

**APPROVED BY ORDER # 1-10-02**  
**MINUTES OF THE**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MEETING OF DECEMBER 23, 2009**

**CALL TO ORDER**

Vice-Chair Bill Hall convened the adjourned session of the Lincoln County Board of Commissioners. He announced that the Board meeting scheduled on December 30, 2009, was being canceled, due to scheduling conflicts.

**ROLL CALL - ESTABLISHMENT OF A QUORUM**

Also present at the meeting were Commissioner Terry Thompson, County Counsel Wayne Belmont, PIO Casey Miller, and Recorder Judy Eames. Commissioner Don Lindly was out of town and was excused.

**ADOPTION OF CONSENT CALENDAR**

Commissioner Hall introduced the Consent Calendar items. There were no items highlighted or deleted. Commissioner Thompson made a motion to approve the Consent Calendar in its entirety. Commissioner Hall seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE CONSENT CALENDAR OF  
DECEMBER 23, 2009**

**CONSENT CALENDAR ITEMS**

*Minutes of the Board of Commissioners Meeting*

12-09-323                   BOC Meeting Minutes of December 16, 2009

*Commissioner Appointments & Resignations*

12-09-324                   Appointment of Nancy L. Edwards to the Sandpiper Village Special Road District Board

12-09-325                   Reappointment of Michael E. Mulligan and the Resignation of Larry Watts to the Lost Creek Park Special Road District

12-09-326                   Reappointment of Barry L. Compton as a Member of the Surfland Special Road District

- 12-09-327 Appointment of Tracy R. Wiley to the Region 4 Workforce Investment Board
- 12-09-328 Recording the Resignation of Darva Derr and the Reappointment of Wilson Palmer Heavenston to the Silver Sands Special Road District

Documents and Recording Matters in the Commissioners Journal

- 12-09-329 Second Amendment to Agreement #127307 2009-2011 Department of Human Services Intergovernmental Agreement with Lincoln County for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement
- 12-09-330 Sixth Amendment to Agreement #127307 2009-2011 Department of Human Services Intergovernmental Agreement with Lincoln County for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement

Execution of Documents

1. 2009-2011 Partnership Agreement between the State Commission on Children and Families and Lincoln County – Assurances and Expectations
2. Agreement between Lincoln County Health and Human Services and LCCOADA for Alcohol and Drug Residential Treatment

**DECISION/ACTION**

**Amendment to Lincoln County's 457 Deferred Compensation Plan**

Counsel Belmont advised that changes to the county's Section 457 Deferred Compensation Plan are required under the Pension Protection Act of 2006 (PPA), the Heroes Earnings and Assistance Relief Tax Act of 2008 ("HEART Act"), Treasury Regulations under Code Section 415, and other clarifying changes. The amendments will be reviewed and authorized by the county's Benefits Counsel. If the review is completed prior to December 31, and because there will not be another Board meeting before January 1, the amendments will be executed before the outside of a public meeting. Commissioner Thompson made a motion to approve changes to the county's Section 457 Deferred Compensation Plan as required under PPA, the HEART Act, final Treasury Regulations under Code Section 415, and other clarifying changes. Commissioner Hall seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE CHANGES TO COUNTY'S SECTION 457 DEFERRED COMPENSATION PLAN AS**

**REQUIRED UNDER THE PPA, THE HEART ACT, FINAL  
TREASURY REGULATIONS UNDER CODE SECTION 415,  
AND OTHER CLARIFYING CHANGES**

**Awarding Grants and Loan from the Lincoln County Community and Economic  
Development Fund**

Applications for Lincoln County Community and Economic Development Fund loans were discussed by the commissioners at their December 8 and 16 meetings. Commissioner Thompson made a motion to approve Order #12-09-331 awarding grants from the Lincoln County Community and Economic Development Fund. Commissioner Hall seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE ORDER #12-09-331 AWARDING  
GRANTS FROM THE LINCOLN COUNTY COMMUNITY  
AND ECONOMIC DEVELOPMENT FUND**

**REPORTS**

Commissioner Thompson commended the county's Health Division staff for immunizing approximately 960 people for H1N1 and seasonal flu in a one-day clinic held at the county courthouse on December 21. The clinic was well organized and orderly.

**ADJOURNMENT**

The meeting adjourned at 9:38 a.m. These meeting minutes were read and approved this 6<sup>th</sup> day of January, 2010.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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BILL HALL, Chair

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TERRY N. THOMPSON, Commissioner

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DON LINDLY, Commissioner