The Board of Elko County Commissioners meet in regular session on November 6, 2002, at 1:30 p.m., in Room 105 of the Elko County Courthouse at 571 Idaho Street, Elko, Nevada.

There were present: County Commissioners Brad Roberts, Chair Nolan Lloyd Mike Nannini Warren Russell John Ellison County Manager Robert Stokes Deputy District Attorney Kristin McQueary Deputy County Clerk Marilyn Tipton Chief Financial Officer Cash Minor Community Dev. Dir Charles Voos Public Works Lynn Forsberg

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The following proceedings were held:
Commissioner Roberts called the regular meeting to order at 1:30 p.m.

PLEDGE OF ALLEGIANCE:
Commissioner Roberts lead the meeting participants in the Pledge of Allegiance.
Chairman Roberts called the Jarbidge Town Board to order at 1:31 p.m. and adjourned the Jarbidge Town Board at 2:41 p.m.

EASTLINE JUSTICE COURT:
The Board discussed the vacancy created by the untimely passing of Judge Georgina LaCombe, inclusive of a review of the statutory process to appoint a successor to Judge LaCombe.

Josephine Thaut inquired how soon the Board would consider replacing the Justice of the Peace and she supported Laura Grant for that position.

Commissioner Roberts noted there was a letter sent to the Judges regarding the upcoming appointment. He stated that the Board were awaiting for them to appoint a municipal court judge. Josephine Thaut stated Wendover was awaiting for them to appoint a Justice of the Peace. Kristin McQueary stated she had researched that issue and for an appointment they do not have to reside within the township if there was no one qualified for the appointment. She stated that if the County Commission appoints someone, then the position would be placed upon the next bi-annual ballot in two years. At that time, they would have to be qualified elector. Commissioner Roberts inquired if there were others interested in the position. Josephine Thaut stated they had resumes submitted but they
were not as qualified as Laura Grant. Robert Stokes stated that they had received letters of interest from Laura Grant, Angel Barboza, James Zacharias, Winston Snyder and Donald Anderson together with several phone calls. He stated they had advised people to send in something if they were interested in the position. Robert Stokes stated that they had promised not to take any action today. They had discussed this briefly with Lori Cook of the city council and they have a similar requirement in which the Municipal Court Judge would be up for election in June of 2003 so there was an 8th month period. He stated that Judge LaCombe functioned for both the Municipal Court Judge and the Justice of the Peace. He noted that Judge Freeman had served for a short time. Robert Stokes stated that the salary would have to be discussed. He noted the Municipal Court Judge was paid by the City of West Wendover, and the Justice of the Peace salary was paid by the County. He stated that the base salary for the Justice of the Peace was $19,300.00 together with other fees. He stated that the Board must abide by the budget set for that court. Robert Stokes had spoken to the other Justices within the County and their hope was there would be some action within a short period of time such as two or three weeks because they were filling in. Commissioner Roberts suggested it be tabled to the next meeting to review the letters of interests or resumes. Robert Stokes stated the ad would have to placed within the paper. Commissioner Ellison felt there should be a consensus between the City of West Wendover and the County. Commissioner Nannini noted that they had talked about breaking away from the County and inquired if that was still their desire. Josephine Thaut stated they had an election for the position but that person could not perform the job so it was assumed by the Justice of the Peace. She stated that West Wendover realized that was the best situation. Commissioner Nannini inquired if they wished to combine the Municipal Court Judge and the Justice of the Peace positions. Josephine Thaut stated that was the direction of the City Council. Commissioner Nannini inquired about the procedure to assume that position to combine the two courts. Josephine Thaut stated they would not have to do that Ordinance until next June. Commissioner Nannini noted that they had a process of advertising for the position and taking the candidates but in June that person would have to campaign and run for re-election. Josephine Thaut clarified that it would be for two years. Commissioner Roberts suggested that they advertise it and make a decision on December 4th and have West Wendover participate with the selection process.

Billie Cook of West Wendover, stated that she was familiar with Laura Grant, worked with Gina, and knew the other applicants. She stated that she had spoken to the other councilmen and the Mayor. She noted that Gina went back in as ex-official Judge in the Municipal Court after Tom Freeman had resigned. She stated that she and several council members would like to see it that way if the County went with Laura Grant as the Justice of the Peace. She stated that two councilmen fully supported Laura Grant. Commissioner Roberts felt that all candidates should be reviewed. Kristin McQueary stated that those comments should be saved for the next meeting during the selection of the candidates. Robert Stokes stated that an individual cannot hold two elected positions. He stated that the County would not have to adjust their process. However West Wendover would have to perform a City Code change before next June.
MOTION: Commissioner Nannini moved to advertise this position. Commissioner Ellison seconded the motion. The motion was passed unanimously.

MOUNTAIN CITY VISITOR INFORMATION CENTER:
The Board discussed issuance of Certificates of Appreciation to the volunteers at the Mountain City Visitor Information Center who have donated many hours during the years 2000, 2001 & 2002 to promote the Mountain City Community.

MOTION: Commissioner Russell moved to give Certificates of Appreciation to the volunteers at the Mountain City Visitor Information Center: Lou and Mel Basanez, Tom and Doreen Clifford, Bobbie Culley, Bonnie and Ray Fulton, Carol Hartley, Dorothy Ratliff, George and Florabelle Rice, Ernie and Patty Wilson. Commissioner Lloyd seconded the motion. The motion was passed unanimously.

SAFETY COMMITTEE REPORT:
Robert Stokes stated there was no report today.

LOCAL EMERGENCY PLANNING COMMITTEE:
The Board considered approval of an application for a FEMA Weapons of Mass Destruction grant for protective clothing and equipment for fire department personnel in Elko County. Robert Stokes noted that this was one of the grants discussed by Verl Jarvie.

MOTION: Commissioner Russell moved to approve the application for a FEMA Weapons of Mass Destruction Grant. Commissioner Lloyd seconded the motion. The motion was passed unanimously.

Chairman Roberts called a recess at 3:01 p.m., and reconvened the meeting at 3:12 p.m.

APPROVAL OF PRECEDING MINUTES:
The Board considered approval of the minutes of the preceding meetings held on October 16, 2002: Board of County Commissioners, Board of County Highway Commissioners, Jackpot Town Board, Jarbidge Town Board, Montello Town Board, and the Mountain City Town Board.

MOTION: Commissioner Lloyd moved to approve the preceding minutes for the meetings held on October 16, 2002: Board of County Commissioners, Board of County Highway Commissioners, Jackpot Town Board, Jarbidge Town Board, Montello Town Board, and the Mountain City Town Board. Commissioner Nannini seconded the motion. Commissioners Lloyd, Nannini, Russell and Roberts voted aye. Commissioner Ellison abstained because he was not present at that time. He was in Carson City. The motion
was passed by majority vote.

COMMENTS BY THE GENERAL PUBLIC:
No public comments were submitted.

CORRESPONDENCE, ACKNOWLEDGMENTS AND NOTICES:
Commissioner Lloyd observed that they had received a copy of an oil and gas well permit notice for a well 17 miles south of Wells.
Commissioner Lloyd stated he assumed that the Wells BLM Resource Management plan had been turned over to PLUAC for comment.
Commissioner Lloyd noted they had received a memorandum upon reimbursement to AT&T. Kristin McQueary stated that she would update them tomorrow upon this agenda item.
Commissioner Lloyd inquired about Western X-Ray Inc., and where they operated out of. He commented that they had received a copy of the Notice of Violation from NDEP with regards to the dumping of pollutants into the City. Commissioner Roberts noted that the letter referred to filming bi-products. He felt the City should review if they had a business license.
Commissioner Russell inquired about the Columbia Spotted Frog and was informed it would be discussed under the PLUAC agenda item.

COMMISSIONS, BOARDS AND COMMITTEE REPORTS:
Hospital Board - Commissioner Nannini stated that their meeting was postponed until the 13th at 6:30 p.m., to allow them to hold a public meeting.
Recreation Board - Commissioner Ellison stated that there was no meeting held yet.
Auditorium Authority Board - Commissioner Lloyd reported that a new board member was elected, Gil Hernandez.
Museum Board - Commissioner Roberts stated that because tourism was down so was the admission fees.
NACO Board - Commissioner Lloyd stated that the Executive Board meeting was held and the regular board meeting would be held next week.
ECEDA Board - Commissioners Russell stated he was unable to attend but would like to participate upon the proposed Rural Economic Development Council. He would like to research whether this was beyond the scope of ECEDA.
California Trails Center Board - Commissioner Lloyd stated that last Tuesday there was public meetings for the architect to present the plans. Dale Porter reported that the EDAW company had been retained as consultants by the BLM to oversee the project. He noted that EDAW was a well known and well qualified national company. He stated there was a five day workshop to review the concepts, and three concepts were presented. He stated that the architect would begin work and be back in January for another public meeting with complete drawings and diagrams. He stated it would take approximately one year for engineering and design. He stated they hoped to go to bid in October of 2003 with
the opening scheduled in 2006.

Juvenile Committee - Commissioner Nannini noted that Judge Memeo was the new juvenile judge and Jim Watson was in charge of the facility. He stated that on Monday the committee interviewed candidates for the West Wendover position, and they had selected an individual.

LEPC - Commissioner Ellison noted that the Board had approved the grant.

Central Dispatch Administrative Authority - Commissioner Nannini stated he had missed that meeting.

Regional Transportation Commission - Commissioners Roberts stated their next meeting would be in January.

Debt Management Committee - Commissioner Lloyd reported there were no meetings.

Water Planning - Commissioner Ellison reported that they had meet with the State Water Board in Carson City two weeks ago. He stated there was a meet tonight at 7:00 p.m. He stated the Resolution would be presented tonight for the water board approval.

Humboldt River Basin Water Authority - Commissioners Lloyd stated that they had met last Friday but there was nothing to report.

Elk Advisory Committee - Commissioner Russell stated the rough draft of the elk plan was being discussed for final draft. He requested that the Board give their comments to Fred Zaga upon that rough draft.

Jail Construction Committee - Charles Voos stated that the project was complete. They had received the operational manuals, and they had received a Request for the Final Payment of Retention. Commissioner Nannini stated that they had met with the Judges yesterday afternoon and they would report their progress under the Sheriff’s Department portion.

Fair Board - Commissioner Ellison stated that at their last meeting they reviewed the final budget and were paying the final bills.

Yucca Mountain Project - Commissioner Nannini stated there was nothing to report.

Senior Citizens - Commissioner Roberts stated that there was a special meeting with the Senior Citizens’ Board, wherein he, Kristin McQueary, Robert Stokes and JD. Long met with regards to the computer heating/cooling. He noted they had been waiting for a computer to regulate the program. Commissioner Lloyd inquired who was supplying the computer. Commissioner Roberts noted that they had offered a computer but the County wanted a better unit. Commissioner Roberts noted that when they had the previous meeting a printout was submitted yet there was not connection to the phone line at the time so they did not know whose printout that was. He stated that they had been addressing the heating/cooling issue for over two years.

Elko Mental Health Advisory Board - Commissioner Ellison suggested that they send them a letter and take this item off of the agenda.

Nevada Division of Wildlife Liaison - Commissioner Russell stated that when there was a presentation of the elk plan to that Wildlife Board they felt the Elko committee should attend that presentation. He cautioned that there would be travel expense upon that
presentation.
Nevadaworks - Commissioner Ellison stated their next meeting was in January in Reno, NV.

Northeastern Nevada Regional Transit Coalition - Commissioner Ellison stated they were working upon the new By-Laws and hoped to present them at the next meeting.

USFS Liaison - County Manager Robert Stokes stated they met and discussed Harrison pass and the IL Ranch access issues. Commissioner Nannini noted they had a good conversation with both of the rangers upon Harrison Pass. Commissioner Roberts felt that the Forest Service was behind the County upon the quality of construction on that road.

BLM Liaison - Commissioner Ellison and County Manager Robert Stokes noted the next meeting would be held on October 14th at 2:00 p.m. Commissioner Ellison noted that he attended the BLM Reno meeting and they were performing their off road plan, which addressed concerns to the ranchers, miners and wished to get access for off-road utilization.

Nevada Public Agency Insurance Pool & Public Agency Compensation Trust Board - Robert Stokes stated that Cash Minor would be attending the meeting next Friday as part of the NACO conference.

Commissioner Nannini noted that the West Wendover Mayor had returned to the room and he wished to relay to her that interviews for the West Wendover juvenile position was held. They had found an individual who lived there and would speak with him to see if he would like the position.

Chairman Roberts called the Jackpot Town Board to order at 3:31 p.m. and reconvened the regular meeting back to order at 3:55 p.m.

ELKO COUNTY COMMUNITY DEVELOPMENT:

ELKO COUNTY CODE:
Commissioner Roberts reviewed the request for the Board to pass an ordinance that waives setback and lot size requirements for the platted lots in the townsite of Montello.

First reading of Elko County Ordinance 2002-J:

AN ORDINANCE AMENDING TITLE 4, CHAPTER 8, SECTION 13 OF THE ELKO COUNTY CODE TO WAIVE SETBACK AND MINIMUM LOT SIZE REQUIREMENTS FOR PLATTED LOTS WITHIN THE TOWNSITE OF MONTELLO, and other matters properly related thereto.

MOTION: Commissioner Nannini moved to adopt Elko County Ordinance 2002-J: AN ORDINANCE AMENDING TITLE 4, CHAPTER 8, SECTION 13 OF THE ELKO COUNTY CODE TO WAIVE SETBACK AND MINIMUM LOT SIZE REQUIREMENTS FOR PLATTED LOTS WITHIN THE TOWNSITE OF MONTELLO.

Commissioner Ellison noted that it would have to be scheduled for a second reading.

The motion died for lack of a second.

MOTION: Commissioner Ellison moved to set the second reading for
Ordinance 2002-J. Commissioner Nannini seconded the motion. Commissioner Roberts noted that was not listed upon the agenda for setting the second reading.

There was no vote taken upon the motion.

**MOTION:** Commissioner Nannini moved to approve the first reading of Ordinance 2002-J. Commissioner Lloyd seconded the motion. The motion was passed unanimously.

**PUBLIC WORKS:**

The Board considered converting intersection signal lights to LED type lights. Charles Voos noted that the City was performing this conversion presently. They stated that it would lower the cost if all the lights were upon the same system and requested to piggyback upon the City contract. Commissioner Roberts inquired about the costs and the funding sources. Charles Voos noted that usually signs and lights funding came from the RTC funds. Commissioner Roberts noted that the next RTC meeting would not be held until January 2003.

**MOTION:** Commissioner Lloyd moved to proceed with the discussion and consideration of the conversion of the intersection signal lights to LED type lights. Commissioner Nannini seconded the motion. The motion was passed unanimously.

Commissioner Lloyd inquired why this was not within the road department. Charles Voos stated that they only had two of these lights and they would like to give the lights to NDOT. He noted that Lynn Forsberg and Grant Smith were trained to maintain the lights and nobody in the Road Department was qualified to work on the lights. Commissioner Roberts stated they would like to give them to NDOT or have someone contract to maintain them.

**PILOT VALLEY - TECOMA TOWNSHIP FIRE STATION:**

Pursuant to Notice No. 71-2002, NOTICE TO CONTRACTORS - INVITATION TO BID - CONSTRUCTION OF PILOT VALLEY-TECOMA TOWNSHIP FIRE STATION., bids were received by 2:00 P.M. and opened at 2:15 P.M. on November 1, 2002. Pursuant to bid review and tabulation results, the Board considered awarding the bid to the lowest responsive/responsible bidder. Gary Zunino of the Nevada Division of Forestry stated the bids were received and J.D.Long would review the bids received. J.D. Long stated four bids were received from: W.R. Henderson, MGM Construction, Michael Clayton Construction, and Canyon Construction. He reported that all four bids were not within the budget for the project. They reduced the design of the project to lower the construction costs. He stated $183,000.00 was the lowest bid and he could not recommend to them to award this bid because it was over the budget. He noted he had discussed this with several contractors and took out half of the project and yet it was still over $30,000.00. Commissioner Ellison inquired about his recommendation whether to re-bid the project. J.D. Long had visited with the lowest bidder who suggested several items be reduced such
as re-roofing, elimination of the drywall and that they change the HPA system. J.D. Long could not recommend changes to the HPA system. He researched this and they had went to a brick construction due to maintenance issues and longer life expectancy. He stated utilizing the same maintenance for a metal building it would be 30 year life expectancy. He stated that if they utilize the same components in a metal building it would reduce the cost of the project. He stated that another contractor felt they could get the metal building for $85.00 to $87.00 per square foot. J.D. Long suggested they revise the bid as a metal building and re-bid the project. Commissioner Nannini inquired if they would go with the revised design even with the metal building. J. D. Long replied they would have to eliminate the classrooms because of their budget. Commissioner Nannini inquired if they would stay within the grant guidelines with a metal building. J.D. Long did not know what the guidelines were. Charles Voos stated it would be within those guidelines. Commissioner Roberts inquired about the NDF opinion. Gary Zunino stressed that they needed that station and was trying to come up with low maintenance building. He believed that a metal building would certainly work. Commissioner Nannini felt there would be other bidders if they went to a metal building and J.D. Long agreed. Commissioner Roberts suggested including the additional space as an alternate within the bid specifications. J.D. Long stated that could be included as an alternate.

**MOTION:** Commissioner Russell moved to deny the bids for the construction of the Pilot Valley-Tecoma Township Fire Station based upon the fact that they were above the amount budgeted for this project. Commissioner Lloyd seconded the motion. The motion was passed unanimously.

J.D. Long stated that he had reviewed the bids. Commissioner Roberts inquired if they could go out to re-bid. Kristin McQueary felt they could re-bid the project.

**MOTION:** Commissioner Russell moved that Mr. Long goes back out for bid with a metal building including an alternate. Commissioner Lloyd seconded the motion. The motion was passed unanimously.

**LIBRARY BOARD OF TRUSTEES/LAW LIBRARY BOARD OF TRUSTEES:**

David Ellefsen reported on the Library Board’s activities and reviewed the Library Board of Trustees minutes. He stated they were beginning a reference program upon the computer which would cover a wide range of topics and cost less than $1.00 per volume through the vendors. He stated this would be shared with libraries throughout the Northwest.

**Reclassification and Salary Review Request:**

David Ellefsen requested reclassification and salary review for the Circulation Supervisor and Extension Supervisor positions in the Library. Commissioner Roberts noted there was a special meeting scheduled on November 21st to review the budget and inquired if he wished to postpone his request until after that meeting. David Ellefsen stated he would like to go ahead with this request. He reported that he had discussed this request with the Library Board, and the Library Board voted in favor of seeking a reclassification
MOTION: Commissioner Nannini moved for approval. Commissioner Ellison seconded the motion for discussion.

David Ellefsen clarified the projections for the position salary increase. Commissioner Ellison inquired if the funding was within their budget. He cautioned him there may be a short fall next year. David Ellefsen noted that they would have to adjust the budget accordingly. Commissioner Ellison commented upon the efforts put forth by Laura Oki specifically while she was still within the supervisory position. Commissioner Russell stated that until they review the first quarter revenues, he would not vote in favor of this issue. Once that budget review was performed, he may be in favor of the reclassification.

Commissioners Nannini and Ellison voted aye. Commissioners Russell, Lloyd and Roberts voted nay. The motion was defeated by a majority vote.

OROVACA, INC - SNPLMA NOMINATION REQUEST:

The Board considered a request from Orovaca Inc. for approval of the Rock Creek, Round 4, Land Acquisition Nomination Package, Southern Nevada Public Land Management Act (SNPLMA).

Daniel May representing Orovaca Inc., stated they purchased property over 3 years ago which was known as the Hammond Ranch. He stated that there was 6500 acres of land which was 40 miles away from the ranch headquarters located between Midas and Tuscarora known as the Rock Creek allotment. He noted there were several environmental sensitive species located upon this property. He stated that they would like to submit it into the Southern Nevada Public Lands Act. Daniel May stated to compensate the County for the tax roll reduction, they offered to buy 7,000 acres of BLM West Wendover disposal area land to account for the loss in revenue. He noted that it would cost approximately $154,000.00 to fence the property between Midas and Tuscarora. He submitted a copy of a letter from the Nevada Division of Wildlife supporting this request. Commissioner Nannini requested clarification about the purchase of the 7,000 acres. Dan May stated they would purchase the property from the BLM which they had designated for sale out of West Wendover. Commissioner Ellison inquired about the location from city. Dan May replied south. Commissioner Nannini inquired how they would purchase the land. Dan May stated the land was upon the BLM list for disposal. Helen Hankins of the BLM stated for the record that she had not seen the map but the BLM did have numerous parcels near West Wendover listed for disposal which could be purchased through a direct sale or a non competitive direct sale sale depending upon the interest. The VACA bill was legislation to allow the BLM to use the revenues from previous land sales within the State to pay for the administrative costs for this transaction. Commissioner Roberts inquired if the taxes would be equivalent to the taxes lost upon their current parcel. Daniel May stated they would purchase property equivalent to the other property so there would be no tax loss. Commissioner Roberts inquired about mineral rights. Dan May stated that the
mineral rights would go with the property. Commissioner Lloyd inquired if PLUAC had reviewed this. Commissioner Roberts inquired about the time frame.

Cheri Haggard stated that the call for the fourth round nominations had not been issued. They were currently waiting for the third round recommendation to be signed by Gale Norton. When the third round was signed off then they would call for nominations for the 4th round which should be the end of November. She stated that originally they asked for a deadline to be October 31st for the nominations but they were awaiting for signature of the Secretary of Interior upon the third round of nominations. Commissioner Roberts inquired about the submittal deadline after the call to submit submissions. Cheri Haggard believed that they would have four weeks to submit their nomination. Commissioner Russell stated that the County had a public land use advisory commission which performed the research for the County and give their recommendations to the Board. Commissioner Roberts noted there was verbiage to change the grazing procedures by Barrick. He stated that Barrick had previously offered for trade 54,000 acres known as the Squaw Valley Ranch which was temporarily in suspension. He inquired about the location in conjunction with the Barrick property. Daniel May stated their land was surrounded by the Barrick property and the BLM. Commissioner Roberts inquired if the deeded ground that was owned by Barrick part of the trade which was suspended.

Helen Hankins Elko BLM Field Manager stated that several years ago there was a proposed land exchange between the Ellison Ranching Company and the Barrick Goldstrike Mine but due a significant cost for a survey that exchange was dropped. Helen Hankins stated that the BLM had closed that file on that exchange and that was not an issue. She stated that Barrick would be involved within the mitigation for the supplemental environmental impact statement which the BLM had just completed for Barrick. She stated that Barrick had proposed to do some off-site mitigation in this area to compensate the public for some possible, but highly unlikely adverse effects from de-watering in the vicinity of their pit. She stated that there was the opportunity, should the BLM acquire this land from Orovaca, then the BLM could combine the mitigation that Barrick was doing and have some pro-active management into one project. Commissioner Roberts inquired if there was any interest in having Elko County participate in those management decisions. He stated one of his concerns was that the Barrick exchange, which was put on hold, could come up again at some point and they would be looking at a big piece of land that would go into public ownership. He did not object to it going into public lands but would like to see that the land remained as multiple use. Helen Hankins stated that if that exchange was to be re-proposed the BLM would certainly welcome the County’s advice. She stated that her recollection was that the Barrick exchange was to be of equal acreage. She noted that the cost of survey would be 2.5 million dollars and that was one of the reasons this exchange was dropped. She believed that Barrick was no longer interested in the exchange and they would focus their interest in other investments elsewhere but that could change. Commissioner Russell noted that there would be no net loss for Elko County and the tax base would be maintained within the Orovaca proposal. He suggested that PLUAC review it before the Board take action. Commissioner Russell inquired about the time line.
Cheri Haggard of Orovaca, Inc., stated that the nomination should be in by November 30th. Robert Stokes stated PLUAC would meet on the 18th of November. Several Board members noted that their meeting would be held on the 20th of November.

Helen Hankins stated that the County Commission had three opportunities to comment upon this proposal: 1) Before the proposal was submitted, 2) The opportunity to make comments to the working group during the time that they were reviewing the proposals statewide (30 day comment period), and 3) After they make their recommendation, there was an additional 60 day comment period. She noted she had provided that documentation outlining that process to the County Manager.

**MOTION:** Commissioner Russell moved that they refer the Rock Creek Round 4 Land Acquisition Nomination Package to PLUAC and ask them to come back with a recommendation, pro or con, or any other qualifiers they wished to make. Commissioner Lloyd seconded the motion.

Chairman Roberts asked for public comments from the audience. No public comment was submitted.

The motion was passed unanimously.

**BANNER DEVELOPMENT CORPORATION PROJECT:**

The Board considered support for the Banner Development Corporation Project, an extension of exploration activities 7 miles east-northeast of Mountain City. Commissioner Lloyd inquired if they had already sent a letter supporting this. Robert Stokes replied that he had not yet sent a letter.

**MOTION:** Commissioner Lloyd moved to submit a letter expressing their support of the Banner Development Corporation Project. Commissioner Russell seconded the motion. The motion was passed unanimously.

**BARRICK GOLDSMITH MINES INC. - DRAFT GROUNDWATER DISCHARGE PERMIT:**

The Board discussed the request for support of a Modified Groundwater Discharge Permit for the discharge of untreated domestic/sanitary wastewater to the composite-lined North Block Tailings Impoundment.

**MOTION:** Commissioner Lloyd moved to support the Modified Groundwater Discharge Permit for the discharge of untreated domestic/sanitary wastewater to the composite-lined North Block Tailings Impoundment. Commissioner Nannini seconded the motion. The motion was passed unanimously.

**ELKO COUNTY PUBLIC LAND USE ADVISORY COMMISSION:**

Donald Decker Chairman of the Advisory Commission discussed notifying the U. S. Fish & Wildlife Service of Elko County as a Cooperating Agency on the Columbia Spotted
Frog Team. He felt the drought had affected the frogs. He stated that the primary habitat for the frog in Nevada was in the Jarbidge Mountains, the Ruby Mountains, the Independence range and the Toiyabes. He stated that the working group to consider this frog was primarily made up of people on the western side of the State and he suggested that PLUAC attend those meetings. Therefore, he requested that the County or PLUAC be recommended as a cooperating agency.

**MOTION:** Commissioner Lloyd moved to approve the recommendation that they notify the Fish and Wildlife that the County desires to be a cooperating agency and added the caveat that they recommended there will be no financial commitments from Elko County. Commissioner Russell seconded the motion.

Commissioner Roberts noted Orvaca was spotted frog habitat.

The motion was passed unanimously.

Donald Decker suggested Elko County oppose U.S. Senate Bill 2790 "Roadless Area Conservation Act of 2002" and its companion bill H.R. 4865. He stated that during the last administration there was a roadless area conservation act initiative which was not enacted. However, this proposal was to re-enact some of that. He suggested that the Board oppose this act as it stands today due to some of the areas that were recommended to be designated as roadless. Commissioner Roberts noted that a roadless plan would have an adverse effect upon any type of motorized recreation within the County of Elko. Commissioner Ellison noted that there was another draft of an off-road use plan and the County should be getting a copy of that soon. Donald Decker noted that the proposed legislation was a roadless plan not an off-road use plan.

**MOTION:** Commissioner Lloyd moved to write a letter in opposition to both bills (SB 2790 and HR 4865), and send a copy of the letter to the congressional delegation. Commissioner Nannini seconded the motion. The motion was passed unanimously.

**COUNTY COMMISSIONERS AND COUNTY STAFF COMMENTS:**

Commissioner Russell stated he would like to indicate to the two oncoming Commissioners that he would expect to act like a gentlemen, courteous and considerate for the needs of the whole community and the whole County as they come on board in January. He stated he had high expectations for himself personally with courtesy towards each one of them and his congratulations on the good fight they made in achieving this office.

Commissioner Roberts offered his congratulations and condolences. He stated he had asked Michele Petty for baskets for them to be placed in the manager’s office for their commissioner packets.

Commissioner Roberts noted the American Red Cross would have a dinner honoring the heros which would be held on Friday night. He stated that it would be $75.00 per plate. Commissioner Nannini suggested that the Chairman attend the dinner as the Board representative and the members would contribute for the event.
Commissioner Roberts cautioned them that there was an issue they would have to address in the future. He stated that within the last few months there had been eight reports from five different locations of wolves. He suggested the County should pass an ordinance with penalties of a gross misdemeanor for anyone who allowed a predator type of animal to run at large or to release a predator type of animal in Elko County because it was going to be an issue. Commissioner Ellison noted that the white wolf in southern Nevada may be placed upon the endangered species list.

Commissioner Ellison suggested that Commissioner Nannini meet with people in Pilot Valley about the garbage. He stated that they were also complaining about the road conditions. Charles Voos stated that the container was put back in Pilot Valley with ramps, and he had discussed this with the people. Commissioner Nannini stated they could address the road issue tomorrow during the Highway Department discussion.

**MOTION:** Commissioner Nannini moved to adjourn the meeting. Commissioner Ellison seconded the motion. The motion was passed unanimously.

There being no further business to come before the Board, the meeting was adjourned until November 7, 2002.

APPROVED,
BRAD ROBERTS, Chairman

ATTEST:
MARILYN TIPTON, Deputy Clerk