



LINCOLN COUNTY BOARD OF COMMISSIONERS

November 13, 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: ED HIGBEE
PAUL MATHEWS
TOMMY ROWE
KEVIN PHILLIPS
ABSENT: PAUL DONOHUE

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 11-7-12. The Invocation was offered by Ed 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 the October 15 and October 26 meetings.
- #4 Approve/Deny a budget transfer in the amount of \$50,000 from the Federal In Lieu Special Revenue Fund to the Solid Waste Fund.
- #5 Approve/Deny a budget transfer in the amount of \$83,000 from the Capital Improvement Fund to the Vehicle Capital Project Fund.
- #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).

Kevin made a motion to approve the consent agenda with the exception of Item 3; 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 \$625,949.78 with estimated expenditures being \$165,044.88. General County will have a balance of \$460,904.90. Transportation has a cash balance of \$25,073.98 with estimated expenditures being \$3,094.81. This will leave Transportation with a balance of \$21,979.17. Senior Nutrition has a balance of \$52,927.96 with estimated expenditures being \$11,153.81. This will leave Senior Nutrition with a balance of \$53,586.15 as receipts not posted will be added to this fund in the amount of \$11,812. Detention Center has a negative cash balance of \$174,467.26 with receipts not posted totaling \$183,750. Estimated expenditures are \$106,282.54. Detention Center will have a negative balance of \$68,184.72. Solid Waste has a negative cash balance of \$19,451.71 with estimated expenditures being \$40. Receipts not posted total \$1,415; Solid Waste will have a negative balance of \$18,076.71. Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Airport has a balance of \$2,751.35 with no expenditures. Planning has a balance of \$4,127.83 with expenditures being \$2,004.79. Planning will have a balance of \$2,123.04. Building Department Fund has a balance of \$47,814.28 with estimated expenditures being \$5,220.63. Building Department Fund will have a balance of \$42,593.65. There was a bill for plumbing repairs to the Detention Center payable to Robert C. Phillips; it will be taken from Fund 64 rather than the fund that was originally approved since funds weren't budgeted in Fund 87. **Ed made a motion to approve the vouchers as presented with the exception of the Mountain Merc; seconded by**

Paul M. All voted in favor. Ed made a motion to approve the Mountain Merc vouchers; seconded by Paul M. Kevin disclosed that he is part owner of Mountain Merc; he abstained from the discussion and vote pertaining to these bills. Motion carried.

#8-OFFICER/DEPARTMENT HEAD REPORTS

DISTRICT ATTORNEY Daniel Hooge advised that he has the final copy of the Teamsters agreement. An accounting of the Kincade trial was presented; total cost was approximately \$33,000. There will be another jury trial on November 27. **LC HEALTH NURSE** Nicole Rowe reported that she met with the LC School Board and requested assistance to bring LC's kids up to date with immunizations. WIC numbers are up. Nicole advised that she's been without an administrative assistant (AA) since November 1. She's had no help for the last 12 days in the office as her assistant is ill. Nicole stated that she believes that her AA is a county employee and she doesn't know where to go for help. The AA is part time and it may be quite some time before she's back at work. The AA does all of the billing and coding, basically she handles all the paperwork of the office. Nicole stated that an individual from Ely is coming down today to help. The AA is part time and Nicole is working to build the practice. It is unknown when the AA will return. The Board recommended that Nicole check in the Recorder/Auditor's office to see what the AA's status is with sick leave. There is no need to advertise to find an individual who can fill in part time until the AA returns. Sheila Davis was the AA prior to this and Denice Brown recommended that Nicole contact her to see if she is able to help. Cindy Baker could also be contacted to aid Nicole. Nicole asked if there is a maintenance person for the building. Paul M. responded that Nicole should talk to Maggie Orr to see who takes care of the building as it's owned by the Conservation District.

#9-2012 GENERAL ELECTION CANVASS

Clerk Lisa Lloyd reported that there was a 77.07% turnout. Things went very smoothly and there were no major issues. **Ed made a motion to approve; seconded by Kevin. All voted in favor.**

#10-HIGHWAY COMMISSION

This item was handled under separate agenda.

#11-HABITAT CONSERVATION PLAN MAINTENANCE TRUST

Monies that compound go into the HCP Maintenance Trust; this resolution specifies that the interest compounds to the fund. **Kevin made a motion to approve the resolution adding compounded interest to the Habitat Conservation Plan Maintenance Trust; seconded by Ed. All voted in favor.**

#12-SOUTHERN LINCOLN COUNTY HABITAT CONSERVATION PLAN GID

This item was covered under separate agenda.

#13-LINCOLN COUNTY FIRE DISTRICT

This item was handled under separate agenda.

#14-TEAMSTERS COLLECTIVE BARGAINING AGREEMENTS

Kevin made a motion to approve the collective bargaining agreements between LC and Teamsters Local 14 Clerical, Dispatchers, and Road Department; seconded by Paul M. All voted in favor.

#15-BROWNSFIELDS REVOLVING LOAN FUND

Paul M. stated that there is nothing requiring cleanup in our county that was discovered in the previous studies, but it would be nice to having this funding in place should someone in our county be pressured by the EPA to clean up a tank or something like that. Nye County has taken the lead on this and they've done some projects to cleanup old gas stations. **Paul M. made a motion to approve the letter of commitment to participate in an application for grant funding in the amount of \$1,000,000 to the US Environmental Protection Agency for a Brownsfields Revolving Loan Fund Grant to provide loans and sub-grants for cleanup of contaminated properties; seconded by Ed. All voted in favor.**

#16-US DEPARTMENT OF ENERGY/NEVADA SITE SPECIFIC ADVISORY BOARD

This item concerns a letter from Department of Energy (DOE) National Nuclear Security Administration, concerning the opportunity for LC Commissioner to participate in the US DOE Nevada Site Specific Advisory

Board. Kevin stated he is willing to serve on this board. **Ed made a motion to appoint Kevin as the liaison; seconded by Paul M. All voted in favor.**

#17-COUNTY ROADS

Tommy cited that action on this item will not be possible as it isn't specific enough to alert the public as to the type of action that could be taken. Jim Wilkin presented discussion concerning county roads. Jim Wilkin advised that he traveled the road from 318 to Lund, or Sunnyside Road. The road is incredibly rough and Jim said he will never drive it again because it's in such bad condition. There are kids at Lund that attend college in St. George that use that road. Jim stated that the reason that the Road Department isn't out working on roads is because they're working on School District projects; this is out of line and Jim doesn't understand how the county is getting away with it. Jim asked the Board to consider what the RD is really about, it's to maintain roads. The road going over Patterson is just as bad. Jim has heard rumors that the county was going to buy out some of the older RD employees. If the county is going to do this, they should bid out some of the roads out to private companies. There are some issues that need to be considered, including that we just continue to get more and more government in our own county. Doing the work for the School District isn't feasible for the county. Jim commented that he's never seen the roads this bad. It's a shame that we aren't trying to improve the roads that are a main thoroughfare. Bill and Connie Mull, who live in Cave Valley, were present. Bill stated that he's always bragged about the RD until the last couple of years. In the last few years, he has ceased bragging because the RD isn't doing a very good job. There are two residents in Cave Valley and a letter was sent to the Board from the owners of the ranch, Dana Johnson. Bill asked why RD did such a good job for fifteen years caring for the roads and now is doing such a horrible job. Bill stated that when RD grades now it doesn't seem to do any good. The road gets done and two days later it is just as bad as it was before. Jim stated that when the roads get really bad you have to grade it one week then do it again the following. Jim suggested that Board bid out some of these projects as the RD doesn't have time now that they're doing School District projects. Steve Chouquer stated that the Cave Valley road got washed out; they were out there within a day. Two days later the road got washed out again; they bladed again. Steve got another call after that advising that they got more water. Steve has had six blades running full time. They've been through Hamblin Valley and have fixed multiple washes on the same roads. They've been down the canyon and Tule. The blades have been running all summer; it takes a great deal of time to get through all of the roads in the county. It took RD three days to blade Patterson Pass. A great deal of extra work has been done and RD is working hard to get the roads back in shape. Steve stated that there are many roads that are a great deal worse. RD is doing all they can do. Cory Lytle stated that the NV Energy project requires them to bond with the county to go in and fix roads where they have the most damage and use. An initial payment was sent in. County can bill for work done. Cory suggested that the county go back and work with NV Energy. In some areas, new material is needed. \$22,000 was sent to the county for some roads. Many times the RD can take care of regular maintenance. RD can negotiate with NV Energy to get materials paid for. The road going across from Bristol hasn't been bladed the year, Jim said. Shane Cheeney responded that it has been and a list of bladed roads can be obtained through their office. LC has more dirt roads than any other county in the state. The end solution is to continue working on the roads and get them all in shape. The blades are going back over the Patterson road again today. Shane stated that it's difficult to keep the roads up when they're the weather is so dry; they get bladed and a week later they're just as bad as they were before. No action was taken on this item.

#18-COMMISSIONER REPORTS

COMMISSIONER PAUL MATHEWS asked multiple questions of Daniel concerning the Detention Center expansion by Western Corrections Group (WCG). Paul M. asked what the responsibility of the county is if WCG defaults. Daniel responded that WCG has made multiple statements advising that the county will not be liable if they default. Daniel stated that this sounds really good, but it has to be too good to be true; he needs to see the paperwork. Paul M. asked if the county has the right to go on the property of the old Panaca Elementary School property; do we have a deed yet? Daniel stated the deeds are ready to go but we are waiting for Lenard Smith to complete the survey. Paul M. advised that there is an interested tenant who would like to rent a room in the building. Kevin stated the rents ought to be commensurate with the amount of space that each renter occupies. Last week Paul M. was in Carson City at a Farm Bureau convention. Paul M. met with Jerry Buck, head of Cooperative Extension as well as Ron Perdini, interim dean of agriculture. Paul M. also met with Jim Barbie. **COMMISSIONER KEVIN PHILLIPS** attended the Detention Center Facility expansion meeting on 10-26. Kevin reviewed the progress on the possessory use tax issue. **COMMISSIONER TOMMY ROWE** attended the

special Commission meeting on 10-26 to sign lease on the Detention Center expansion land. Tommy attended a Tri-County meeting in Ely on 11-2. **COMMISSIONER ED HIGBEE** advised that he was contacted by Toni Pinkham, who told him they'd like to put out enough food to cover December 31 so that her office might be closed and have the day off. Ed attended Aviation Nation this last Saturday.

#19-PUBLIC COMMENT

Tommy called for public comment. None offered.

#20-ADJOURN

There being no further business for the Board to attend to, Tommy adjourned the meeting at 11:32 a.m.

Attest: _____ Approve: _____