



LINCOLN COUNTY BOARD OF COMMISSIONERS

August 9, 2010
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners
Paul Mathews, Chair
Bill Lloyd, Vice Chair
Tommy Rowe
Ronda Hornbeck
Ed Higbee

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

Vice Chairman Bill Lloyd called the meeting to order at 9:19. Clerk Lisa Lloyd called the roll.

PRESENT: RONDA HORNBECK
BILL LLOYD, Vice Chair
TOMMY ROWE

LISA C. LLOYD, Clerk
CORY LYTLE, Building Department Director
DANIEL HOOGE, Deputy District Attorney
GORDON WADSWORTH, Dolan & Edwards
NEIL GRAHAM, Pioche Labor Day Committee

ABSENT: ED HIGBEE
PAUL MATHEWS, Chair

There is a quorum present and the agenda was posted on 7-27-10 to comply with the open meeting law. Bill led the Pledge of Allegiance.

#2-SPECIAL EVENTS POLICY

Cory Lytle, Building Department Director, presented this item. Cory reviewed the ten steps to safety, as included in a booklet provided to him by Michele Wadsworth. 1. Establish Goals, 2. Designate key personnel, 3. Focus on safety, 4. Identify and evaluate risks specific to the event – vendors, contractors, etc., 5. Use risk sharing tools and secure financing – insurance, hold harmless, participant waivers, 6. Provide security, 7. Plan for emergencies, 8. Document plans, 9. Report incidents, 10. Incorporate lessons learned and prevent future incidents. Cory reviewed the Special Event definitions. Ronda suggested that, for starters, this policy kick into effect based on the number of people involved in an event; start with big events. Neil suggested that different types of categories be set up. Liability insurance is needed for big activities. Cory advised that the County can provide coverage for use of the Pioche Park for normal uses. The intent isn't to cause problems for things like baby showers, birthday parties, etc. Daniel commented that it will be really hard to enforce based on number. If the fire marshal goes through and allocates an occupancy number for the permit, then this will be the number of people used for the special event. If these people exceed this number, then they are in direct violation of the law. Cory feels that the County can use their discretion to decide what events are exempt and which are not. John Crosthwait discussed the proposed policy and its affects on functions on private property. An un-established person will have a more difficult time getting bonds and insurance for events on their property, John commented. John doesn't feel a Special Events Permit (SEP) should be required unless the event is commercial. Suggested definitions include: 1. Any activity open to the public which involves the use of public facilities, or 2. Any activity open to the public that substantially increases or disrupts the normal flow of traffic on any street, or highway, or 3. Any activity involving entertainment and/or amplified sound, food, beverage, merchandise sales or any activity promoted as a festival, celebration, trade show open to the public, craft show, public dance, concert or performance, or 4. Any activity relating to organized recreational events, including OHV races, trail rides, rodeos, mountain bike races, or similar activities, or 5. Commercial filming or large scale productions. The Board decides to eliminate Definitions 2 and 3. Those items contained in the LC Code need to be included in this policy. Gordon advised the insurance is a transfer of risks for the County. The Board has an obligation to make sure the resources available to the tax payers, that tax dollars are funding, are being protected. The insurance isn't going to cover everything and it shouldn't be perceived as the wet blanket to stifle activity. The Board must decide what risks the County is willing to take and they need to decide what activities will not be allowed in County facilities. Cory reviewed the list of activities that are not covered by the insurance. Any event listed under the exclusions requires its own insurance. The SEP needs to include the exclusion list

as a reference so that individuals know if they will require private insurance. If these parties can get their own insurance, the County will still have to decide if it will be allowed or not. Lincoln County needs to be added as an additional insured to private policies. Most supportable entities and vendors will have their own insurance. The policy that the County will make available to those that fall under the exclusions will be paid for by the participants. The drive of this policy is to protect the County in the event that something goes terribly wrong. Cory referred to Lyon County and Mesquite's fees/requirements. "The applicant agrees to provide the appropriate general liability coverage, agrees to obtain and provide proof of coverage to Lincoln County, and agrees to add LC as an additional insured" is added to the policy. Most family oriented activities of less than 50 people will fall under Special Event Exemptions. Gordon suggested that the Hold Harmless and Rental agreements be standardized throughout the County. Ronda stated the issue of standardizing these agreements needs to be put on the Commission agenda for approval. John advised that Family Event needs to be defined further as some family events have alcohol while others don't. Included on the forms it will say that no alcohol is allowed within town limits of Panaca and Alamo. The risk increases exponentially in Pioche as alcohol is allowed. If alcohol is going to be involved, it will trigger the special event policy. Cory will work on standardize the form for facility reservation. Proof of non-profit status will be required; Cory will incorporate this language into the policy. Nonprofits are not exempt from fees. Government sponsored activities like Tri-County and Quad State will be exempt from fees. Lisa suggested that anything to do with campaigning should involve a charge for use of County facilities; any elected official that comes in and uses County facilities to inform the public as to government activity should be exempt from the fees as it would be considered a government sponsored activity. The cleanup fees are facility specific and won't be required through the policy. Applications are due 60 days prior to the proposed event. Cory reviewed the event description and hazard class rankings; hazard class pertains to those events that require separate insurance. Cory discussed insurance requirements. Pioche Town should be the organizing entity for Labor Day, with Pioche Chamber working under their umbrella. The Pioche Town Board (PTB) is an entity of LC and they are accountable to the County. As such, PTB has access to the County insurance. However, individual vendors should be checked for private insurance. PTB needs to take a vote that they will be the sponsoring entity for Pioche Labor Day, and subsequently they can designate that Pioche Chamber/Pioche Labor Day Committee are the organizers. The Board agreed it's too late to have PTB vote on it for this year, but it should definitely be taken care of for the future. Vendors are independent contractors participating in the County's special event. They should be required to sign hold harmless agreements protecting the nonprofit. In addition, they should carry insurance and provide evidence of this insurance coverage through a certificate of insurance. Food is an increased liability and anyone that serves food at Labor Day this year has been given an application for a health certificate. Ronda suggested that a requirement be added that the vendors have to display their health certificates or have them available for inspection. Cory suggested that a participant waiver be required in addition to the Hold Harmless for certain events. No action is taken and Cory will rework the draft policy for consideration at a future meeting.

#3-PUBLIC COMMENT

Bill called for public comment. None is offered.

#4-ADJOURN

There being no further business for the Board to attend to, **Ronda made a motion to adjourn the meeting at 11:23 a.m.; seconded by Tommy. All voted in favor.**

Attest: _____

Approve: _____