



LINCOLN COUNTY BOARD OF COMMISSIONERS

May 16, 2011
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners

Paul Mathews
Kevin Phillips
Tommy Rowe
Paul Donohue
Ed Higbee

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

Chairman Tommy Rowe called the meeting to order at 9:02 a.m. Clerk Lisa Lloyd called the roll.

PRESENT: PAUL MATHEWS (joins the meeting at 9:13 a.m.) LISA LLOYD, Clerk
KEVIN PHILLIPS (leaves the meeting at 12:00 p.m.) DANIEL HOOGE, District Attorney
TOMMY ROWE
PAUL DONOHUE
ED HIGBEE

There is a quorum present and the agenda was posted on 5-10-11. The Invocation is offered by Paul M. and Kevin led the Pledge of Allegiance.

CONSENT AGENDA

- #2 Approve/Deny minutes of the May 2, 2011 Commission meeting.
- #3 Approve/Deny Notice of Intention to act on a resolution to augment the budget for Legal Services (revenue larger than anticipated) \$200.00, Ambulance Fund (transfer from General County) \$16,000, Solid Waste (transfer from Lincoln County Water Special Revenue) \$20,000, Lincoln County Planning Fund (transfer from Lincoln County Water Planning & Development) \$12,000, Airport Fund (transfer from General County) \$1,500, General County (opening balance is larger than anticipated) \$221,378. Public hearing to be held on June 6, 2011, at 10:00 a.m.
- #4 Approve/Deny Assurances for Lincoln County Airport regarding Environmental Assessment for New Fuel Farm Grant.
- #5 Approve/Deny Assurances for Alamo Airport regarding Alamo Landing Field Grant.
- #6 Approve/Deny Assurances for Alamo Landing Field Construction of Runway Grant.
- #7 Approve/Deny Assurances for the Alamo Landing Field Rehabilitation and Paving of Runway Grant.
- #8 Approve/Deny Proclamation supporting the Nevada Children's Outdoor Bill of Rights, June 11, 2011.
- #9 Approve/Deny business licenses with staff recommendations (an itemized list of business licenses is available for public review in the Building Department prior to the meeting).

Paul D. made a motion to approve the consent agenda with the exception of Item 2; seconded by Kevin. All voted in favor.

#10-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$749,153.10 with estimated expenditures being \$146,289.73. This leaves General County with a balance of \$602,863.37. Transportation has a cash balance of \$32,142.34 with estimated expenditures being \$2,492.38. This will leave Transportation with a balance of \$29,649.96. Nutrition has a cash balance of \$27,359.95 with estimated expenditures being \$6,304.70. This leaves Nutrition with a balance of \$21,055.25. Detention Center has a cash balance of \$54,349.03 with estimated expenditures being \$71,496.01. Detention Center will have a negative balance of \$17,146.98. Payments for April and May haven't been received yet. Solid Waste has a balance of \$70,311.14 with no estimated expenditures. Solid Waste Fund owes Water Plan/Development Fund, Fund 87, \$27,484.15. Airport has a negative cash balance of \$1,611.89 with no expenditures. Planning, Fund 110, has a balance of \$15,698.86 with estimated expenditures being \$2,727.80. This leaves Planning with a balance of \$12,971.06. Daniel advised that Johnnie Jacquot was the first alternate for PPU part time clerk. Shannon Spendlove was hired, but it didn't work out due to scheduling conflicts. PPU

went ahead and refilled the position with Johnnie Jacquot. The Board's policy is that it should come before them prior to rehiring. However, Paul D. advised that when the position was originally hired it was with a six month probation period. Daniel asked if the Board wants to put this item on the next agenda for actual consent. Tommy didn't think it was necessary and he feels that PPU can hire whomever they'd like. **Paul M. made a motion to approve the vouchers as presented, including paying new PPU employee Johnnie Jacquot, but with the exception of the Mountain Mercantile, Sunrise Engineering, and LC Telephone vouchers; seconded by Ed. All voted in favor. Paul M. made a motion to approve the Mountain Mercantile and Sunrise Engineering vouchers; seconded by Paul D. Kevin abstains. Motion carries. Ed made a motion to approve the LC Telephone System vouchers; seconded by Kevin. Paul D. abstains. Motion carries.**

#11-OFFICER/DEPARTMENT HEAD REPORTS

DISTRICT ATTORNEY Daniel Hooge spoke with the Mesquite attorney regarding the Toquop Annexation case, the stay has been signed and the extension is until July 31, 2011. There are several trials coming up and his office remains busy. **BUILDING/PLANNING DEPARTMENT DIRECTOR** Cory Lytle advised that LC Trails Day will be June 4, 2011. All insurances and waivers are in place.

#12-HIGHWAY COMMISSION

This item is handled under separate agenda.

#13-LINCOLN COUNTY FIRE DISTRICT

This item is handled under separate agenda.

#14-PANACA FIRE DISTRICT

This item is covered under separate agenda.

#15-COLONIAL LIFE INSURANCE

Tony Thielges and Jesse Renteria of Colonial Life Insurance offered a presentation of services their company can provide. This would not be in competition with the county's current health insurance provider, Teamsters. For those employees that choose to sign up, this will be handled as a payroll deduction. **Paul D. made a motion to authorize Colonial to work with Recorder/Auditor Leslie Boucher to organize meetings/presentations to the employees; seconded by Ed.** There is some discussion about Colonial obtaining current benefit plan information to present to the employees so that the employees know exactly what they are being provided at this moment. This will provide a clearer picture for the employees concerning what supplemental benefits will help them. **Paul M. is opposed. Motion carries 4-1.**

#16-YUCCA MOUNTAIN ISSUES

Dr. Mike Baughman presented a report entitled "Characterization of the Potential Positive Economic Impacts Associated with Development and Operation of the Yucca Mountain Repository System, including Transportation" prepared by the LC Regional Development Authority (LCRDA). **Kevin made a motion to continue this item to the next meeting to allow the Board time to read it; seconded by Ed. All voted in favor.**

#17-LINCOLN COUNTY SOLID WASTE MANAGEMENT PLAN

Paul M. made a motion to set the public hearing for June 6, 2011 at 11:00 a.m.; seconded by Paul D. All voted in favor.

#18-PIOCHE TOWN MAINTENANCE WORKER

This item is tabled; no action is taken.

#19-PIOCHE TOWN SUMMER LABORERS

Paul M. made a motion to approve the hiring of three Pioche Town summer laborers; seconded by Kevin. All voted in favor.

#20-RADIO NARROWBANDING BID

Rick Stever advised that Federal/State governments are requiring communications systems to be narrowband by 2013; this is a nationwide endeavor. Rick has been working with Sheriff Kerry Lee on this and has obtained grant funding to start the project. Two bids were received; one didn't comply with the advertised requirements and was deemed insufficient. The grant is from Department of Energy (DOE) National Nuclear Security Administration. The grant funding has already been received. **Kevin made a motion to accept the bid from Rebel Communications in the amount of \$79,952.14; seconded by Ed. All voted in favor.**

#21-VOLUNTARY EMPLOYEE SEVERANCE PLAN

Daniel presented a Draft Voluntary Employee Severance Plan. Voluntary severance would aid with the budget shortfall this year. Henderson got two weeks of pay for every full year of service. So, if you had worked 20 years at \$1,000 per week, you would be paid \$40,000 severance. The county would pay three months health insurance, or the employee could take a one time payment of \$1,200. Accumulated sick leave will be paid out. This could benefit the county in the long run, but our county is very small and if someone took this package it is most likely that the position would have to be refilled. Daniel researched telling those who have over 30 years in that they're done; it is age discrimination and has resulted in law suits in other parts of the state. Daniel further cited that this package would not be legal for elected officials. Paul M. feels this is quite risky to put on the table as the county will be required to spend a great deal of money then still have to refill many of the positions. No action is taken and the Board takes this under advisement.

#22-MEADOW VALLEY WASH

Hardy Construction bid the contract less than anticipated so there are still available monies in the grant. **Paul D. made a motion to approve Change Order #1 for Meadow Valley Wash adding more sidewalks, curbs, gutters and rip rap, in the amount of \$838,212.00; seconded by Paul M. All voted in favor.**

#23-AWA ARCHITECTURE, INC., CONTRACT

Paul D. made a motion to approve the contract with AWA Architecture, Inc., in the amount of \$14,620.00 for Coyote Springs Communication site; seconded by Kevin. All voted in favor.

#24-COMMISSIONER REPORTS

COMMISSIONER ED HIGBEE attended a hearing in Carson concerning wind generation on Mt. Wilson. BLM would like the county to have patented land in Alamo where the airport is. FAA would like the land to be in LC's name versus BLM. Clint Wertz was working on patenting the land for the dump sites, but it is unknown what the current status of that is. Dawne Combs advised that BLM has contacted the county and they don't want to patent the transfer stations, with the exception of the Alamo station. BLM prefers to give us legal rights-of-way on the transfer stations. **COMMISSIONER PAUL DONOHUE** met with the Road Department. Paul advised that the steps between the telephone and cable company have been repaired. The steps by the Silver Café and Purple Onion are in much worse shape and have yet to be fixed. **COMMISSIONER TOMMY ROWE** attended a NACO board meeting on 5-6. Tommy was in Carson City on 5-11 testifying before the senate regarding the wind generation projects for Wilson/Table Mt. 5-13 Tommy attended a Tri-County meeting in Tonopah. Toquop Energy plant is in the final stages; they are in the process of selling the land and a letter of appraisal has been sent out. During the patent process, a notice to proceed will be issued to the power plant. This could happen as soon as Oct-Nov 2011. There are 350 planned turbines for the Wilson/Table area that will cover 31,000 acres. The LC Telephone project on Choke Cherry Mt. has been completed. 75% of the 190 tree thinning has been completed in Burnt Canyon. Clover Mt/Ponderosa restoration is partially completed. BLM has requested a cadastral survey as two applications have been received on the Atlanta Mine area. No letters have been submitted to withdraw the Yucca Mountain right-of-way application.

#25-TAX RATES

None of the tax rates have changed from last year. Tommy called for comment from the public; none is offered. **Paul M. made a motion to approve the tax rates for Lincoln County, Alamo Town, Panaca Town, Pioche Town and Pioche Fire District; seconded by Paul D. All voted in favor.**

#26-FY 2011-2012 BUDGETS

This is the time and place set for public hearing on the proposed FY 2011-2012 budgets for Lincoln County, Alamo Town, Panaca Town, and Pioche Town. Dan McArthur presented the budget. Revenue updates were received Friday now, and projected General Fund ending fund balance is \$136,508. The minimum requirement is about \$23,000 more. As the budget was put together, it didn't include increases for the unions. Negotiations continue and it is unknown what the potential increases for salaries could be. Dan froze everything at March 2011 salary levels pursuant to the Board's request. Step raises were left in the budget and concessions were removed; this results in an increase of about \$21,000 over the current numbers. The budget has been reviewed by the Department of Taxation, and they've contacted Dan's office. The state is fine with the budget as it sits, but they've required one change that related to assessed valuation. The only significant changes from the tentative budget to today's budget include the drop in assessed valuation of property tax and the negotiations of the unions. Paul M. discussed using the Air Force funds in the General Fund and making the vehicle payments out of the PILT fund; two years ago this was already done. There is a \$20,000 difference between what is included in the budget and what the Law Enforcement Association is willing to give. Paul M. addressed the enterprise fund and cited that the Jail needs to be breaking even; it currently isn't sustaining itself. The Board reviewed the Detention Center fund, Fund 64. Assuming beds stay full, this fund will have a profit of \$60,000. It is possible, if an enterprise fund is showing a profit, to transfer money from this fund into another fund (it is allowed by statute as long as the fund is showing a profit). Dan cited that the special election needs to be addressed and what the associated costs will be. Paul D. commented that if the Board fixes this problem, then the Association contracts are honored with some concessions. Paul D. further stated that doing this will put us in a difficult situation countywide as the Board's asked for budget freezes. Paul D. suggested that the Detention Center Fund be looked at, time be spent working with the Sheriff, and then \$30,000 can be taken from this fund and transferred to help with the \$41,000 deficit. Paul D. said that the only place to get the remaining \$11,000 is from non-renewable funds. Paul M. commented that jailer and dispatcher wages are paid out of the Detention Center, so the \$60,000 profit is after those wages have been paid. Some of the patrol wages would be supplemented using the Detention Center funds. If revenues don't change, anything the Board does at this point is a temporary fix. The Sheriff will meet with Paul M. to review numbers on Thursday, and the budget will be finalized prior to June 1. Paul M. discussed the dues for the Pinyon Juniper Partnership, and stated that as far as he is aware the county hadn't ever paid dues to be a part of this group. Paul M. discussed the possibility of taking half of the costs out of the LC Fire District. Another thing to consider is the need to patent lands for airports and dump sites; fees will have to be paid for that as well. Paul M. cited that many of the budgets are cut incredibly tight and asked if there was an emergency fund to cover any type of unexpected increase. There are only three funds that may possibly be used for an unexpected expected expense, but the situation will have to meet certain criteria. There is some discussion about money being transferred to Building Department. Currently, \$64,000 is budgeted as coming into Fund 49 from the GID. However, it will only be legal if the BD can bill \$64,000 worth of work for the GID. The question is what types of things can be billed to the GID. Street plans, wastewater plans and things like this can be billed to the GID. If not, then this creates another \$64,000 problem/deficit that will have to be addressed. The funds can be used only if there is work there and it has to be billed hour by hour, specific to the tasks. Cory commented that \$64,000 is a great deal of money to bill out for without significant happenings in the area. Cory discussed Title 15 modifications that can be put in place. At this point in the meeting, the Board agrees that we are \$105,000 in the red as opposed to the \$41,000 when the meeting started. This includes \$21,000 less from the state in taxes, \$20,000 gap in the Law Enforcement Association, and the \$64,000 deficit in BD. Wade Poulsen commented that the sale of the Toquop Energy site will be sold soon; this will result in funds being paid to the county at some time next year. When this goes to sale, it will go to Sithe Global or another energy provider; at that time Planning will be busy with the construction phase. The only things left in the General Fund are services/supplies and salaries; these are the only items left to consider cutting. The real problem is the revenues; they continue to decrease but costs do not. PERS also increased this year. **Paul M. made a motion to table the adoption of the budget to May 31 at 4p.m.; seconded by Ed. All voted in favor.**

#27-PUBLIC COMMENT

Tommy called for public comment. None offered.

#28-ADJOURN

There being no further business for the Board to attend to, Tommy adjourned the meeting at 4:30 p.m.

Attest: _____ Approve: _____

DRAFT