



LINCOLN COUNTY BOARD OF COMMISSIONERS

February 3, 2014
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

Kevin called the meeting to order at 9:05 a.m. Clerk Lisa Lloyd called the roll.

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

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 1-28-14. The Invocation was offered by Adam and Paul M. led the Pledge of Allegiance.

#2-PUBLIC COMMENT

Kevin called for public comment. Dylan Frehner, LC Water District, advised that rulings came out from the State Engineer's office on 1169, Coyote Springs. After two years of pumping the MX5 well they saw significant draw downs in the springs around the Muddy. Based upon that, they issued rulings denying all pending applications in Coyote Springs, Muddy, Hidden Valley, and California Wash. They determined that all the basins are connected and any pending applications were denied. LCLCWD is concerned as many of the protestants are trying to argue that any impact should argue all water rights upstream. The state engineer didn't adopt that but did adopt language addressing that all five basins are connected.

CONSENT AGENDA

- #3 Approve/Deny minutes of the January 21, 2014 meeting.
- #4 Approve/Deny original and renewed business licenses according to 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 with the exception of Item 3, minutes; seconded by Adam. All voted in favor.

#5-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$392,365.82 with estimated expenditures being \$167,667.70. General County will have a balance of \$224,698.11. Transportation has a cash balance of \$53,895.74 with estimated expenditures being \$4,002.12. Transportation will have a balance of \$49,893.62. Alamo Town has a balance of \$8,425.73 with estimated expenditures of \$1,070.89. Alamo Town will have a balance of \$7,354.84. Senior Nutrition has a balance of \$146,949.68 with estimated expenditures being \$8,295.85. Senior Nutrition will have a balance of \$138,653.83. China Springs has a balance of \$2,886.58 with estimated expenditures of \$8,158.00. China Springs will have a negative balance of \$5,271.42. Detention Center has a cash balance of \$267,285.63 with estimated expenditures being \$97,959.23. Detention Center will have a cash balance of \$169,326.40. Solid Waste has a cash balance of \$141,678.93 with expenditures of \$24,086.90. Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Solid Waste will have a balance of \$117,592.03. Airport has a balance of \$4,624.79 with no expenditures. Planning has a balance of \$16,742.35 with estimated expenditures being \$2,563.10. Planning will have a balance of \$14,179.25. There is a voucher to pay \$8,158 to China Springs and there is a resolution to augment on today's agenda that will cover this. Leslie presented a handout for leave time for Rick Stever.

Paul M. made a motion to approve the vouchers as presented with the exception of the LC Telephone System and Meadow Valley Pharmacy vouchers; seconded by Paul D. All voted in favor. Paul M. made a motion to approve the Meadow Valley Pharmacy voucher; seconded by Paul D. Adam disclosed that he is part owner of the pharmacy and the store; he abstained from the discussion and the vote. Motion carried. Paul M. made a motion to approve the LCTS vouchers; seconded by Adam. Paul D. abstained as he is an employee of LCTS. Motion carried.

#6- OFFICER/DEPARTMENT HEAD REPORTS

DISTRICT ATTORNEY Daniel Hooge advised that there has been a rash of copper wire thefts. Daniel set up a meeting with the arbitrator and Hardy Construction's attorney to walk the site. Daniel advised that the attorney and arbitrator appeared to be close friends; Daniel is nervous about the outcome of this case. It doesn't appear that they follow the law all too well; he's filed a couple of motions that were written strictly according to the law but it seems as if they were simply written off by the arbitrator. Daniel tempered expectations of the Board. The witnesses are all lined up and the contract is very clear. Daniel has budgetary issues related to the arbitration.

TREASURER Shawn Frehner presented the state report; we are up this month. The local Bank of America is being bought out. The county does 99% of its banking there but we will not be able to bank at the new bank. Since we have to do remote banking, we are looking at Wells Fargo to see where their fees are compared with Bank of America. The state has also left Bank of America. B of A isn't selling any of the retail accounts and there may be no need for them to handle government accounts. The state's website lists who we can/can't bank with. If Shawn decides to switch, it'll require some type of savings on behalf of the county. Shawn presented an analysis on PILT. Shawn presented the Board with a summary of the landfill billings. If the landfill stays in the county Shawn will look at creating a budget for it, including salaries. Shawn would like to see the true cost to the county. Solid Waste doesn't pay for itself. The landfill committee will meet later today.

PLANNING/BUILDING DIRECTOR Cory Lytle advised that the Planning Commission will be looking at Vidler's special use permit for the Toquop site. Cory and Paul D. met with the BLM regarding the disposal saga. There are several parcels that will sell quickly. Acreage will be added for Caliente as well. Cory is working on Mark Teepen's development in Toquop. Cory will stay in touch with Mesquite and work on interlocal agreements. Water lines were run into the Panaca Town Center. A&F will be cleaning up various circuits in the building. Cory and Richard will be doing touchup on miscellaneous items they see that need attention. LCWD will look at the building this month. Bid documents need to be put out on the HVAC. Cory hopes to have these issues all ironed out by midsummer. **EMERGENCY MANAGEMENT COORDINATOR** Rick Stever attended the planning meeting for the Tremor Exercise that will take place in April. Rick asked how involved the Board members would like to be with this exercise. A venue for public announcements will be set up. Paul M. suggested having a command center in Alamo. Kevin asked for more information about having a command center in Alamo. Rick advised it is simply a matter of getting people there; it is simply designating an area where people would meet and getting radios, phones, fax machines, and internet set up. This issue will be addressed on the next agenda.

#7-HIGHWAY COMMISSION

This item was handled under separate agenda.

#8-LINCOLN COUNTY FIRE DISTRICT

This item was covered under a separate agenda.

#9-BUDGET AUGMENTATION

Paul D. made a motion to approve the resolution to augment the 2013-2014 China Springs fund in the amount of \$8,158; seconded by Adam. All voted in favor.

#10-PANACA SESQUICENTENNIAL DONATION

Debbie Bradfield and Margaret Ann Heiselbetz were present on behalf of the Panaca Sesquicentennial Committee. The committee is requesting a donation of \$10,000 to update the front of the Panaca Town Hall. Panaca has been accepted by the state as a premier sesquicentennial event; the state will promote Panaca's events and put it on their calendar. The committee is working to get a statue in place and has raised \$40,000 to put towards it. The statue will be placed in front of the town hall. The committee hasn't enough money to update the front of the Panaca Town Hall so they are asking the Board for help. New windows, cement, paint, and new siding are the materials needed. There are two bays that are used for storage but there are two

garage doors on both the front and back of the building. The committee would like to cover up the doors on the front while leaving those on the back. The post office currently rents a portion of the town hall. Adam asked if anyone that uses the building privately pays for the use. No. Debbie advised that the Room Tax Board gave the committee \$10,000 to be used only for fireworks. The event is planned for July 24-26. Cory and Paul M. will research this issue to see if there is money available and this item will be on the 2-18 agenda. Recorder/Auditor Leslie Boucher referred the Board to Fund 82; approximately \$4,100 is available in this fund. No action was taken on this item.

#11-LINCOLN COUNTY HOSPITAL DISTRICT

Jason Bleak, Grover C. Dils Hospital Administrator, offered an update on the hospital district. The hospital is more stable in their restricted account since Jason came on board 8.5 years ago. The restricted account has over \$1 million in it now and they've been encouraged by their auditor to have more than 100 days of cash on hand. The technology has been upgraded in the hospital and it now has a 16 slice CT scan. They are implementing electronic health records and it's cost nearly \$700,000 to date. The hospital has installed a clinic in Alamo, which is used consistently and is open 3 days per week. The jobs at the hospital have been changed from just jobs wherein an individual logs in hours to get a paycheck to careers. A county-wide wellness program has been created. The financial situation is ever changing; Jason discussed the Affordable Care Act. The bad debt write-off continues to escalate. The hospital's goals, projects, and hurdles for this year include the formation of a new inpatient physical therapy service in the hospital, facility upgrades (concrete, new TVs, new cabinets, and parking lot improvements), continuation of county health initiatives, and a community needs assessment. The electronic health record is the hospital's biggest challenge. Dealing with the potential emergency loss of computer technology is a struggle that Jason would like to address. The hospital itself is getting older and a new hospital will need to be built at a future date. No action was taken on this item as it was informational only.

#12-HARDY VS. LINCOLN COUNTY ARBITRATION

Originally, there were SNPLMA funds available for settlement but it's been used to pay Sunrise for their work on the arbitration process. **Paul M. made a motion to approve the invoices for Michael Solender, expert in the Hardy vs. Lincoln County/City of Caliente arbitration, in the amount of \$20,000 (to be paid for through the SNPLMA fund); seconded by Paul D. All voted in favor.**

#13-RESIGNATION

Paul D. made a motion to accept the resignation of Vern Holaday from the Fair & Rec/Room Tax Board; seconded by Paul M. All voted in favor.

#14-APPOINTMENT

Paul M. made a motion to appoint Dawn Smith to fill the vacancy on the Fair & Rec/Room Tax Board; seconded by Adam. All voted in favor.

#15-CLOSED SESSION

Pursuant to NRS 241.030 a closed session was held to consider the professional competence (performance review) of Connie Simkins, LC Nuclear Oversight Program Coordinator. **Paul D. made a motion to go into closed session; seconded by Adam. All voted in favor.** Closed session discussion was held pursuant to the aforementioned NRS. **Paul M. made a motion to go into open session; seconded by Adam. All voted in favor.**

#16-NUCLEAR OVERSIGHT ISSUES

Connie Simkins addressed the issue of retaining Bret Whipple as LC designee before Nuclear Regulatory Commission (NRC) and related Atomic Safety and Licensing Board (ASLB) hearings and associated meetings/document preparation. Connie recommended a \$2,000 contract for this year but stated she doesn't believe we'll need or use him based on information she's received. Dr. Baughman doesn't believe we will have any ASLB hearings in the current term. Connie asked that Bret be retained as well as Dr. Baughman be kept on board; they're both needed. **Paul D. made a motion to approve the contract and retention of Bret Whipple in the amount of \$2,000, to be called upon as needed; seconded by Paul M. All voted in favor.**

#17-ATLANTA MINE PROJECT

Paul D. made a motion to approve the comment letter to the Bureau of Land Management regarding the preliminary environmental assessment for the Atlanta Mine Project proposed by Meadow Valley Gold; seconded by Adam. All voted in favor.

#18-GOLD SPRINGS EXPLORATION

Paul D. made a motion to approve the comment letter to Bureau of Land Management regarding the preliminary environmental assessment for the Gold Springs Exploration project proposed by Gold Springs, LLC; seconded by Adam. All voted in favor.

#19-HOLLINGER DEBRIS BASIN

Paul M. made a motion to table this item, which is payment for the annual dam storage fee for the Hollinger debris basin in the amount of \$992.50; seconded by Adam. All voted in favor.

#20-VANGUARD PEST AND WEED CONTROL

Paul D. made a motion to approve the payment to Vanguard Pest and Weed Control for annual weed maintenance on the Panaca Shared Use Path in the amount of \$400.00; seconded by Paul M. All voted in favor.

#21-LINCOLN COUNTY AIRPORT

Paul M. made a motion to approve and sign the application to the Federal Aviation Administration (FAA) for projects at the LC Airport; seconded by Adam. All voted in favor.

#22-ALAMO LANDING FIELD

Adam made a motion to approve and sign the application to the Federal Aviation Administration (FAA) for projects at the Alamo Landing Field; seconded by Paul D. All voted in favor.

#23-POLICY FOR RECORDING OF PHONE CALLS

Tracy Lee proffered the background. This last September as the RFP for the phone system was being prepared it was assumed that recording phone calls would be good. Prior to publishing for the RFP, Tracy verified with the various department heads about how they felt about it. The RFP was adjusted so that no phone calls would be recorded. The Sheriff's Office has a unique situation that requires them to record incoming calls. Last week the final preparations were done on the phone system. Tracy was approached by a department head who would like to have the calls recorded; the vendor can make this happen. If a call is transferred from the office that records it the recording doesn't stop. Tracy is looking for direction about how to advise departments with regards to recording their conversations. The caller must be informed that they are being recorded; a message would be included at the beginning of the phone tree. Assessor Melanie McBride was told by the vendor that she can record calls but she can't transfer to any other office if the ability to record is turned on. Daniel commented that he is concerned about the consent. Tracy responded that an individual will have to agree to being recorded. Melanie is interested in having the calls recorded for protection. There was some discussion concerning the public nature of the recordings. Paul D. agreed that policy needs to be created for this issue. There is no additional cost as the recording system is already built in. Hard drive space would have to be specified for the calls and recordings would only be kept for so many days. Adam voiced his concern about only some of the offices recording calls; people might be disgruntled that not all of the offices record their calls. Paul M. suggested that this be heard by a committee including Adam, Paul D., Daniel, Melanie, and Tracy. No action was taken as this group will work on the issue and bring it back before the Board.

#24-COMMISSIONER REPORTS

COMMISSIONER PAUL MATHEWS stated there's been action on the LCWD side of things. Paul M. will follow up with Nye County's status with Tri-County Weed. **COMMISSIONER KEVIN PHILLIPS** attended the public lands AB 227 committee meeting on 1-24 in Carson City. **COMMISSIONER ADAM KATSCHKE** attended the I-11 corridor meeting. Adam met with the Sheriff's Department and the company that would like to proffer proposals for remodeling the DC and/or building a new one. Adam met with Caliente concerning roads and other issues, then he attended the Road Department laborer interviews. Adam attended the Board of Equalization meeting as well as attended the Workforce Investment Board meeting. Adam stated that everyone

that uses the Panaca Town Hall and makes money should pay into the Panaca fund. **COMMISSIONER PAUL DONOHUE** attended the Online dedication for NV Energy. There is a list of individuals who haven't paid into the Room Tax/LC Fair fund for years; Paul D. asked what the collections steps are. Daniel responded that he can enforce the payment based on the ordinance. Paul D. stated that this fee doesn't hurt the property owner, it's a fee that is collected on the side. It is possible to tie the fees to a business license. Paul D. attended the Alamo Town Board meeting. Paul D. advised that PERS information is now public pursuant to court order. Paul D. will attend POOL/PACT meetings in Reno in March.

#25-PUBLIC COMMENT

Kevin called for public comment. Adam asked if the last tax revenue for ad valorem is in March. Yes. Looking at the budget, we need to plan accordingly as Adam doesn't believe it's going to reach. Adam has been looking at people's jobs and suggested that people might be able to split duties in order to save money. This issue will be on the next agenda.

#26-ADJOURN

There being no further business for the Board to attend to, Kevin adjourned the meeting at 12:54 p.m.

Attest: _____ Approve: _____

DRAFT