the High School Rodeo. Commissioner Ithurralde motioned to approve the three-year contract with Hoss Disposal; Commissioner Page seconded the motion; motion carried 3-0.

Architect for North End Road Shop Design: Mr. Damele explained that the Selection Committee reviewed qualifications from five architectural firms and ranked the top three firms with Ganthner Melby, LLC, as #1. After the Board selects a firm, they will be asked to develop a scope of work and attend a future meeting to negotiate a fee schedule. Commissioner Page motioned to approve Ganthner Melby, LLC, for architectural services related to the North End Road Shop; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Design of Off-Site Approaches for Eureka Canyon Subdivision; Summit Engineering submitted a proposal for design of offsite approaches for installation of water lines to the Eureka Canyon Subdivision. Commissioner Page motioned to approve the design proposal from Summit Engineering in the amount of \$16,030.00; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Declare 1990 Ford Boom Truck as Surplus Property: Mr. Damele explained that the 1990 Ford F350 Boom Truck had been replaced with a more modern unit purchased from Mt. Wheeler Power. Commissioner Ithurralde motioned to declare the 1990 Ford F350 boom truck as surplus property; Commissioner Page seconded the motion; motion carried 3-0.

Trade Surplus Boom Truck for Bleachers: Commissioner Page motioned to approve trading the surplus boom truck for three sets of bleachers from the Eureka School District; Commissioner Ithurralde seconded the motion; motion carried 3-0.

## **BID OPENING – CRESCENT VALLEY WELL REPLACEMENT PROJECT**

10:00 Bid Opening: As advertised, bids were received and opened at 10:00 a.m. for the Crescent Valley Groundwater Well Drilling, Construction, & Test Pumping Project. Two bids were received as follows: (1) Hydro Resources West, formerly Humboldt Drilling, in the amount of \$403,966.00; and (2) Zim Industries in the amount of \$516,220.00. Commissioner Ithurralde motioned to accept the bids into the record and directed staff and Day Engineering to return later in the day with a recommendation for award; Commissioner Page seconded the motion; motion carried 3-0.

(Later in the meeting, Marty Ugalde of Day Engineering clarified that the bid numbers presented did not include amounts for the test well; total corrected bid numbers were: (1) Hydro Resources West in the amount of \$498,966.00; and (2) Zim Industries in the amount of \$629,645.00).

## **COUNTY ENGINEER**

Main Street Water & Sewer Project: Tom Young, Lumos & Associates, provided a brief update on the Main Street Water & Sewer Project. Several concerns were received from

residents in response to notices sent out in the water bills asking about construction or other issues arising from this project. Those concerns were incorporated into the punch list items sent to the contractor and will be addressed when work starts up again in the spring.

2011 Street Maintenance Project: Mr. Young reported that surveying for the upcoming 2011 Street Maintenance Project was completed approximately two weeks earlier. The survey was sent to the company that did the aerial shots for Eureka in 2007 and they will incorporate the survey into the aerial map. Mr. Young will complete a conceptual design for the construction related to drainage issues and will hold a meeting with the property owners before completing final design plans.

## **COMMISSIONERS**

Update Reports: Commissioner Page attended the Nevada Works meeting on February 11<sup>th</sup>; at that meeting he spoke with Austin Osborn, Economic Development Director for Storey County, regarding their agreement with Nevada Division of Forestry. Commissioner Ithurralde was in Carson City February 11<sup>th</sup>-17<sup>th</sup> for the State Legislature, where he testified on SB68, Eureka County's water bill; met with a representative of the Legislative Counsel Bureau and Commissioner Bolan of Esmeralda County regarding the District Attorney bill, along with Lobbyist, Bjorn Selinder; and met with DMV Director, Bruce Breslow, along with Assessor Michael Mears. Chairman Fiorenzi met with Nevada Division of Forestry with the Public Works Director on February 10<sup>th</sup> regarding their upcoming cuts and how they will affect Eureka County; met with the housing core group on February 16<sup>th</sup>.

Mt. Hope Project EIS and NEPA Updates: Updates were provided under the Natural Resources portion of the meeting.

Resignation of Human Resources Analyst: A letter of resignation, effective February 22, 2011, was received from Jerry Larson. Commissioner Page motioned to accept the resignation of Human Resources Analyst, Jerry Larson; Commissioner Ithurralde seconded the motion; motion carried 3-0.

## **COUNTY FACILITIES & ECONOMIC DEVELOPMENT**

Update Report: Wally Cuchine, Cultural, Tourism & Economic Development Director, reported that new Director, Andrea Rossman (also in attendance), has been training since the first of the month. A successful show was presented at the Opera House on February 18<sup>th</sup>. The Sentinel Museum and Economic Development are moving into their busy times of year. Mr. Cuchine noted that visitors at the museum had increased by 1,000 over the previous year. Mr. Cuchine noted that this will be his last time reporting officially to the Board of Commissioners.

Authorization to Write & Sign Grant Applications: The department will continue to submit annual grants for economic development and tourism, and Mr. Cuchine requested that the Board provide authorization for Ms. Rossman to write and sign the grant applications. Commissioner Page motioned to authorize Andrea Rossman to write and sign grant applications for economic development and tourism; Commissioner Ithurralde seconded the motion; motion carried 3-0.

## **2011 LEGISLATIVE ISSUES**

Shared Medicaid Costs: Mr. Rebaleati explained that a legislative hearing is scheduled on February 23<sup>rd</sup> regarding shifting additional costs to the counties for the State Medicaid program. Mr. Rebaleati will track this issue and keep the Board updated.

Senate Bill 138 and Assembly Bill 139: EMS Coordinator, Mike Sullivan, updated the Board on SB138 and SB139, which specifically mention Eureka County. These bills would allow untrained and non-certified persons to administer treatment, without limitation, during an emergency, including accompanying patients in the ambulance. It provides the same

exemptions given to doctors, nurses, and physicians' assistants who have years of training and are licensed in their fields. Since Medicare and Medicaid will not cover treatment unless it is administered by a certified medical professional, including EMTs, this could have some serious ripple effects regarding insurance coverage. Commissioner Ithurralde motioned that Eureka County was not directly opposing the bill, but would not support it, and directed Mr. Sullivan to speak with Assemblyman Pete Goicoechea regarding the Assembly Bill and speak with Lobbyist Bjorn Selinder so he can voice concerns related to the Senate Bill, and possibly discuss these concerns with Lander County, proponents of the original bill draft; Commissioner Page seconded the motion; motion carried 3-0.

Senate Bill 68 – Eureka County Water Bill: Natural Resources Manager, Jake Tibbitts, reported that he and Commissioner Ithurralde met with a lot of people regarding SB68, including the Senate Government Affairs Committee, Assemblyman Goicoechea, and Representative Dean Rhoads. Assemblyman Goicoechea hosted a meeting on February 11<sup>th</sup> with all interested parties, which resulted in amendments bringing it closer to the original language and intent of Eureka County. The bill now reads, *“If the State Engineer requires a monitoring, mitigation, and management plan as a condition of appropriating water for beneficial use he shall, if requested by the county where the proposed point of diversion lies, allow the county to participate in developing the plan.”* This amended bill will go before the Senate Government Affairs Committee, and then may or may not go to working session. There are a total of 22 water bills before the Legislature this session.

### **SWIMMING POOL, BUILDINGS & GROUNDS**

Update Report: Parks, Recreation, & Facilities Director, Cindy Adams, reported on activities. The Swimming Pool had 364 swimmers for the month, which included participants in the regular exercise and lap swimming times, 14 students from the Duckwater Elementary School, 10 Boy Scouts from Ely to earn their merit badges for swimming, and five birthday parties. The parks, recreation, and grounds crews have been cleaning weeds and debris from around several downtown buildings and at the Fairgrounds, cleaned the interior of the Fire Station, and cleaned and applied concrete stain in the boiler room at the Opera House. They met with members of the Fair Board and did some work inside the Fair Building in preparation for the displays for the Eureka County Fair.

### **AMBULANCE & EMS**

Update Report: EMS Coordinator, Mike Sullivan, provided an update on emergency services. Eureka had nine calls for service since the last report (13 year-to-date) and Crescent Valley had three calls (4 year-to-date). Staff and volunteer levels remain essentially the same. Continuing education was held in Eureka on February 7<sup>th</sup> and in Crescent Valley on February 10<sup>th</sup>; the next classes are scheduled for February 28<sup>th</sup> in Eureka and February 24<sup>th</sup> in Crescent Valley. Mr. Sullivan and Battalion Chief, Sam Hicks, conducted CPR and First Aid training for the Pine Valley Volunteer Fire Department on February 2<sup>nd</sup>-3<sup>rd</sup> with 16 volunteers. AEDs (automated external defibrillators) were delivered and are in service at the Diamond Valley and Pine Valley Volunteer Fire Departments. On February 16<sup>th</sup>-17<sup>th</sup>, Mr. Sullivan and Deseri Marshall conducted First Aid training for 19 County employees. This same training will be provided in Crescent Valley on February 24<sup>th</sup>. An EMT Basic class will commence on March 5<sup>th</sup> in Crescent Valley. CPR for health care providers will be provided on February 26<sup>th</sup>.

Safety Sensitive Positions: Mr. Sullivan requested authorization to place the following positions on the 'safety sensitive' list per the Eureka County Personnel Policy Manual: EMT-1, EMT-2, Volunteer EMT-1, Volunteer EMT-2, and EMS Coordinator. Policy states that positions involving duties that could present a threat to personal health and safety of the employee, coworkers, or the public, when not performed properly qualify as 'safety sensitive' positions.

Commissioner Page motioned to approve placing EMT-1, EMT-2, Volunteer EMT-1, Volunteer EMT-2, and EMS Coordinator on the 'safety sensitive' list; Commissioner Ithurralde seconded the motion; motion carried 3-0.

### **NEVADA RURAL HOUSING AUTHORITY**

Update Report: David Craig, Director of Real Estate for NRHA, provided a brief written report outlining recent activities related to efforts toward development of the Eureka Canyon Subdivision. Mike Hynick, NRHA Construction Manager, explained that NRHA is planning an appraisal to determine value of land that may be considered in a trade proposed by Nevada Department of Transportation in exchange for NDOT work on the Hwy. 50 approaches to the subdivision. Appraisals will also be conducted on the site for the model home and on one of the single family lots to determine individual value of the 16 lots.

Mr. Hynick reported that the bid was awarded to Ryder Construction out of Las Vegas for rehabilitation of the house located in the Devil's Gate GID, which was purchased by the County for \$1 and transferred to NRHA. The contract is being drafted and work should begin in early May and conclude in June.

### **EUREKA COUNTY SHERIFF**

Forensic Services Contract: Sheriff Ken Jones, stated that the County contracts each year with the Washoe County Sheriff's Office, Forensic Science Division, for forensic services. The fee is based on actual usage of laboratory and forensic services the previous year. Commissioner Ithurralde motioned to approve the Fiscal Year 2011-2012 contract, option A, with Washoe County Sheriff's Office, Forensic Science Division, in the amount of \$1,878.00; Commissioner Page seconded the motion; motion carried 3-0.

Request for Corrected Merit Increase: Sheriff Jones explained that Deputy Keith Logan was promoted to Sergeant before his six month evaluation date, and therefore missed out on the merit increase associated with a favorable six month review. After discussion on current and past policy, it was clarified that: (a) a merit increase is no longer provided at the six month evaluation; (b) a salary increase is provided at time of promotion and a merit increase is never considered in conjunction with a promotion; and (c) the anniversary date, as well as the probationary period, is recalculated from promotion date rather than original hire date. Based on these clarifications, Commissioner Page motioned to deny the request for a merit increase for Sergeant Logan; Commissioner Ithurralde seconded the motion; motion carried 3-0.

### **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported that the Natural Resource Advisory Committee held a meeting in Austin on February 9<sup>th</sup> with representatives from Lander County, Nye County, BLM, and Forest Service. On February 11<sup>th</sup> and February 14<sup>th</sup>, Mr. Tibbitts and Commissioner Ithurralde met with legislators in Carson City regarding SB68. While there, Mr. Tibbitts testified on Assembly Concurrent Resolution 3 regarding efforts to avoid sage grouse being listed as an endangered species; and also spoke before the Assembly Government Affairs Committee on several natural resource issues. On February 15<sup>th</sup> he participated in the Mt. Hope conference call.

Upcoming Meetings: Upcoming meetings include: a NEPA Committee meeting the evening of February 22<sup>nd</sup>; a Mt. Hope conference call on March 1<sup>st</sup>; a Forest Service Resource Advisory Committee meeting at the Eureka Opera House on March 2<sup>nd</sup>; a Wildlife Advisory Board meeting on March 2<sup>nd</sup>; a presentation on Pinion Juniper projects by Dr. Tamzen Stringham, University of Nevada, at the Opera House on March 7<sup>th</sup>;

Legislative Issues: Nationally, an appropriations bill entitled HR1 is being considered with substantial decreases in funding for public lands programs, which could reduce the BLM budget

by \$23 million and the Forest Service budget by \$24 million; it could also implement a gross mining royalty.

Chairman Fiorenzi noted that the Ely BLM District lost their lawsuit with Western Watersheds. Mr. Tibbitts stated that the decision requires that a 'no grazing' alternative be analyzed in that district. It is currently unknown whether the BLM will pursue an appeal.

### **NEPA COMMITTEE**

Mt. Hope Project Environmental Impact Statement: Mr. Tibbitts reported that Eureka County is still awaiting analyses on the reduced project alternative and the partial backfill alternative in the Mt. Hope Project EIS. Eureka County was guaranteed opportunity to review these prior to release of the Administrative Draft EIS. Mr. Tibbitts recently learned there will be another Plan of Operations revision to incorporate comments and concerns from the BLM and the Nevada Division of Environmental Protection Bureau of Mining Regulation and Reclamation.

Letter to BLM Regarding Water Resources Monitoring, Management & Mitigation Plan: Mr. Tibbitts explained that the plan is still under the 15-day review and comments from Dale Bugenig and the County's water attorney will be incorporated into the response letter, which will be forwarded to the Board upon completion. Commissioner Ithurralde motioned to approve sending a comment letter to the BLM regarding the Water Resources Monitoring, Management & Mitigation Plan and to authorize the Chairman to sign the letter outside of the meeting; Commissioner Page seconded the motion; motion carried 3-0.

### **RECESS FOR LUNCH**

The Board recessed for lunch from 12:00 noon to 1:00 p.m.

### **LOCAL EMERGENCY PLANNING COMMITTEE**

State Emergency Response Commission Grant Application: LEPC Secretary, Lisa Hoehne, explained that LEPC makes application with the State Emergency Response Commission each year for a grant. This year's application requests a grant of \$13,092.00, which includes funds for operating expenses including clerical, and two handheld carbon monoxide poisoning detectors. Commissioner Page motioned to approve the State Emergency Response Grant Application for the Local Emergency Planning Committee in the amount of \$13,092.00; Commissioner Ithurralde seconded the motion; motion carried 3-0.

### **BID AWARD – CRESCENT VALLEY WELL REPLACEMENT PROJECT**

Bid Award: Marty Ugalde, of Day Engineering, stated that two bids were received from Hydro Resources West of Winnemucca in the total amount of \$498,966.00 and Zim Industries of Fresno, California, in the total amount of \$629,645.00. Both bids were complete and the recommendation was to award to Hydro Resources West as the lowest responsive bidder. Commissioner Page motioned to award the bid for the Crescent Valley Groundwater Well Drilling, Construction, & Test Pumping Project to Hydro Resources West in the amount of \$498,966.00; Commissioner Ithurralde seconded the motion; motion carried 3-0.

### **CORRESPONDENCE**

Correspondence was received from: District Attorney, Ted Beutel; Clerk & Treasurer, Jackie Berg (2); Eureka County Television District; Eureka County Economic Development; Crescent Valley Town Advisory Board (6); Eureka County High School Robotics Team; Lumos & Associates, Tom Young; Community Development Corporation; Nevada Rural Housing Authority, David Craig; MolyBits newsletter; Elko County Library; Nevada Division of Environmental Protection; Nevada Gaming Board; Nevada Rural Housing Assoc.; Nevada Division of Minerals; Nevada

Energy Authority; Nevada Housing Division; Nevada Pool/Pact; Nevada Senator John Lee; US Forest Service, Ely District; and US Dept. of the Interior-Natural Resources Revenue.

### **APPROVAL OF MINUTES**

January 21, 2011, Budget Meeting: Commissioner Page motioned to approve the minutes of the January 21, 2011, budget meeting; Commissioner Ithurralde seconded the motion; motion carried 3-0.

January 26, 2011, Special Housing Meeting: These minutes were tabled to the March 7<sup>th</sup> Commission meeting.

February 7, 2011, Commission Meeting: Commissioner Ithurralde motioned to approve the minutes of the February 7, 2011, Commissioner meeting; Commissioner Page seconded the motion; motion carried 3-0.

### **NEVADA ASSOCIATION OF COUNTIES**

This item was cancelled, due to Jeff Fontaine, Executive Director, being unable to attend.

### **PUBLIC INDIGENT DEFENSE SERVICES**

Indigent Defense Services: The three counties comprising the 7<sup>th</sup> Judicial District (White Pine, Lincoln, and Eureka) recently received a proposal for independent indigent defense services from a group of three private attorneys. The deadline for renewing a contract with the State Public Defender is March 1<sup>st</sup>, so each Board of County Commissioners must opt to continue with the Public Defender or opt for an independent contract with the private attorney group and provide notification to the State by March 1<sup>st</sup>.

Nevada State Public Defender: Diane Crow, State Public Defender, gave a presentation and provided written documentation supporting the benefits of contracting with the State Public Defender's Office. Benefits include but are not limited to: services are provided at a reduced rate; reimbursement is provided when utilization is less than the calculated rate; the State can provide a range of experienced attorneys capable of defending all categories, including capital murder cases; and the State Public Defender's Office is insulated through constitutional protections related to funding, with the Governor already committing to their full budget. Ms. Crowe further explained that the formula for calculating Public Defender costs was set by the Legislature, with the State of Nevada covering 25% and the remaining 75% being allocated to participating counties according to usage.

Other counties facing similar decisions regarding public defense included Carson City, which opted to stay with the State; and Pershing County, which has been under a private attorney contract but has opted to return to the State.

Private Attorney Proposal: Attorneys Richard Sears, Kirsty Pickering, and Dylan Frehner, proposed a four-year contract to provide defense services to Eureka County (with separate contracts presented to White Pine and Lincoln). Mr. Sears and Ms. Pickering, who would represent Eureka and White Pine under the proposed contracts, were in attendance to present the proposal and answer questions. Mr. Frehner, who would represent Lincoln County under the proposed contracts, was currently at the Lincoln County Commissioners' meeting presenting a similar proposal.

Mr. Sears and Ms. Pickering provided information on their work experience. Mr. Sears worked in the Public Defender's Office in 1998-1999, became city attorney for Ely in 1999, was appointed as White Pine District Attorney in 2000, and was subsequently elected to two four-year terms as the White Pine District Attorney. Mr. Sears noted that he is fully qualified to defend death penalty cases. Ms. Pickering originally clerked for both District Judges in 2004 and 2005 before starting her own private practice in Ely.

Mr. Sears and Ms. Pickering highlighted benefits of the private contract including: a competitive fee with a 10% escalation clause; avoidance of instances where it is a conflict of interest for the Public Defender's Office to defend clients in the same case, requiring the judge to appoint (and the County to pay for) an independent defense attorney; provision of better tracking and documentation of actual hours worked on each case; the County will be getting 'known' attorneys; career opportunities will be provided for up and coming attorneys; and the local economy will be supported by keeping the money in the local area.

Concerns voiced by the Board and District Attorney, Ted Beutel, included: the fact that the three independent attorneys submitting the proposal planned to continue in full-time private practice; lateness of the proposal in relation to the deadline for a decision; and inability (timewise) for the County to go to bid if they wished to consider an independent contract.

Commissioner Ithurralde motioned to deny the proposal from Sears, Pickering, & Frehner for a four-year contract for independent defense services and motioned that Eureka County continue with the State Public Defender; Commissioner Page seconded the motion; motion carried 3-0.

### **PUBLIC COMMENT**

Chairman Fiorenzi opened the floor for public comments. Commissioner Ithurralde stated he received a message to call Lobbyist, BJ Selinder, which he did during a break from the meeting. Mr. Selinder requested further direction regarding the legislation affecting emergency care, because he was getting mixed messages regarding Eureka County's support or opposition. Mr. Sullivan stated he received that same question in an email from Mr. Selinder. Apparently Assemblyman Goicoechea understood that Eureka County supported the bill and Mr. Selinder received information stated earlier in the day's meeting that Eureka County had concerns over the bill.

The Board decided to delay further comment pending outcome of the current hearing on this legislation. Per the Board's direction, Clerk Jackie Berg attempted to call Mr. Selinder; he was not available so this direction was provided in a voicemail.

There were no further public comments.

### **ADJOURNMENT**

Commissioner Ithurralde motioned to adjourn the meeting at 2:25 p.m.; Commissioner Page seconded the motion; motion carried 3-0.

Approved this 21<sup>st</sup> day of March, 2011.

/s/ Leonard Fiorenzi  
Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg  
Jackie Berg, Clerk