



LINCOLN COUNTY BOARD OF COMMISSIONERS

June 3, 2013
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners

Paul Mathews
Kevin Phillips, Vice Chair
Adam Katschke
Paul Donohue
Ed Higbee, Chair

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

Chairman Ed Higbee called the meeting to order at 9:03 a.m. Clerk Lisa Lloyd called the roll.

PRESENT: ED HIGBEE
PAUL DONOHUE
ADAM KATSCHKE
KEVIN PHILLIPS
PAUL MATHEWS

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 5-29-13. The Invocation was offered by Adam and Ed led the Pledge of Allegiance.

#2-PUBLIC COMMENT

Ed called for public comment. None offered.

CONSENT AGENDA

- #3 Approve/Deny minutes of the May 20 meeting.
- #4 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).

Adam made a motion to approve the consent agenda; seconded by Kevin. All voted in favor.

#5-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$400,999.31 with estimated expenditures being \$156,775.03. General County will have a balance of \$244,224.28. Transportation has a cash balance of \$68,925.96 with estimated expenditures being \$11,331.54. Transportation will have a balance of \$57,594.42. Senior Nutrition has a balance of \$72,172.90 with estimated expenditures being \$14,038.22. Senior Nutrition will have a balance of \$58,134.68. Detention Center has a cash balance of \$224,719.54 with estimated expenditures being \$89,999.21. Detention Center will have a cash balance of \$134,720.33. Solid Waste has a cash balance of \$99,281.54 with expenditures of \$22,431.05. Solid Waste will have a balance of \$76,850.49. Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Airport has a balance of \$2,359.70 with no expenditures. Planning has a balance of \$7,924.93 with estimated expenditures being \$2,237.58. Planning will have a balance of \$5,687.35. Building Department has a balance of \$19,712.99 with estimated expenditures being \$4,665.75. Building Department will have a balance of \$15,047.24. **Adam made a motion to approve the vouchers as presented with the exception of the LCTS, Meadow Valley Pharmacy, and Mountain Merc vouchers; seconded by Kevin. All voted in favor. Adam made a motion to approve the Mountain Merc vouchers; seconded by Paul M. Kevin disclosed he is part owner of the business and abstained from the vote. Motion carried. Kevin made a motion to approve the vouchers for LCTS; seconded by Adam. Paul D. abstained as he is an employee of LCTS. Motion carried. Kevin made a motion to approve the MV Pharmacy vouchers; seconded by Paul M. Adam abstained and disclosed he is the owner of MV Pharmacy. Motion carried.**

#6-OFFICER/DEPARTMENT HEAD REPORTS

DISTRICT ATTORNEY Daniel Hooge advised that the judge ruled in LC's favor on the preliminary injunction pertaining to 2nd North. The injunction has been lifted, which means we can go ahead and do the road. Steele's attorney has advised that they will proceed even though they aren't likely to win. **EMERGENCY MANAGEMENT COORDINATOR** Rick Stever attended a summit last week in Fallon concerning emergency preparedness and public awareness. **TREASURER** Shawn Frehner presented a report concerning landfill. Receipts were \$17,784.56 for the month of May. The DA's office and Treasurer's Office have been working on landfill collections for those that are at least three years overdue. \$24,879 is the amount being pursued for three years past due accounts; to date over \$9,000 of that has been collected. \$128,000 is the total amount owing on all accounts outstanding. Shawn asked if the landfill committee is to continue working on future landfill issues. Yes. Paul M. stated that he is under the impression that we are waiting for Recology, who is supposed to get back to us concerning contract issues. **SHERIFF** Kerry Lee stated that he's aware there is a meeting to reevaluate the personnel policy. Kerry has an issue with section 5.16.7. Kerry hosted a training meeting and \$34 was spent on juice and donuts, but it can't be paid due to the policy. Kerry feels this is micromanaging and suggested that the Board set a limit if they desire. The people put their trust in the elected officials to take care of their budgets.

#7-LABOR DAY

Paul M. suggested that Buildings and Grounds be looked at for the payment of the electrical outlets installed for use by the Labor Day Committee; total cost was \$2,510. Elaine Zimmerman suggested that this issue be taken to Room Tax Board. Paul D. will speak with Cory Lytle concerning the use of the Buildings & Grounds fund to see if money is available as well as address Room Tax to ask if they would be willing to aid with the payment. No action was taken on this item.

#8-HIGHWAY COMMISSION

This item was handled under separate agenda.

#9-LINCOLN COUNTY FIRE DISTRICT

This item was handled under separate agenda.

#10-DEPARTMENT OF TRANSPORTATION WORK PROGRAM

This item concerns the presentation and acceptance of FY 2013-2014 Nevada Department of Transportation (NDOT) work program and the statewide transportation improvement process (STIP). Tom Greco, Assistant Planning Director of NDOT, as well as several NDOT staff members presented the programs. **Paul D. made a motion to approve and accept the STIP and the annual work program; seconded by Kevin. All voted in favor.**

#11-SENIOR NUTRITION

Toni Pinkham asked if they could use their floating holiday to take July 5th off so that the day would still be paid and they would have a long weekend. The homebound people will still receive their frozen meals. This would close down the office and the kitchen, if approved. Daniel advised that they will still be paid for the 4th, which is a holiday. **Adam made a motion to approve and allow Senior Nutrition to take July 5th off and use the floating holiday; seconded by Paul D. All voted in favor.**

#12-DIVISION OF CHILD & FAMILY SERVICES

This item concerns the assessment of \$31,616 from the Division of Child and Family Services. The county has so many cases that stem from the Caliente Youth Center; it isn't really fair because those kids come from other counties. The state has advised that the amount we're being charged is a prorated amount based on population. The bill is very misleading as it shows the number of cases we have at the YC, but the state affirms that the charge is based on population. Sheriff Kerry Lee advised that the SO is doing the preliminary investigations at the YC. Denice believes we are getting three bills from the state that are directly related to services rendered for children. We can either pay this bill or create our own program. Paul M. stated this bill has been budgeted to be paid by PILT. **Paul M. made a motion to pay the assessment; seconded by Adam. All voted in favor.**

#13-ALAMO LANDING FIELD

The only other option the county has is to take Las Vegas Paving to arbitration and force them to replace the entire landing strip due to the problems with the asphalt. Our engineer has advised that, due to all of the holes, there is a very good chance the asphalt will crack. **Paul M. made a motion to approve the response letter to Las Vegas Paving Corporation for Phase I of the Alamo Landing Field pavement issues; seconded by Adam. All voted in favor.**

#14-UNITED WE STAND GRANT

Paul M. made a motion to sign the FY 2014 United We Stand planning, training, supplies, and equipment grant for the LC Local Emergency Planning Committee in an amount up to \$30,000; seconded by Adam. All voted in favor.

#15-GRANTS

Paul M. made a motion to approve the signing of the interlocal contract with the Department of Health and Human Services Aging and Disability Services Division; seconded by Kevin. All voted in favor.

#16-PAHRANAGAT VALLEY SENIOR CENTER

Paul M. made a motion to approve and sign the Notice of Award for Pearson Brothers Construction for the Pahranaagat Valley Senior Center improvements project; seconded by Kevin. All voted in favor.

#17-LINCOLN COUNTY WEBSITE

Joseph Lamb, Great Basin Computing Services, offered a proposal for a new county website. The current website is a static HTML site and doesn't have any modern features. Joe outlined what current, modern websites have. The new features allow for users to make the updates instead of just the programmer. A new website would allow for customization and each office to maintain and control their webpage. Joseph stated that most people don't care about the current website as it is difficult to use. There are broken links and when department heads change updates aren't being made. There are many features that can be added to make our current site more usable. Joseph reminded the Board that he is creating a dialogue of things that could happen. Joseph would install a content management system, which would allow the department heads to manage their own as well as lending a modern look and feel. It would allow for high quality photos, e-commerce, and professional graphics. The total cost would be approximately \$800 per month for maintenance; the cost to develop the site might be a bit more, depending on what the Board wants. Joseph would include changes and updates to the site as well as training county employees to use the site. Cathy LeFevre stated she contracted with US Forest Service for many years; she helped them convert to CMS such as Joseph is discussing. Cathy stated that the LC website is kept current; she does updates frequently. Cathy stated that arguments broke out within USFS about who would be updating the website, etc. Treasurer Shawn Frehner advised that our webpage needs to be updated as it looks very dated. Paul M. advised that the public has told him that many of the things they would like to find on the website aren't available. The Board needs to decide if the current website we have is sufficient or needs to be modernized. Tracy Lee stated that most of what is currently on the website is straight HTML. Many of us today like to put emphasis on bells and whistles, but one of the most popular websites is called Drudge Report; this is a basic website and is straight HTML. Tracy commented that when people want information they don't need bells and whistles, we just need good information. Tracy stated that we don't want to go too far overboard as many of us don't have top flight computers. The more bells and whistles that are added results in the reduction of the ability to use fancy websites. In the past, the current website has been under the purview of the county manager. Tracy asked that the website be allocated to a department, whether that be under him or another department. Ty Chamberlain suggested that the people using the website should be polled to see if there is anything they want; newer is not always better. Shawn stated that generally she has to walk people through using the website. Joseph commented that the main thing is who is in control and how we can make changes. Cathy said that someone definitely needs to be designated to be in charge of the website since the county manager is gone. Paul D. commented that it makes sense to have Tracy be in charge since he is the county's IT department. Paul D. also suggested that this is an issue that should be reviewed by the Board on a quarterly or biannual basis. Shawn said that whatever she needs on her webpage must be posted exactly the way she sends it. As things are submitted, they must remain exactly as drafted. No action was taken on this item and Tracy will work on this issue and make a presentation at a future meeting.

#18-COOPERATIVE EXTENSION OFFICE

Paul M. made a motion to approve the hiring of a replacement administrative person for the Cooperative Extension office (this is a part-time, no benefits position); seconded by Adam. All voted in favor.

#19-VANGUARD PEST AND WEED CONTROL CONTRACT

Paul M. made a motion to renew the one-year contract with Vanguard Pest and Weed Control, LLC, for pest control services to various county facilities; seconded by Kevin. All voted in favor.

#20-BUREAU OF LAND MANAGEMENT DIRECT SALE

Kevin disclosed that he is in charge of Delamar Valley Cattle Company through The Church of Jesus Christ of Latter-Day Saints. Paul M. commented that he is thinking about how slowly BLM works through this; for the long-term nature of his possible interest in these properties he would like to abstain. Paul M. refrained from taking part in the discussion or vote on this subject. Cory read the letter into the record. Ty Chamberlain advised that changes need to be made to show that substantial investment by the property owner has been made. BLM will not do direct sale unless there is a reason for it. This property is no longer in trespass and now has an age lease. Ty outlined the history of this land. **Paul D. made a motion to approve the letter to the Bureau of Land Management (BLM) Ely District in support of a direct sale to Farmland Reserves, Inc., % Delamar Valley Cattle Company for parcels southwest of Panaca located at T2S R67E, Sections 23 and 24, including the changes Cory will make concerning the demonstration of substantial investment; seconded by Adam. Kevin recused himself from this issue. Motion carried with Adam, Paul D., and Ed voting in favor; Kevin and Paul M. abstained.**

#21-RECREATION & PUBLIC PURPOSES

Cory Lytle reviewed the letter of request for designation of certain areas for Recreation and Public Purposes (RPP) within LC on Bureau of Land Management (BLM) managed lands. Areas include: Panaca – adjacent to current fairgrounds; Beaver Dam Road – 1.5 miles east of US 93; Pioche – adjacent to existing recreational park, east of Boothill Cemetery, and west of Slaughterhouse Canyon. Total requested acreage is 1,265. The Board discussed Panaca proposal but didn't have any major areas of concern. The Board had concerns with the Beaver Dam area. Paul M. discussed the 16 sections right through the heart of the requested area. Cory suggested that it can be cut in half, but should be kept nice and square. Cory stated that he was going on what was proposed before. **Kevin made a motion to table the Beaver Dam recreational shooting range area; seconded by Paul M. All voted in favor.** The Board discussed the Pioche proposal. **Paul D. made a motion to approve the RPP for Pioche and Panaca, excluding Beaver Dam; seconded by Adam. All voted in favor.**

#22-LINCOLN COUNTY CONSERVATION, RECREATION, & DEVELOPMENT ACT

This item concerns a letter of request for disposal of Bureau of Land Management (BLM) managed land located within LC per LC Conservation, Recreation, and Development Act. Denise Brown advised that Glenn Zelch and Bill Brown looked at the shooting range and surrounding area. Bill feels that it is something that they can live with, but a fence might have to be erected at some point. Bill also asked that in the future the Board review the impacts that taking the land will have on cattle ranchers. Also, the Board should look at land close to their area that they might purchase as well. Cory presented the draft letter, maps, and a spread sheet outlining the parcels and projects. Adam asked if some of the smaller ranches are being hurt by taking these lands. Yes. When more land is put in private hands it is taking it out of the ranchers' hands. Paul D. stated that the county can be selective and creative to limit the impacts to the ranchers. Discussion continued about the impacts to the ranchers, which are both positive and negative depending on the situation. In some situations, making the ground private would be a benefit to the ranchers, example being obtaining land that would allow for the full use of a spring or some other such thing. Discussions need to be held and correct planning must be done to obtain the fullest benefit to all concerned. Bill stated he understands the need to grow the town and they've been pretty quiet and accommodating. When 10-15 sections are being considered the impact to them becomes quite great. Bill suggested that if the land is going to be sold then the acreages should include something adjacent to them so they can put in a dry land forage; this would help offset the loss of some of the AUMs. Paul D. stated the intent isn't to hurt the ranchers. The Board addressed the requests for Alamo. The proposal will affect grazing but the considered land isn't very good land for that purpose, Ed said. **Paul M. made a motion to**

dispose of the "orange" section for Alamo; seconded by Paul D. All voted in favor. Cory stated that Alamo Town Board has been very involved with the designation of the Alamo sections. The next proposals discussed were the Mt. Wilson disposals. The land designated is located next to already existing private lands. **Paul M. made a motion to approve the proposed Mt. Wilson disposals; seconded by Kevin. All voted in favor.** Next considered were the Panaca disposals. Ty advised there is no net loss of AUMs. Paul M. asked if there is a conflict voting on this as some of the ranges being considered belong to his father. Cory said that sections A, B, C, or D on his proposed maps aren't in the Resource Management Plan right now. **Paul D. made a motion to approve A and B on the proposed disposal map for Panaca; seconded by Kevin. C and D will be reviewed as there are encroachments to consider. All voted in favor.** The Board reviewed the proposed disposals for Pioche. **Paul M. made a motion to approve the proposed disposal lots for Pioche; seconded by Adam. All voted in favor.**

#23-HEALTH INSURANCE PROPOSALS

This item was tabled to the 6-17 meeting.

#24-OLD PANACA ELEMENTARY SCHOOL

This item concerns the renovation and leasing of the offices in the old Panaca Elementary School building. Cory stated that the costs for the renovations and HVAC will exceed \$50,000; this means we have to go out to bid. It will take some time for Cory to put the bid packets together. Utility costs will be an issue to consider as well. The total raw square footage is about 10,000. An engineering firm could be used to prepare the bid package. Parking is another issue to consider. The Board agreed that this issue should be on a future agenda to find an engineering firm. No action was taken.

#25-COUNTY CAR

Ed using the county car to travel will result in a savings. **Adam made a motion to approve Ed's use of the county Crown Victoria to travel back and forth from Alamo to Pioche; seconded by Paul D. Ed abstained. Motion carried.**

#26-COMMISSIONER REPORTS

COMMISSIONER KEVIN PHILLIPS attended the Tri-County meeting in Panaca last Friday. AB 227, Phase I, passed. A 17 member committee will be formed. The Camp Valley public lands sale will take place July 1st. **COMMISSIONER ADAM KATSCHKE** advised that the Caliente election is tomorrow.

#27-PUBLIC COMMENT

Ed called for public comment. One of the homebound drivers gave notice today, so Toni Pinkham will be asking for permission to hire and she will be advertising. Dave Maxwell advised that a law has been passed allowing the Commissioners to make it illegal for teens to smoke on school grounds.

#28-ADJOURN

There being no further business for the Board to attend to, Ed adjourned the meeting at 1:58 p.m.

Attest: _____ Approve: _____