



LINCOLN COUNTY BOARD OF COMMISSIONERS

October 17, 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 9:06a.m. Clerk Lisa Lloyd called the roll.

PRESENT: PAUL MATHEWS
ED HIGBEE
TOMMY ROWE
PAUL DONOHUE
KEVIN PHILLIPS

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

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

#2-PUBLIC COMMENT

Tommy called for public comment. None offered.

CONSENT AGENDA

- #3 For Possible Action: Approve/Deny minutes of the October 3, 2011 meetings.
- #4 Tax Strike, Joerg H. Arnu, APN 10-162-07, strike 3,461 assessed parcel missed in land value update for fiscal year 2011-2012.
- #5 Approve/Deny the payment of National Association of Counties membership dues in the amount of \$400.
- #6 Approve/Deny original and renewal 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 M. made a motion to approve the consent agenda; seconded by Kevin. All voted in favor.

#7-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$564,266.89 with estimated expenditures being \$128,090.14. This leaves General County with a balance of \$436,176.75. Senior Nutrition has a negative balance of \$507.05 with estimated expenditures being \$6,325.39. This will leave Senior Nutrition with a negative balance of \$6,832.44. Transportation has a cash balance of \$9,949.09 with estimated expenditures being \$3,324.51. This will leave Transportation with a balance of \$6,624.58. Detention Center has a negative cash balance of \$71,920.92 with estimated expenditures being \$69,507.48. Detention Center will have a negative balance of \$141,428.40. Solid Waste has a balance of \$16,757.34 with no expenditures. Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Airport has a balance of \$4,044.09 with estimated expenditures being \$491.75. This leaves Airport with a balance of \$3,552.34. Planning has a balance of \$12,176.59 with expenditures being \$2,545.76. Planning will have a balance of \$9,630.83. **Paul D. made a motion to approve the vouchers as presented with the exception of the Mountain Mercantile, Sunrise Engineering and LCTS vouchers; seconded by Kevin. All voted in favor. Paul D. made a motion to approve the Mountain Mercantile and Sunrise Engineering vouchers; seconded by Paul M. Kevin disclosed that he is part owner of Mountain Merc, and his son is a senior engineer with Sunrise Engineering, and he abstained from all discussion and the vote. Motion carries. Kevin made a motion to approve the vouchers for LC Telephone; seconded by Paul M. Paul D. disclosed that he works for this company and abstained from the vote and the discussion. Motion carries.**

#8-OFFICER/DEPARTMENT HEAD REPORTS

EMERGENCY MANAGEMENT COORDINATOR Rick Stever met with the National Guard on 10-12. Rick went to Ely to observe how a POD (point of distribution) is set up; this involves a mass vaccination routine. Rick stated that West Nile Virus has been detected at Panaca Spring. The state is holding a state-wide shakeout, earthquake awareness, on October 20. The county has had seven earthquakes in the county during the last week. Most of the earthquakes are west of Pioche/Caliente and towards Alamo/Rachel. 3.5 is the largest earthquake we've had. The Hazard Mitigation Plan has been submitted to the state three times. Paul D. stated that Jean Lucht advised that she is short on flu shots for this year; she wasn't allotted any vaccine this year.

FORMER GRANTS ADMINISTRATOR Shawn Frehner reported that paperwork issues have arisen with regards to Meadow Valley Wash. A letter is being written in hopes of resolving problems amicably. Progress billing is required from the contractor showing that he has paid his contractors and suppliers; the contractor disagrees with providing this paperwork. DA Hooge agreed with Shawn that the progress billing is required. Due to the lack of documentation, the invoice for Hardy Construction was not processed today. Due to the timeframe, we are looking at requesting an extension on the Meadow Valley project. The extension is being considered due to the changing weather. The contractor doesn't want to plant the rest of the project during the winter. The contractor is still on the timeline to finish by the end of this year. The Communications Tower bids had to be thrown out as the low bidder didn't receive the addendum. The Sheriff's Department is revising and down-scaling their project, and this will go back out to bid shortly. Shawn will request an extension, and CDBG has no issues with it. The scoping meetings for the fairgrounds and Pioche Park went well. Park upgrades are moving along well, and the contract for the LC Courthouse windows has been approved. The windows should be in shortly. There will be a groundbreaking and preconstruction meeting on Tuesday. LaCour Street has received the Notice to Proceed. The Home Depot Grant requested by Pat Kelley has been awarded to us in the amount of \$1,000.

DISTRICT ATTORNEY Daniel Hooge advised that the Steele case was resolved with regards to 2nd North in Alamo. The lawsuit has been dismissed. Daniel has spoken with the Alamo and Panaca Cemetery committees. The cemeteries have volunteers that run them but sometimes they butt heads with the town board members. The land belongs to the county. Daniel will offer a presentation concerning the donation of the land to a 501(c)3 or other options at the next meeting. Daniel stated that he has a sexual assault case that involves five life sentences. This case is going to be very expensive as Daniel may be required to hire some experts.

#9-RS2477 ROADS

Lorinda Wichman, Nye County Commissioner, made a presentation concerning RS2477 roads. Lorinda presented the Board with a procedures manual, reviewed the history of her dealings with RS2477 roads, and discussed the procedure for handling RS2477 roads. This program has run for 2 years and Lorinda was given \$300,000 to administer the project; she still has \$177,000 in the budget. 1,500 miles of roads have been picked up in Nye County. No action is taken on this item.

#10-PUBLIC LANDS COMMITTEE

This item concerns the creation of a public lands committee and funding said committee. Paul M. stated that this was brought up during the budget cycle, but it fell by the wayside. Paul M. asked if the Board had any desire to reorganize this committee and suggested that Kevin be the chair of the committee in an effort to keep the Board informed. Ed agreed that this committee is needed. Paul M. doesn't believe that it would cost much to get this committee up and running and suggested that it be on a voluntary basis initially. Grazers, miners, off roaders, economic development/businesses, and sportsmen need to be represented on this committee. Paul M. and Kevin will work together to formulate a concrete plan for the committee.

#11-HIGHWAY COMMISSION

This item is handled under separate agenda.

#12-LINCOLN COUNTY FIRE DISTRICT

This item is handled under separate agenda.

#13-PANACA FIRE DISTRICT

This item has been tabled.

#14-PAHRANAGAT NATIONAL WILDLIFE REFUGE

Chivia Horton, U.S. Fish and Wildlife refuge manager from the Pahrnagat National Wildlife Refuge, met with the Board to discuss the refuge and how she approaches management. Chivia is interested in working together with the county with regards to future growth and management. Chivia discussed current and future plans for the refuge, including restoration of Black Canyon, trail projects, development of hunting areas, and tree planting projects. No action is taken on this item.

#15-NARCANON

October is National Drug Awareness month. Paul D. discussed the need for drug rehabilitation in people's lives and stated that he is very much in favor of what Narcanon does. Gerry Marshall of Narcanon addressed the Board and discussed the Narcanon program. Tommy presented a plaque to the directors of Narcanon Rainbow Canyon Retreat.

#16-TOYS FOR TOTS MONTH

Ron Hibble made a request to the Board to proclaim October through December as Toys for Tots collection months. Ron discussed the history of the Toys for Tots program. **Paul M. made a motion to approve and proclaim October 1-December 25 as Toys for Tots collection months; seconded by Kevin. All voted in favor.**

#17-QUARTERLY JAIL TOUR

This item has been tabled.

#18-COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2012

Former Grants Administrator Shawn Frehner presented CDBG projects for 2012. Jan Sproul, President of Senior Center in Alamo, and Jeanine Canning presented a request for paving a portion of the parking lot, bumper blocks, handicap signage, and to replace the carpet in the center. The benefit to the seniors and community in Alamo would be great. Many of the people that come to the center require some type of walking aid. The second phase of the project would replace the carpet, which has been patched in many places. The senior center would be responsible for maintaining the parking lot and carpet. Should the parking lot need to be repaired, they will fundraise. Initial cost estimates are approximately \$91,400. Tommy stated that RTC may be able to work the paving project in next summer; the funds can be used to purchase materials. Total estimated amount for statewide CDBG projects is \$3 million. Bobbi Erlandson from Caliente presented a request for the Olson Senior Center in Caliente, which houses LC Senior Nutrition. The center has had many roof leaks and there is a possibility for mold contamination; they would like the roof redone. Every 7 years it would cost \$3,500 to have maintenance on the new roof. They would like ceiling tiles and insulation replaced as well as the front and back doors. The door has to be propped open, which results in pest entering the building and loss of heat/cool. There are two competing air conditioning units and they'd like a new unit. The gas stove has been there since the building was erected; it needs to be replaced as does the dish washer. The refrigerator/freezer needs to be replaced as it doesn't work properly. The steamer in the kitchen shuts off irregularly. There is an apartment size combo washer/dryer that should be replaced as well. The dining room chairs are falling apart and need to be replaced. Bobbi stated that they will do the maintenance on these items. Caliente has enough money set aside to take care of the roof without including it in the grant. Bobbi didn't have an estimated amount for costs. Prior to submitting this project, if chosen, Shawn would figure out costs. The third project submitted is for the installation of sidewalk, curb, and gutter in front of the Senior Housing in Panaca; it would run down Fourth Street from Phillips Street to Main Street.

#19-GRANTS ADMINISTRATOR

Three applications have been received: John Cumming, Shannon Spendlove, and Elaine Zimmerman. There is some discussion about forming a committee to hold interviews. Shawn Frehner, Phyllis Robistow, Paul M. and Paul D. will hold interviews and make recommendations to the Board for hiring. Paul D. met with the Elected Officials (EO) last Wednesday. One of the things discussed was this position. Several of the EO's asked that the Board consider putting this position under the purveyance of the Treasurer's Office. It would be part of the duties of the Deputy Treasurer. There is some discussion about authorizing the committee to hire and fill the grants position, in light of the accelerated timeline the county is under with the grants position. There is some

discussion about salary range. The range suggested is \$30-34,000. **Paul M. made a motion to assign the committee to interview and hire under the range of \$30-34,000; seconded by Ed. All voted in favor.**

#20-COMMUNITY SERVICE BLOCK GRANT (CSBG) AMENDMENT

Paul M. made a motion to approve Amendment #1 for the Community Services Block Grant in the amount of \$64,643.00; seconded by Ed. All voted in favor.

#21-ALAMO LANDING FIELD

Paul M. made a motion to approve the contract for SNEI in the amount of \$7,175 for desert tortoise survey on the Alamo Landing Field; seconded by Ed. All voted in favor.

#22-ALAMO LANDING FIELD

Paul D. made a motion to approve the contract for Landmark Testing and Engineering in the amount of \$92,926.05 for quality assurance testing services on the Alamo Landing Field; seconded by Ed. All voted in favor.

#23-CALIENTE YOUTH CENTER CROSSING

Paul D. discussed the letter of support outlining the county's in-kind match for the construction at the crossing to the Caliente Youth Center. **Paul D. made a motion to send a letter outlining the in-kind match; seconded by Ed. All voted in favor.**

#24-HEALTH & HUMAN SERVICES, DIVISION OF MENTAL HEALTH, CONTRACT

Paul M. made a motion to approve the interlocal contract between the Department of Health and Human Services Division of Mental Health and Development Services and Lincoln County; seconded by Ed. All voted in favor.

#25-HEALTH & HUMAN SERVICES, DIVISION OF MENTAL HEALTH

Dan McArthur addressed budget concerns with the Board. Additional costs are being placed upon the county as a result of the Legislative Session. Dan has reviewed funds that can be used to pay for the unbudgeted costs. Tuberculosis is a cost that exists in the contract with the health nurse; there will be no additional costs unless an outbreak occurs. The only funding source for Developmental Services for Children (\$7,790) is the In Lieu Fund, Special Projects. Youth Parole (\$6,653) can be paid for from the In Lieu Fund or General Fund. Community Juvenile Justice Grant is a grant that will be paid for through AA fees. There is no requirement to fund Mental Health room and board. Rural Child Protective Services (\$31,151) doesn't have a contract as of yet, but the county has been billed for the first two quarters; this can be paid through the In Lieu Fund. DHCP (\$15,063) can be paid for through the In Lieu Fund. Food Inspection (\$13,112) was originally questioned as Dan and Cory Lytle come up with a significantly smaller number of businesses that would fall under this; it can be funded through In Lieu, Special Projects. Probation (\$10,542) is the cost for the Presentence Investigations provided through Parole & Probation. Probation can also be funded through the General Fund. Paul D. stated that he would much rather use In Lieu as opposed to the General Fund or Land Act monies. **Paul D. made a motion to designate the funds of In Lieu, Special Projects, as discussed above; seconded by Ed. All voted in favor.**

#26-DEPUTY DISTRICT ATTORNEY

DA Daniel Hooge addressed the Board and stated that the only power they have over Elected Officials is to approve their budget. Daniel put this on the agenda as a good "team player" gesture. Daniel advised that his previous deputy is no longer working in his office. Daniel has spoken with Matthew Carling, who was a deputy here before and was also the deputy public defender in Henderson. Matt will work three days a week and handle all the court cases until Daniel is able to hire another deputy. **Ed made a motion to approve the contract for a temporary Deputy District Attorney and to advertise and hire a Deputy District Attorney; seconded by Paul D. All voted in favor.**

#27-LC PERSONNEL POLICY

Daniel stated that he has been receiving the signature sheets acknowledging receipt of the policy. No action is taken on this item.

#28-COMMISSIONER REPORTS

COMMISSIONER PAUL MATHEWS attended the NARCANON dinner. Paul M. has been working with Lorayn Wolsar from NV Department of Energy regarding the tax rate on the power line that is being built; she wanted to know if LC wants to be an intervening party. Daniel has advised that it might be a conflict since the county has already granted permits. The permits are related to construction and this other issue is for taxes; the filing date is 10-19. If we don't file to participate, LC needs to fill out a form that states the county doesn't intend to participate. Paul M. feels it would be more appropriate for Paul D. or Tommy to be the contact person for this. Paul M. asked if the Board feels we are in conflict if we file or should we just fill out the document that says we aren't going to participate. At the time that discussions were held for the permits, LC was told that NV Energy wouldn't be filing for the abatement. The hearing will be held on 10-21 at 1:00 p.m. The Board agreed that they would like to be interveners. **COMMISSIONER KEVIN PHILLIPS** testified at the SNWA hearing and attended the Supreme Court presentation. **COMMISSIONER ED HIGBEE** thanked Commissioner Tom Collins for his help with the communication tower. Ed will be attending the groundbreaking ceremony for the Alamo Airport. Ed attended the scoping meeting for SNWA. **COMMISSIONER PAUL DONOHUE** attended the Supreme Court presentation in Panaca on 10-11. Paul D. attended the scoping meeting on the Pioche Lower Park and the LC Fairgrounds. Paul D. attended an Elected Officials meeting with the EO's of the county; one of the biggest concerns is the deep cuts that were made to individual budgets. Several of the EO's will not have enough money to cover salaries and the Board will have to address this when the time comes. As varied as the EO's are in personality, Paul D. felt the participation was great and all ideas and concerns were presented in a very positive manner. **COMMISSIONER TOMMY ROWE** testified in protest of SNWA and attended the Supreme Court presentation. Tommy met with a vendor from NACO regarding Nationwide Insurance; it's the same type of program that Hartford provides for county employees. Tommy attended the dinner at NARCANON.

#29-PUBLIC COMMENT

Tommy called for public comment. None offered.

#30-ADJOURN

There being no further business for the Board to attend to, Tommy adjourned the meeting at 3:08 p.m.

Attest: _____ Approve: _____