### BEATTY TOWN ADVISORY BOARD P.O. BOX 837 BEATTY, NV 89003

Minutes 5/13/09

THE BEATTY TOWN ADVISORY BOARD MET IN REGULAR SESSION AT 6:30PM IN THE BEATTY COMMUNITY CENTER.

THE BEATTY TOWN ADVISORY BOARD HEREAFTER WILL BE REFERRED TO AS THE (BTAB) THE BEATTY TOWN ADVISORY BOARD MEMBERS HEREAFTER WILL BE REFERRED TO AS THEIR RESPECTIVE INITIALS.

MIKE LASORSA (ML) BERT BERTRAM (BB) LARENE YOUNGHANS (LY) TERESA SULLIVAN (TS) JOE WHITE (JW)

### 1 Pledge of Allegiance

- 2 Action Approval of the Agenda for the Beatty Town Advisory Board's meeting of May 13, 2009
  - TS Motioned to approve with the pulling of Item #5 and the Secretary Report; seconded by JW 5-0
- 3 Action Approval of Minutes of the Beatty Town Advisory Board's meeting(s) for April 8 & 22, 2009

TS - Motioned to approve with a correction to the minutes of 4-8-09 under Item #9 Adjournment where Teresa didn't vote, she stated that she did vote; seconded by LY 5-0

### **4 GENERAL PUBLIC COMMENT**

Joannie Jarvis commented that the benches and trash receptacles looked very nice and wanted to thank Teresa for adding that to the last agenda. She also wanted to know what the protocol was for litter nuisance. At Owens Trailer Park there are planks of plywood blowing in the road, insulation blowing blocks away; really bad at this juncture. Mike replied stating that this is in the process of being resolved by the DA's Office. Joannie stated that she thought part of the problem was that someone had recently been doing some cleaning up on the property but left in the middle of it; with the recent wind we've been having it has become a problem. Joannie thought it was a safety issue at this juncture as you can't even drive on that street; debris and litter everywhere. Mike stated that usually when they (FD) get involved it's because it has become a safety issue; there have been several complaints from property owners in this area regarding this problem. Mike will update the DA's Office and get a status report so this can be taken care of, Janet commented to Teresa that it took almost 13 months for the nuisance to come through on Desert Vista Trailer park. Janet went on to say that the way it was explained back then was that the DA has to identify every owner of every trailer on the property not just the property owner; very time consuming. LaRene wanted to know if there was debris in the road if we needed to tell the County to pick it up (County Road Department). Janet replied that we could and she can let them know tomorrow as this was the first we had heard of debris in the road.

Bobby Revert commented that he had called and specifically asked to be put on the agenda for the Beatty Town Square and saw that this was on the agenda as a committee report and this wasn't satisfactory; would like this to be open for discussion when that time comes. Mike replied that we were working on that and Bobby interjected saying, 'are we going to have it for discussion tonight or not?' Mike replied that there was no agenda request to do that and Bobby stated that there was. Bobby continued stating that he requested it and was told he would be on the agenda today and it isn't on here today. Mike's understanding was that Bobby didn't want an agenda request you just wanted action taken... Shelley explained that Bobby had called wanting it on the agenda as he wanted to be able to get answers from this Board and she told Bert about it; Bert said that he was putting it on the agenda and that's where it got... Bert interjected stating that part of the confusion might be that he had planned on putting it on this coming meeting; trying to get everything together with a real plan that we could actually get started on. There was some discussion regarding the Town Square and what the plans were along with the opposition towards it. Mike commented that we'd like to get a parameter (if nothing else) up and didn't think we needed a plan for the inside prior to getting the parameter up; semi's going through and campers parking all night. There were fruit vendors there that went right up to the tree and used the

water. There were several people that gave us ideas for the square; UNLV students, David Spicer and the High School students. Mike stated that this was something we really wanted to do but needed to get our 'ducks in a row' as it is something we want to sell to the people; lot of people want it but there are a lot opposed to it. Bobby suggested that the property be given back to his family or if your going to use it do something with it; if you don't want it as you say people oppose it you should give it back. Bobby stated that they aren't requesting it back they just want to see something done. Bert stated that it was something they really wanted to do and would love to have the support of the whole Town in getting it done. There was more discussion regarding the planning for the Square. LaRene wanted to know why this wasn't put on the agenda if Bobby had requested it be put on. Shelley replied that Bobby had called the Office wanting to know what was going on with the Square because his family donated property. He wanted it on the agenda so that the Board would have to answer his questions and not just speak in Public Comment; asked him if he wanted to bring it up in Public Comment and he said no. She talked to Bert and told him that Bobby wanted to put this on the agenda and Bert said that he was putting this on the agenda and that's where it got lost. Shelley told him he needed to fill out an agenda request to have it on the agenda. LaRene commented that she wasn't particularly talking about what happened back and forth but if someone from the public asks for an item to be on the agenda it should be on the agenda. LaRene was told that they needed to fill out an agenda request form; Bobby didn't fill one out. Bobby replied that everything Shelley said was absolutely correct except nobody told him you had to fill out an agenda request. Bobby stated that he wasn't upset about this but wanted to have it somewhere down the line for discussion. Mike apologized for the confusion and stated that it would be on for the next meeting. Bobby stated that the confusion might be on his part and that he wasn't blaming anybody on the Board.

Ann Marchand commented that she knew that some plans had been submitted to the Board and had the idea of maybe getting some landscapers to give a design with a cost estimate on it. You can then go from there once you know where you want to go. Bert stated that in order to go out for a RFP (Request for Proposal) you need to have a good valid description of what you're asking the vendors to come back with; that's been the hang up. The need right now is to limit vehicles access to that area; put something around

### **5 Action - Emergency Items**

This item was pulled.

#### 6 Action - Board Member's Comments

LY - Wanted to thank Janet for the sign at the Airport telling the pilots they can get gas in Furnace Creek.

TS - Commented on the benches saying that getting them put in took a lot of years of work and a lot of people and she wanted to thank everyone for getting them in as they really look great.

ML - Commented on the J&M bid and work done at Teresa's as there has been a lot of people who have commented to Mike about it; a lot he's not even friendly with. Mike stated that he met James and he seems like a nice guy and he didn't know if anything was done wrong as he was helping Teresa the same day; there are people concerned about it and he felt that something needed to be said to that. Mike wasn't really sure but was contemplating getting a decision from the DA regarding this; Teresa invited Mike to do that. Mike thought it would be good for the Board and Teresa. Teresa replied inviting Mike to go right ahead and told him that James underbid the Town's work because he wanted to give back to this Town. James has done business up here and appreciates this Town and enjoys Beatty. Teresa continued saying that it was really sad that a person who basically donated his time to do this project for the Town would get some kind of backlash; really unfortunate. Teresa stated that he did not do her work on the same day and she had talked to him after he had poured the cement here that day; that was when they decided to do her project. Mike stated that this would resolve the problem and that he may not even do this. Teresa wanted to know if the issue was because she used the same contractor the Town did. There was some discussion regarding the feeling people have regarding the fact that there may be a conflict there. LaRene wasn't at the last meeting and because of something that was in Charlie Cook's letter she asked if the two (2) bids were brought up at the BTAB meeting and they were; BTAB voted on them and accepted one. LaRene stated that Teresa didn't make that decision it was a Board decision and she thought we needed to clarify that to the audience. Mike wanted to clarify to the audience that the decision was contingent on the fact that the permit was legal; Mike read an e-mail sent from Teresa to Mr. Baer (NDOT). Teresa stated that it was a unanimous vote for the bid from J&M as they came in at a little over \$1500.00 and the other was a little over \$2000.00 for identical work. LaRene stated that she had spoken with Teresa about this because of what Charlie had in his newsletter; answered Teresa saying that she never talked to Baer. LaRene stated that she had called Bert sometime in April and told him that Brad Hunt had told her that the approval was OK'd by Baer; asked Bert to call as she felt it was his project.

### a. Report's (informational only)

### 1. Commissioner's

Joni Eastley was unable to attend as she was in Carson City. LaRene asked if anyone attended the Commissioner's meeting and Bert replied that he had; LaRene asked if he could give a report. Bert stated that the major thing that was discussed or signed off on was the item deeding the property to the

Beatty Library and it was approved exactly as written by Nye County Planning (their item). Bert went into a little more detail as to what was involved in the process of this decision. LaRene asked about the \$10,000.00 match item; approved the \$10,000.00 match with our \$10,000.00 for the storefront beautification. Teresa asked about the contract with Suzy for the website; Janet replied that we had to find other quotes to go with it and the item will be heard on the first meeting in June for the Commissioner's. Janet stated that they also signed the VEA agreement contract.

#### 2. Treasurer

LY – Gave her report as follows: We are at approximately 88% of the year's budget and as of today's date 5-13-09 the Fire Department is at 33%, Administration (Janet's Office) is at 62%, Community Center is at 58% and Television is at 43% so we are well within the budget.

### 3. Secretary

This was pulled.

### 4. Beatty Area Plan

Cheryl Beeman will be here at our second meeting. Bert mentioned an item that will be on the BoCC agenda for Monday; DOE water rights applications concerning the use of water at locations other than where it is allocated.

## 5. Beatty Town Square

This was already discussed in Public Comment.

#### 6. Ordinances

There was nothing new to discuss.

### 7. Beatty Medical Clinic

Tom Chase (CEO for NHC) spoke on the recent developments for the Beatty Clinic, recent developments nationally (H1N1 Virus) and an update as to what is happening and what can be expected for the Clinic in the next couple of year's. The most important thing from NHC's point of view is the agreement reached with the County on funding for the Clinic at the Community level; took a year to complete. Think that this community and Amargosa Valley both deserve to have a federally qualified health center Clinic. This is what NHC's mission is all about as they are an interesting health care organization; calls them bi-polar. They have a very decided rural and frontier community orientation that goes back a little over 30 years; have an urban orientation because NHC has so many clinics in Las Vegas. Both of the functions orient themselves around one word and that is 'access' which is the whole mission of a federally qualified health center; provide access for those who wouldn't have access otherwise and they take this very seriously. In rural and frontier areas you don't have a doctor unless you have them (NHC) and they understand that; part of their commitment to us and part of what we commit to them (NHC). In urban areas it is more about access to places where doctors don't set up practices as it isn't economical; areas people are underserved economically and as a result medically. In communities like this a different array of people are served who have different pay or mixes and in Clark County where they operate urbanely they serve people dramatically underserved and rely heavily on Medicare and Medicaid as the fundamental payer source along with grant revenue to support it. Economics are different but basically the same concept: don't serve as many people in the rural communities because there not that big. That's okay as that is part of what they get paid to do by HRSA and what we get assisted to do by all the communities they are involved in. One thing we can expect as soon as we get to the stage where it can be done is to have a female provider come on site once a week; a little less than 20% of the provider hours. There will still be a provider for 4 days at 40 hours a week and on the 5th day there will be a female provider. The provider (female) they have in mind is a PA who is on staff and the reason it hasn't been started is the policy to have the PA's work with their supervising Physicians for 6 months before they are turned loose on their own. This will start somewhere in late June or early July. Mr. Chase went on to talk about the current H1N1 issue or the common term Swine Flu and what is happening with this situation; at an alert stage not a pandemic stage. Wanted to urge everyone to be alert to flu symptoms and stated that it was worth testing for to find out if it is H1N1; it is contagious and normal precautions should be taken. NHC has started to get some of the national emergency stockpile for all the clinics; immediately ordered N75 Masks for all their providers to keep them relatively safe so that they could deliver care if people presented in numbers. There will be a lesser value mask for people in the clinic as the expose time would be less. Mr. Chase continued explaining what steps they are taking to combat the swine flu outbreak and what has already been done along with the vaccine to help combat the flu. There is a CDC website that can be accessed through the NHC website; can learn what you need to do to take care of yourself. In the context of all the national economy issues federally qualified health centers were the first entity to receive funding under the stimulus package; this was explained in more detail as to what was received. Most of NHC funding was based on the amount of uninsured patients they have; over \$880,000.00 in funding was based on the fact that there were 52,000 patients and many were uninsured. NHC was awarded the dollars and ended up ranking 23rd; explained to the Legislature how interesting it was that NHC was 51st

in funding and but 1st in performance of the FOHC's. They are now actively considering the first ever funding for Federally Qualified Health Center's; (like a demonstration project) give us \$300,000.00 we'll turn it into \$6 million in terms of additional funds from HRSA as our primary grantor. This is the objective and Mr. Chase thinks they are seriously thinking about it even though they have all the challenges at the State level. He continued stating that one question he was asked was whether that was enough and Mr. Chase replied no, but they didn't want to ask for more as it would be a real challenge to come up with it without proving it. NHC will be working on trying to prove this for the next two (2) years; the real value and part of the value has already been proven. The numbers blew him away as there were many FQHC's bigger than NHC but what made the difference was they gave tremendous funding for folks dealing with uninsured individuals; what NHC is all about among other things. The other thing they have been working on in the last year is the Electronic Medical Record (EMR) and now that there is a contract this will be implemented. Mr. Chase discussed this in more depth to try to explain and ease any concerns people might have as it makes some people nervous. We are the last of the group to be implemented so all the kinks should be worked out. The EMR was discussed and explained in a little more detail. There are two (2) more pieces of the stimulus package that may impact Beatty. The first is a new award for approximately \$2 million and is only capital spending. They have been totaling it all up and so far all the resources that were wanted within the organization are about \$3 1/2 million; have a little cutting to do. At this point they don't have it on the radar screen for Beatty but Samantha has asked what can be done about a roof; NHC is interested in trying to figure out a way to do this. One thought Mr. Chase has on this is to include it overtly in this part of the package (which they could do) but the one problem with it is HRSA's rules for this make it incredibly interesting when you don't own the building; HRSA is the one giving the money. This problem will have to be researched as to whether or not it will be an issue. This would be a stand alone project as it would almost become an application within an application (grant speak). There was more discussion regarding the grant and replacing the roof at the Clinic. The other opportunity would be to do it as part of the next package that is coming downstream which will be about \$420 million or \$600 million. These would be competitive packages and the question would be whether or not a roof would be enough to be competitive; they think it won't. What would be competitive would be a new building and NHC is willing to think about it; will need a lot of input from the community. This was explained in detail with regards as to how it was being done in Carlin.

LaRene asked what the Board needed to do to make sure that we were in on the \$400 million. Mr. Chase's answer was that he needed to be told and that we needed to come up with a way to do it and be competitive about it. LaRene asked if Mr. Chase was saying that the \$400 million could be spent on a new building; he replied that it could and stated that he could do everything but buy something. LaRene then wanted to know how long we had; Mr. Chase replied 4 months to plan and then he would have some time to do the application. LaRene wanted to know how much time the Board had to tell him (Chase) we want our 'name in the hat' for the new building. Mr. Chase replied that one of the challenges has been that they didn't know and they wouldn't know how much they were going to be given. The first funding they received Mr. Chase had 8 days to respond and had to make the decision on the fly; the one they are in the middle of right now they have 30 days. He continued stating that he would have time to put a new roof in but not a new building. In the next 3 months the next piece will hit as they will take time to go through the applications for this time. Mr. Chase was quessing that in mid July, maybe early August, possibly even September but didn't know for sure. The question to the community would be whether or not this is something they would step up and support; key there is community support as it is part of the scoring of the competitive grant. There was more discussion on grant funding and where all the money would come from; could look at a CDBG for part of the funding. Mr. Chase stated that he knew this didn't answer LaRene's question but that he didn't know how as it has been a little crazy as far as the stimulus awards and processes have gone.

Teresa asked for the best estimate regarding what kind of support Mr. Chase was looking for from the community. Mr. Chase replied that in Carlin they are doing what they call a 'capital campaign' and they expect to get anywhere from \$25,000.00 to \$50,000.00 (hoping), they hope to get the CDBG grant for \$200,000.00, hope to get matching funding from the State of 5% of the project; think project is in the neighborhood of \$400,000.00. This could almost be replicated for Beatty as the community is very similar in terms of both size and scope; almost 'cookie cutter' the design.

LaRene asked about the other clinic and how much money total for the new clinic it would be; the answer was anywhere from \$400,000.00 to \$500,000.00 and this is not knowing land costs and other things. LaRene asked to have this item put on for the next meeting so that we could allocate money from our Capital Projects and go for part of this money for a new Clinic. LaRene stated that Mr. Chase had said they have between \$400 and \$600 million and if a new Clinic costs \$500,000.00 we deserve it. Mr. Chase explained the funding from the stimulus package. LaRene asked if we wrote the letter to Mr. Chase and he replied that it would probably be the right move. Mr. Chase continued saying that a letter would be a good start with what you would be willing to allocate as a contribution to the approach; the new clinic. NHC can put together very quickly the schematics as they have the basic architectural drawings already; have to figure out how to go about getting a site environmental analysis. This was explained in more detail what was involved in getting a new Clinic built. Mr. Chase stated that it was a community decision and if the community would like NHC to apply on their behalf or in conjuncture with us as a partner they would be happy to.

Mike asked Mr. Chase to give us an update on the Clinic as to where we are at and the work that is being done. Mr. Chase deferred this response to Samantha as she is the expert on it. Samantha Breshears gave an update on what has gone on and been done at the Clinic. Mike asked if the funding issues were taken care of and Samantha replied that she didn't know that as she had absolutely nothing. Samantha went on to say that once Belfor finished they submitted their bill to the insurance; know what the County submitted and know what's left in the upgrade funds. Once all this is done through the insurance Samantha will get the bottom line as to what Beatty Health & Welfare has to pay; she'll know what can be submitted as part of the project monies.

Mike asked Mr. Chase about what the clinic was offering to the Town as he had some concerns. Mike continued saying that about 3 weeks ago there was a call regarding a middle aged woman who fell from a truck, hitting her head and had neck pain; EMT said that according to Dr. Marutka he didn't want to see this patient at the clinic. The Ambulance took the patient to Pahrump and Mike thought it could have easily been taken care of at the Beatty Clinic as that's what happened in Pahrump; family was very concerned about this. This morning there was a motorcycle accident with minor injuries, according to the Deputy, but again they had to take that patient to Desert View. After the first incident Mike went to the Clinic and talked to Robin (Manager) along with Dr. Marutka who doesn't feel he is qualified to do emergency work. Mike asked if Mr. Chase was aware of this and Mr. Chase stated that he was. Mike stated that as a citizen, Board member and Fire Department member he was concerned; talked to Brent Jones EMS Director who is also concerned. The contract was for primary care years ago when Mike was involved in the Ambulance Service: if private service came in the consortium had to leave. Teresa stated that she was in complete agreement with Mike and wanted to add that it put an added stress on our EMS Service; very limited EMS Service. Mr. Chase replied that NHC is currently discussing the possibility of a permanent contract with Dr. Marutka as an employee or contractor. One of the requirements made clear was that he become ALCS certified and go through training with respect to emergency situations; he would then be in a position where he felt able to handle an emergency. There was more discussion regarding this situation along with NHC looking into it internally. Mr. Chase stated that NHC is well aware of that need and should a contract with Dr. Marutka be done he will be appropriately trained; as would any provider that operates in the facility on regular basis.

LaRene asked if Mr. Chase was talking about an agreement with the provider or with the County; Mr. Chase replied that it would be the provider. They have contracts with every provider in every location and they aren't long but do enumerate all the things NHC expects. Right now Dr. Marutka is a contractor and is a 1099 individual employed as an outside agent; he has expressed some interest that this would be something he'd like to continue. Mr. Chase would prefer he not to and if he wanted to be a permanent provider then he should be an employee of NHC; sort of assessing the situation right now from both parties. LaRene commented that she didn't realize this had happened but if she thought she was having a heart attack and the clinic is open will the Doctor treat her; tells him it's an emergency as she thinks she's having a heart attack. Mike replied, 'as of today, no' and Mr. Chase stated that this was a question he couldn't answer. LaRene wanted to know what he treated and Bert stated that this was a very serious problem. There was more discussion regarding the lack of emergency treatment at the clinic. LaRene stated that she thought this was an item that needed to be put on the agenda and that we needed to send a letter to the County saying that this is an issue and needs to be fixed. Mike stated that they were aware of it and that Brent Jones (EMS Director) who co-ordinates the entire emergency services here is aware of it. LaRene commented that the County was paying the bill and they needed to write a letter to him; not something that can wait. Mr. Chase stated that this could be 'short circuited' if the Board wanted him to talk with somebody at the County he would be happy to. Further discussion ensued regarding the lack of emergency care and sending a letter to the County.

Mr. Chase explained that the provider would have to be trained for emergency treatment. Mike asked if he (Chase) could check and see what the contract actually reads; if it reads 'primary care' it would include this. Teresa stated that she was with Renie and asked if we needed an agenda item just for the Board to write a letter asking the County to take a look at this. Mike replied that we could do that to make the Commissioners aware of it as they pay the bill; Brent is aware of this but he has nothing to do with the contract that the County has with the provider. Mr. Chase stated that he would be happy to do it either way; can initiate the contact. Teresa asked if Mr. Chase would go ahead and do that it would be great; Mr. Chase replied that he would be happy to. (Teresa commented further but was inaudible as her microphone wasn't on.)

The Board thanked Mr. Chase for coming here and giving the community an update on all that is going on at the Clinic. Mr. Chase wanted to say one other thing as it just happened yesterday and when we first met he described a lot about their grant process. They were going through what is known as a strategic service area competition; they applied back in September and just received notice of the grant award yesterday. They received a 5 year grant award which is the highest they give with no special conditions related to NHC; first time he has ever seen that.

### 7 Consent Agenda Items

- a. Action Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
- b. Approval of Town Vouchers

BB - Motioned to approve the consent agenda items; seconded by TS 5-0

### 8 General Business

a. Action – Discussion and possible decision to request from 2008-2009 Capital Projects for roof replacement on Beatty Chamber of Commerce building and procedure for payment upon completion; quotes from Anthony Roofing in the amount of \$2,800.00 or Champion Roofing in the amount of \$2,600.00 – Beatty Chamber of Commerce

Debbie Baker and Ann Marchand were her to speak on this item. Debbie stated that at the budget hearing for this Board they (Chamber) had requested funding for a roof for the Chamber; instructed to get two (2) bids and come back. From the two (2) bids submitted the Chamber suggested going with Anthony Roofing even though they are \$200.00 more as they have better quality and references are much better; difficult to get contractor's to come out here and look at your projects. The Chamber had references from Anthony Roofing but didn't have any from Champion that they could see. There was discussion regarding the roofing and the description on the bids for repairing.

LY – Motioned to go with the Anthony Roofing & Waterproofing bid per the Chamber's recommendation; seconded by JW 5-0

Debbie asked what the process was for payment to the contractor. Janet replied that when the purchase order is created everything will be addressed to the Town Office; invoice here and BTAB would sign. Ann Marchand asked how long that usually took before the contractor received payment. Janet replied that once the work is completed and the invoice is here it depends on when the Board meets. As soon as the Board can sign the invoice it will be shipped to Tonopah and it's usually 10 – 14 days after that when a check is cut.

 b. Action – Discussion and possible decision to update the Downtown Storefront Renovation Rebate Program and all other matters properly relating there too

Janet put this on so that the Board could update the application (dates) and decide if they want it to begin at the beginning of the fiscal year (July 1st). She continued stating that Renie brought up a good point as there was no where in the application stating that the recipients would be required to upkeep the area. Teresa commented that it made sense to her to start at the beginning of the fiscal year to give people time. Janet was concerned that on the application when the business says they're going to spend X amount of dollars and then we wait for their reimbursement receipts they don't spend as much as they applied for. This money is pulled aside and can't be accessed therefore someone else can't apply. This is something to think about and maybe give a time frame as to when the job starts so that funds not used can be distributed to someone else. LaRene wanted to have the money held over for next fiscal year, put a time frame on when we can accept their applications & a time frame on when the project needs to be done. Teresa commented that we could start this in July and they could complete their projects within 90 days of approval with everything completed by May 31, 2010. Janet replied that you could just state that all projects must be completed by May 31st. There was discussion regarding the current application, any changes or additions the BTAB wanted to make to it. Teresa asked that on the actual 'Owner's letter of commitment to participate' that we add on the bottom 'A detailed description of project...' same as written on 'Policy & Eligibility Requirements' page. LaRene asked the Board how they felt about the wording stating that you if you haven't already participated in the program you will be given first priority; all members thought this was fair.

TS – Motioned to set the Policy & Eligibility Requirements with the following changes; fiscal year to 2009-2010, add project must be completed within 90 days of approval, modify the percentage rebated to 65%, add Highway 374 to area and call it Highway Frontage Renovation and on the letter of commitment add 'attach detailed description project & list of supplies' at bottom; seconded by JW

During further discussion Janet stated that the cut off date was May 31st.

TS - Added that the cut off date for the whole project was May 31, 2010; seconded by JW Mike called for the vote 5-0

# 9 Adjournment

JW - Motioned to adjourn at 8:31 pm; seconded by BB 5-0