



LINCOLN COUNTY BOARD OF COMMISSIONERS

July 2, 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 9:06 a.m. Clerk Lisa Lloyd called the roll.

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

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 6-26-12. The Invocation was offered by Paul D. and Ed the Pledge of Allegiance.

#2-PUBLIC COMMENT

Tommy called for public comment. None offered.

CONSENT AGENDA

- #3 Approve/Deny minutes of May 10, June 1, June 4, and June 18 meetings.
- #4 Approve/Sign Notification of Grant Award by Aging and Disability Services to Lincoln County Human Services Home Care, FY 2013 service grant in the amount of \$37,200.
- #5 Approve/Sign Notification of Grant Award by Aging and Disability Services to Lincoln County Human Services Transportation for FY 2013 in the amount of \$27,397.
- #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 D. made a motion to approve the consent agenda; seconded by Ed. All voted in favor.

#7-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$ with estimated expenditures being \$. General County will have a balance of \$. Transportation has a cash balance of \$ with estimated expenditures being \$. This will leave Transportation with a balance of \$. Senior Nutrition has a balance of \$ with estimated expenditures being \$. This will leave Senior Nutrition with a balance of \$. Detention Center has a negative cash balance of \$ with estimated expenditures being \$. Detention Center will have a negative balance of \$. Solid Waste has a cash balance of \$ with estimated expenditures of \$. Solid Waste will have a balance of \$. Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Airport has a balance of \$ with estimated expenditures being \$. Airport will have a balance of \$. Airport loan was due 6-30-12 in the amount of \$6,000. Planning has a balance of \$ with expenditures being \$. Planning will have a balance of \$. **Paul D. made a motion to approve the vouchers as presented with the exception of LCTS vouchers; seconded by Ed. All voted in favor. Ed made a motion to approve the vouchers for LCTS; seconded by Tommy. Paul D. abstained as he is an employee of LCTS. Motion carried.**

#8-OFFICER/DEPARTMENT HEAD REPORTS

EMERGENCY MANAGEMENT COORDINATOR Rick Stever stated he will be de-obligating \$1,500-2,000 in grant funds as he didn't have matching funds. This money is used to pay for utilities. Rick has a bill from our local radio technician, Cody Whipple, for approximately \$106,000 as he is requesting 75% of the materials now.

The funding has been approved by the state, but Leslie is having a problem with issuing the check as the funds haven't arrived here. Rick asked if it is possible to get a loan from another account. Usually, we can get reimbursed quickly, but this grant will take a while to reimburse. Tommy advised that this issue will need to be on the agenda. **TREASURER** Shawn Frehner reported that the CFOA conference was fabulous; all attendees really enjoyed it and there was nothing but positive feedback. Paul D. presented the certificate received at the conference for the Board's help.

#9-COMMISSION MEETING DATE CHANGE

Ed made a motion to approve the Commission meeting date change to November 13, 2012; seconded by Paul D. All voted in favor.

#10-AIRPORT LOAN

The airport borrowed \$6,000 and the loan was due June 30, 2012. There was some discussion concerning paying back the loan, extending the loan, or forgiving the loan. Airport currently has the funding to pay it back as the cash balance is over \$9,000. **Ed made a motion for Airport to pay back the \$6,000 owed to the General Fund; seconded by Paul D. All voted in favor.**

#11-HIGHWAY COMMISSION

This item was handled under separate agenda.

#12-LINCOLN COUNTY FIRE DISTRICT

This item was handled under separate agenda.

#13-LC NUCLEAR OVERSIGHT PROGRAM

Connie Simkins reported that she's continued to contact Ned Larson concerning the surplus file cabinets; we are going to get them but it isn't certain when. There is an ECA meeting on August 15-17 in Los Alamos, NM. The Board is invited to a Rural NV Development Corporation board meeting on 7-23 in Ely. Vaughn Higbee asked if anyone would like to attend a tour of Area 5 and other areas on the NV Test Site on July 17. This is the low level waste repository. Ed volunteered. Vaughn attended a meeting in Pahrump. It was an educational program put on by NNSA; they are willing to bring that presentation to LC if the Board is interested. This seminar teaches what low level waste is and what's happening to it at Area 5. Part of the waste is being buried in Area 3; this will close within the next few years. The closest town to Area 5 is Rachel. Vaughn presented a handout showing the Area 5 radioactive waste management site. It's a large hole in the ground covered by a heavy duty liner. There are 7 active cells and 31 that are closed. The waste is brought in in shipping containers. The total disposed volume is more than 22 million cubic feet. There are a number of monitoring stations for air, ground water, meteorology, radon flux, soil gas, soil moisture, soil temperature, thermoluminescent, and dosimeters. They say it's a wonderful place because the basin in Area 5 is a close basin; the water doesn't run out of there and the water table is 800 feet deep. Vaughn hasn't received a copy of the completed EIS yet. DOE would like to expand this and bring material in from all over the U.S. The main routes would come out of southern CA, through Las Vegas. It would also come out of Wendover, down through Ely, and into the test site. They are considering offloading the material at Apex; offloading it from a train and taking it through Las Vegas. There is a possibility that we can see major increases in traffic through the county. If DOE doesn't make the determination to increase the amount then things will remain static. Vaughn discussed getting the displays set up in the county for residents to see. LC receives some funding for this site and from the beginning they've been putting radioactive material out there.

#14-NUCLEAR WASTE ISSUES

Ed made a motion to approve the letter to Nevada Legislative Committee on High-Level Radioactive Waste re: Blue Ribbon Commission recommendations, Congressional funding, completing Yucca Mountain licensing proceedings; seconded by Tommy. Paul D. was opposed. Motion carries.

#15-SHERIFF'S CALIENTE CONTRACT

Paul D. stated that the payment to the county for services rendered to Caliente was brought up during negotiations as it could be a revenue source to help with public safety. Caliente saves a great deal of money by using county services versus having their own public safety department. When Caliente decided to eliminate

their police department it was decided that the county would pay for two officers and Caliente would pay for one. Now, Caliente pays \$75,000 as well as fuel, Wi-Fi, office space/substation for two officers. When tallied, Caliente is paying out over \$100,000 for officers. Jo Whitlock commented that this is an issue that needs to be considered during the budget process; budgets for the current fiscal year are completed. Paul D. advised that he promised during negotiations that he would open up the dialogue concerning this issue. Sheriff Kerry Lee said that the City of Ely pays the sheriff's office approximately \$800,000 per year for their services. The county just supplemented the Detention Center \$180,000, and that's part of the reason this issue is being raised. Kerry discussed the costs to transport inmates for court appearances. Detention Center is working on a video arraignment system that would help eliminate some of the costs they are facing. There are three officers who live in Caliente. Services haven't decreased. No action was taken on this item and it will be on the August 6 agenda.

#16-PETITION FOR EXPLORATION OF MINING CLAIMS

Tom Brown addressed the Board concerning the filing and approval of an affidavit and petition for exploration of mining claims. Through this same action, Bruce Condie and Wayne Cole obtained a mining claim in the Eagle Valley area, just above the state line. It is one patented claim, a little over 16 acres. Bruce isn't interested in keeping the property anymore, Wayne has passed away, and so Bruce let the taxes go on it. However, Tom is interested in this and has filed the petition on it. There are continuous mining claims that go into Utah. This is one of the properties on the tax deed list as the taxes haven't been paid for the last three years. Once they petition and work the mining claim for six months then this claim will be deeded to the petitioner. This will take the property off the tax deed sale list. **Paul D. made a motion to approve; seconded by Ed. All voted in favor.**

#17-COMPUTED TOMOGRAPHY (CT) MACHINE

This item was tabled.

#18-ECHO CANYON STATE PARK

The Board reviewed the bids, and State Parks recommendation is to hire Logan Simpson Design. **Paul D. made a motion to award the Echo Canyon State Park Treatment Plan and Data Recovery contract to Logan Simpson Design in the amount of \$16,625.00; seconded by Ed. All voted in favor.**

#19-PIOCHE PARK

Ed made a motion to approve and sign the contract time extension for Trade West Construction on Pioche Park Phase II project; seconded by Tommy. All voted in favor.

#20-MEADOW VALLEY WASH LINEAR PARK

Paul D. made a motion to approve and sign the Notice of Final Acceptance for Kokopelli Landscaping for the Meadow Valley Wash Linear Park landscape amenities project; seconded by Ed. All voted in favor.

#21-PIOCHE TOWN BOARD

Three people have submitted letters of interest: Bill Lloyd, Leo Schaefer, and Mark Robinson. **Ed made a motion to appoint Bill Lloyd to Pioche Town Board; seconded by Paul D. All voted in favor.**

#22-TAX DEED SALE

Treasurer Shawn Frehner addressed the Board and discussed the properties listed on the delinquent tax list. Total amount of taxes due is \$75,861.46. Paul D. stated that he met with a gentleman about a year ago concerning Combined Metals and Bristol Wells; they've declared bankruptcy and a judge turned over the authority of the land. If they've declared bankruptcy and it went to court wouldn't the Board be notified? Shawn replied that a title search will have to be done and this will help to find the information needed. The county orders the title search and the cost for it gets included in the price of the properties. Cost ranges from \$150-200 per parcel. There is paperwork that can be filled out for hardship; it doesn't relieve them of the responsibility of the taxes but it does put them into a holding pattern. The next step is for the Board to decide whether or not to hold a sale and to set the date of the sale. The properties then are sold at auction, and the minimum is the amount owed on taxes plus fees. Tony Graf, Assistant DA, offered to do more research on the tax sale process.

Shawn stated that this takes precedence over any liens on the property; if the person that buys the property chooses to, they can evict the people living on the property. Once the properties are advertised the properties can't be redeemed by the delinquent taxpayers. They are given notice and then they have 90 days to pay their taxes before it is advertised. As long as the delinquent taxes are paid prior to the advertisement the property is removed from the list. Shawn hasn't made agreements with anyone who is making payments or told them they'll be removed from the list since they're making payments; she's told them that they will be removed after they've come to the Board and received approval to be removed. Cory reminded the Board that they are looking at land disposals in the near future as well. Cory commented that the county doesn't want to flood the market. No action was taken on this item as the DA's office is researching it.

#23-TAX RATES

Paul D. made a motion to approve the resolution of the Board of Commissioner of Lincoln County designating the number of cents of each one hundred dollars (\$100.00) of property levied for each fund and authorizing the levy of the tax required for the Fiscal Year 2013; seconded by Ed. All voted in favor.

#24-MATHEWS DROP STRUCTURE

Cory Lytle presented this item, which is a letter to the US Army Corps of Engineers requesting a structural analysis to be completed for the Mathews drop structure through Flood Management Services (FMP). **Paul D. made a motion to approve; seconded by Ed. All voted in favor.**

#25-ZERO ONE ODYSSEYS TOUR

Cory Lytle presented the request from Zero Odysseys Tour for a non-competitive event to be held July 30-August 3. There will be six vehicles plus two support vehicles, for a total of eight. In the past, the county has exempted the non-competitive events from permits. The problem is that we are now getting a great deal of non-competitive events and there are more and more scheduling conflicts. The Board agreed that no action was needed for this item since permits haven't been required in the past.

#26-HIKING/BIKING/HORSEBACK RIDING TRAILS

This item concerns the possible identification of trails for hiking, bicycling, and horseback riding trails for the Environmental Assessment (EA) that is being completed by the Bureau of Land Management (BLM) in LC. Ronda Hornbeck commented that she received an extension from BLM for this item. Ronda spoke with Victoria and asked how long the trails should be. BLM wants short trails so a map can be created for users. BLM would be interested in having the Boy Scouts help mark the trails. Cory stated he referenced our public lands plan and most people want the trails to be within 40 minutes of local communities. Another thing to consider are benefits to local businesses. How does the Board want the requests for trails to be presented? Handled by the town boards and then presented to the Board or straight to BLM? The trails must be maintained in the future and there are hidden expenses that may down the road. BLM would be responsible for the maintenance and signage on the trails; they may ask for community help but they will handle the maintenance. Ronda asked if the Board wants to send a letter to the town boards to get them involved. The Board agreed to notify the town boards to gain input as to desired locations for trails. Letters from town boards need to be submitted to Kevin Phillips prior to July 25.

#27-COMMISSIONER REPORTS

COMMISSIONER TOMMY ROWE attended a NACO meeting in Carson City; they're working on legislative items. Tommy also attended the Southern NV Workforce Investment Board meeting. **COMMISSIONER ED HIGBEE** and Lonny Walch attended the Military Civilian Council meeting in Las Vegas on June 27-28. Ed also attended a sage grouse meeting in Caliente. Ed went to a meeting in Eureka on June 20 concerning the Wayne Hage decision. **COMMISSIONER PAUL DONOHUE** commended the elected officials on all their hard work on CFOA conference, it was fantastic. Corrine Hogan sang the National Anthem.

#28-PUBLIC COMMENT

Tommy called for public comment. Cory Lytle advised that he's working on the BLM business plan and the tentative meeting date is 7-16 for a meeting with BLM. Cory will continue to work on the numbers. Vaughn Higbee stated he is working on a demographics schematic for another project; he will bring it to the Commissioners as it demonstrates why LC struggles financially.

#29-ADJOURN

There being no further business for the Board to attend to, Tommy adjourned the meeting at 12:36 p.m.

Attest: _____ Approve: _____

DRAFT