



## LINCOLN COUNTY BOARD OF COMMISSIONERS

March 19, 2012  
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: KEVIN PHILLIPS  
ED HIGBEE  
TOMMY ROWE  
PAUL DONOHUE  
PAUL MATHEWS

LISA LLOYD, Clerk  
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 3-13-12. The Invocation was offered by Tommy and Paul M. led the Pledge of Allegiance.

### **#2-PUBLIC COMMENT**

Tommy called for public comment. None offered

### **CONSENT AGENDA**

- #3 Approve/Deny minutes of February 6, 2012.
- #8 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).

**Kevin made a motion to approve the consent agenda with the exception of minutes for March 5, 2012; seconded by Ed. All voted in favor.**

### **#10-VOUCHERS**

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$763,787.69 with estimated expenditures being \$140,879.12. After transfers for Building/Planning are made the balance for General County will be \$525,168.57. Transportation has a cash balance of \$26,651.93 with estimated expenditures being \$3,984.06. This will leave Transportation with a balance of \$22,667.87. Senior Nutrition has a balance of \$10,870.99 with estimated expenditures being \$10,221.09. This will leave Senior Nutrition with a balance of \$649.90. Detention Center has a negative cash balance of \$129,590.45 with estimated expenditures being \$76,066.81. Detention Center will have a negative balance of \$59,287.26. There is some discussion about the augmentation of \$150,000 to make Detention Center whole. The augmentation would be to cover salaries and services/supplies. Paul M. stated that it would be ignoring the ordinance for PILT if it is used for salaries. No decision was made on the augmentation. Solid Waste has a balance of \$94,744.19 with no expenditures. Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Airport has a balance of \$6,898.27 with estimated expenditures being \$336.60. Airport will have a balance of \$6,561.67. Airport loan is due 6-30-12 in the amount of \$6,000. Planning has a balance of \$14,536.31 with expenditures being \$2,688.18. Planning will have a balance of \$11,848.13. **Paul M. made a motion to approve the vouchers as presented with the exception of Mountain Merc and LCTS vouchers; seconded by Ed. All voted in favor. Ed made a motion to approve the vouchers for Mountain Merc; seconded by Paul M. Kevin disclosed that he is part owner of Mountain Merc; he abstained from all discussion and the vote pertaining to these vouchers. Kevin made a motion to approve the vouchers for LCTS; seconded by Paul M. Paul D. abstained and disclosed he is an employee of the telephone company. Motion carried.**

## **#11-OFFICER/DEPARTMENT HEAD REPORTS**

**CLERK** Lisa Lloyd introduced her new deputy, Marie Bleak. **DISTRICT ATTORNEY** Daniel Hooge advised that he will have an item on the April 2 agenda concerning the status of the annexation lawsuit. Daniel cited he has a serious child molestation case that is being prosecuted. Currently, there is about \$8,000 in bills but his budget was cut to \$11,000. This is a life imprisonment case that will cost a great deal of money; Daniel will need an augmentation. Daniel has spoken with the unions and associations concerning the scheduling of negotiations meetings. The three unions don't want to meet until May/June, but the Law Enforcement Association is willing to meet now. **SHERIFF** Kerry Lee discussed the communications tower. The tower is complete and the building and generator are in place. Electricity is not on site yet and it could take a while. With the exception of the power and the actual communications equipment, the project is complete. **TREASURER** Shawn Frehner advised that J&S paid all of their back taxes and current taxes; they've paid an additional 66 parcels and are no longer on the delinquent list. Shawn had another taxpayer that was in arrears come in and pay about \$88,000. There are still several properties on the tax deed list, including Cottonwood. **HCP ADMINISTRATOR** Ronda Hornbeck advised that the Board wrote a letter to BLM in August 2011 requesting funding for Building/Planning/HCP. BLM sent the county a letter concerning the requested funding through HCP but the Board has not responded to date. It specifically asks what is being done with the funding received from LCLA proceeds. An ordinance was put in place at the time of the land sale that governs the proceeds. Carol Bass of BLM has been advised of the ordinance and Ronda will get a copy of it to her. The letter from BLM also asks for funding implementation through Section 7 and Section 10. Section 7 funds aren't for the county to touch; they are for BLM's use for specific projects. Ronda outlined the Section 7 funds, where they came from and how they are to be used. Ronda then outlined Section 10 funds, which are the HCP funds. Ronda offered to put a response together to be sent to BLM. The county has wilderness and disposal lands issues; any time the Planning/Building works on issues related to this the hours will be tracked. Ronda has spoken with Cory Lytle concerning the funding request for Planning/Building as well as Kerry Lee concerning the funding request for the SNPLMA funded, officer. Kerry stated that he would prefer to work the BLM funding so that it is over and above the SNPLMA funding; he doesn't want to lose the SNPLMA funding. Ronda agreed to draft a response to the BLM's letter that will outline the use of our funds and the reasons we are requesting BLM funding, to be addressed at a future Commission meeting. The HCP has a willow planning project down the canyon, scheduled for the 27<sup>th</sup>. This project will help secure the banks in Meadow Valley and Ronda cited that they are looking for volunteers to come help. There are 600 willows that need to be planted. **PLANNING/BUILDING DIRECTOR** Cory Lytle attended a meeting concerning the Travel Management Plan. Cory attended a tour of the drop structures in the county, including Mathews Drop Structure. Cory has an upcoming teleconference with Maggie Orr and Senator Harry Reid's office to discuss options for the Mathews Drop Structure rehabilitation and funding. Cory attended a teleconference concerning the Mt. Wilson power project. They are attempting to have them do something with the right-of-way or drop the project altogether. Champlin Wind withdrew, but the current ROW stands with NV Wind. Collars were put on some deer and elk during the course of the project and Cory is working towards obtaining some of the data collected. Cory is working on a large zone change project in Alamo concerning an adolescent work program. LC Fair Grounds bid will be advertised this week. There have been some scheduling conflicts with special events that Cory is working through. Cory continues to work on a list of patented areas within the county that have expired.

## **#12-PIOCHE PUBLIC UTILITIES EMPLOYEES PAY INCREASE**

This item concerns the request for a longevity pay increase of 5% for Casey Cole and other Pioche Public Utilities employees, effective date of February 19, 2012 for Casey; Glenn Zelch was present on behalf of Pioche Town Board. Glenn cited that PPU employees haven't had longevity increases for nearly 4 years and asked for direction as to how the employees might receive them. **Paul D. made a motion to pay the longevity increase for Casey Cole; seconded by Paul M.** Paul M. asked if this was retroactive. Yes, to February 19, 2012, which is his anniversary date. Paul M. stated that wages were previously frozen to try and conserve during the tough budget years. As contracts are done this year, Pioche Town needs something to base on. Paul D. stated that this is Pioche Town, and PPU doesn't affect the General Fund; the majority of this money comes from the town fund and is rate payer money, which makes it different. Paul D. stated that Casey's wages are low compared to union employees' wages. Currently, PPU is operating under the expired 2006 contract. The only way to pay this is to raise the rates to the rate payers in Pioche. Cindy Free advised that longevity is limited to 20%. Glenn asked what type of planning is needed for the other employees' raises. Paul D. stated that the other raises need to be addressed individually. Paul M. advised that rate scales and contracts need to be fixed throughout

the county. Cindy stated that it is important to remember that PPU generates their own funds and asked the Board to bear this in mind during negotiations. Further, Cindy asked that the Town Board be included in the negotiations. **All voted in favor.**

#### **#13-HIGHWAY COMMISSION**

This item is handled under separate agenda.

#### **#14-LINCOLN COUNTY FIRE DISTRICT**

This item is handled under separate agenda.

#### **#15-PANACA FIRE DISTRICT**

This item is handled under separate agenda.

#### **#16-LC TRANSPORTATION DRIVER**

This item concerns a request for a pay increase for the Lincoln County Transportation driver from \$8.50/hour to \$10.00/hour. **Paul M. made a motion to approve; seconded by Kevin. All voted in favor.**

#### **#17-COOPERATIVE EXTENSION**

Holly Gatzke offered a report concerning the Cooperative Extension Office. Holly spends the majority of her time on development, or agricultural diversification. There are producers looking at specialty crops for Las Vegas. Holly continues to look at the creation of processed foods for production within LC. It is challenging as the Federal and State laws have grey areas concerning the process. They will start with fruit/vegetables, but hope to include livestock. These will be very specialized products for high end chefs. Holly has been working on rural tourism as well. There is a 90% failure rate for outside businesses; the majority of success comes from building local businesses. Holly works on community development, the creation of a holistic view to build the community. The focus will be on how teams can work and function together to create and enact a plan. This will help with nonprofits and many other businesses. Holly continues to work hard on the youth programs; 4H is running strong within the county. The economy is affecting the kids and their ability to participate. The shooting sports club includes 9 leaders throughout the county; it's flourishing. The new program added last year is the career development program for youth. It targets kids between 17-21 years of age and helps them identify a career path. Recently, they took part in the Driver's Edge program that teaches youth how to drive safely; Holly hopes to continue that program next year. Ed advised that Betsy Whipple is working towards having a grape vineyard in Alamo. Holly has worked on finding connections to expertise that will benefit Betsy.

#### **#18-PIOCHE FUEL REDUCTION/TOWN MAINTENANCE EMPLOYEE**

Nathan Adams advised that \$12.00/hour is the rate that was agreed on for Tom Maurine, who will be the Pioche Fuel Reduction/Town Maintenance employee. The county still uses NDF for fuel reduction projects, and Tom will work with NDF on this project. **Paul D. made a motion to approve \$12.00/hour; seconded by Kevin. All voted in favor.**

#### **#19-PIOCHE POOL MANAGER**

Nathan Adams advised that they've decided to take more time in deciding on a pool manager. This position will be filled prior to hiring life guards.

#### **#20-SHERIFF'S EDUCATION PROGRAM**

Elaine Zimmerman addressed the Sheriff's education program. Paul M. has spoken with Dan McArthur, as well as Leslie Boucher, and there is no restriction on the Land Act Education Fund, Fund 94, that would prevent the payment of salaries for the Sheriff's education program. The scope of the program previously submitted fits the parameters for using the fund. **Paul M. made a motion to pay the bill from Fund 94; seconded by Ed. All voted in favor.**

#### **#21-PIOCHE PARK PHASE II**

**Paul D. made a motion to approve Change Order #1 for Trade West Construction for the Pioche Park, Phase II project; seconded by Paul M. All voted in favor.**

#### **#22-INDEPENDENCE HARE SCRAMBLE**

Cory Lytle advised that Groundshakers are working over some pending agreements with the LC Power District. **Paul D. made a motion to approve the Groundshaker Motorcycle Club Independence Hare Scramble motorcycle race scheduled for June 30, 2012 in the Caliente area, pending LC Power District's negotiations and approval; seconded by Ed. All voted in favor.**

#### **#23-BEAVER DAM/MOUNT WILSON TRANSFER STATION SITES**

This item concerns a contract with Pearson and Sons Construction for fencing and dirt work on the Beaver Dam and Mount Wilson transfer station sites in the amount of \$9,500. Cory Lytle advised that three contractors bid on this project; this was the least expensive. The dirt work at Mount Wilson will be more extensive than Beaver Dam. There is some discussion about having the Road Department do this project. RD can do the dirt work, but not put the fence/concrete in. **Paul D. made a motion to approve the contract with Pearson and Sons, to be paid from Fund 87; seconded by Ed. All voted in favor.**

#### **#24-LC NUCLEAR OVERSIGHT PROGRAM**

Connie Simkins advised that she attended the NV Legislature's committee meeting concerning high level waste, and she presented a document for the Board outlining Bob Halstead's report. The main focus of the meeting was to educate the new legislators that will be dealing with high level waste. Each state is being urged to approve a route, NV hasn't done that so DOE has designated the major interestates. Clark County public has consistently stood in opposition of the Yucca Mountain Project. If the best efforts of the state of NV and our Congressional Delegation are unsuccessful in keeping Yucca Mountain, we want to be prepared to protect the health and welfare of our citizens, we want to identify mitigations that need to be done and monitored based on positive and negative impacts. We look forward to positioning ourselves for economic development opportunities. We want to be engaged in the future of the NV National Security Site, with or without Yucca Mountain. Connie received a copy of a survey done by northern NV businessmen that indicates 62% feel that YM should be opened as a repository and research facility. Connie presented an email from William Cadwallader concerning the release of ortho photos to the Air Force; Connie hasn't responded to this email yet. Connie outline nuclear energy activities taking place around the world. Vaughn Higbee advised that Secretary Chu was called before the Senate Appropriations subcommittee on energy and water. Diane Feinstein drilled Secretary Chu as to why nuclear waste isn't moving more rapidly. Secretary Chu responded that the Nuclear Waste Act would have to be changed and that DOE is busy standardizing and consolidating fuel. Secretary Chu indicated that they are looking at business model that would create a private/public agency that would move nuclear waste out of DOE and take it to a different level. Secretary Chu stated that the reason there haven't been more licensed reactors is due to natural gas being so cheap and the high cost of KW/hour compared to nuclear. They are proposing building 258 new natural gas fired generators, and it looks like they are proposing about 29 new nuclear reactors. The waste problem must be solved before new reactors can be built. It was indicated that there would be 222 gigawatts of power that will be created within the next ten years; 58% will be gas fired, 31% will be renewable and includes hydro, 8% coal. 3% nuclear. The two most efficient ways to make power are at the bottom of the list. Vaughn believes the numbers are very political and this is the vision of the administration. The cost of renewable energy is extremely high, but Vaughn doesn't know that we can afford to pay for it. Renewable has a place, but not 31%. Dams are being removed along the Columbia River.

#### **#25-PINION-JUNIPER PARTNERSHIP**

This item concerns a letter to Doug Martin, co-chair of the Nevada Pinion Juniper Partnership, designating a Lincoln County representative to serve on the executive committee of the Nevada Pinion Juniper Partnership. **Paul M. made a motion to appoint Connie Simkins to serve on the executive committee of the Pinion Juniper Partnership; seconded by Ed. All voted in favor.**

#### **#26-CORE GEO DATA CONTRACT**

Connie Simkins advised that a year ago, Jason Pitts's contract was reduced a great deal. Jason has done some extra work pursuant to requests from Connie. **Kevin made a motion to approve the request to increase the Core Geo Data, Jason Pitts, contract for information technology in the amount of \$20,000; seconded by Ed. All voted in favor.**

**#27-WILSON CREEK WIND COMPANY APPLICATION**

This item concerns a letter to Rosemary Thomas of Ely District Bureau of Land Management requesting immediate termination and cancellation of Wilson Creek Wind Company's application for rights-of-way for a wind generation facility. Connie Simkins stated that BLM currently has the ability to cancel this project due to lack of activity since 2004 and lack of information as to plan of operation. Also, the company hasn't deposited any funding for BLM to work on this project. This letter will be cc'd to John Johansen. **Paul D. made a motion to approve and send the letter; seconded by Paul M. All voted in favor.**

**#28-QUARTERLY JAIL TOUR**

This item was tabled.

**#29-COMMISSIONER REPORTS**

**COMMISSIONER PAUL MATHEWS** attended the Tri-County Weed meeting in Ely last week. **COMMISSIONER KEVIN PHILLIPS** will attend a conference call for the HCP on Wednesday morning. 3-22 Kevin will attend JCCIAC, then he will travel to Quad State in Primm, NV. Kevin advised that it is inconvenient and difficult that the BLM Shell District extends into this county. Kevin will be sending a letter to BLM asking that LC be included in the Caliente District, versus the Shell District. **COMMISSIONER TOMMY ROWE** attended the NV Water Resource Association conference in Las Vegas. Tommy also attended a LEO meeting in Las Vegas. Tommy met with Connie Simkins and Keith Larson regarding a budget for JCCIAC; they will meet this Thursday to finalize the budget. **COMMISSIONER ED HIGBEE** attended a Civilian Military Council meeting last week at Nellis AFB. Ed and Kevin will meet with General Garland and Colonel Thompson tomorrow. Ed and Paul M. met with the Seenos last week. **COMMISSIONER PAUL DONOHUE** went to Elko with Kevin to attend a meeting with Forestry and Congressman Amodei. Paul D. attended the meeting with BLM and Steve Chouquer on March 13; June 6 is the next roads meeting with BLM. Paul D. will attend the RTC meeting tomorrow night, and he will meet with Frank Cesena on Wednesday evening concerning roads issues in Dry Valley.

**#30-PUBLIC COMMENT**

Tommy called for public comment. Connie Simkins presented an article concerning President Obama's energy budget. Wind energy is viable only if natural gas triples in price. The Obama Administration makes a big deal out of subsidies to oil/gas companies; there are 13,000 companies getting this subsidy. There are four wind producing companies that get \$2.6 billion. Governor Sandoval is rejuvenating the state sage grouse task force committee. The group was told that the goal is to identify the best practices to preclude the listing of the sage grouse. One of the big things that can be done to help the sage grouse is to increase predator control. Connie advised that a report was given at the N4 Grazing Board meeting; they were told that a mother coyote was tracked and shot with a sage hen in her mouth. They tracked the coyote back to her den, which was covered in sage grouse feathers.

**#31-ADJOURN**

There being no further business for the Board to attend to, Tommy adjourned the meeting at 12:38 p.m.

Attest: \_\_\_\_\_ Approve: \_\_\_\_\_