



LINCOLN COUNTY BOARD OF COMMISSIONERS

November 10, 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

Ed called the meeting to order at 9:06 a.m. Clerk Lisa Lloyd called the roll.

PRESENT: PAUL DONOHUE
ED HIGBEE
KEVIN PHILLIPS
ADAM KATSCHKE
PAUL MATHEWS (joined the meeting in the late afternoon, present for Items 27-32)

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 11-4-14. The Invocation was offered by Ed and Adam led the Pledge of Allegiance.

#2-PUBLIC COMMENT

Ed called for public comment. Ed received a letter from a concerned citizen requesting the Board say no to the ACECs in NV. Paul D. offered his gratitude to all those military men and women who've served our Country.

CONSENT AGENDA

- #3 Approve/Deny minutes of the October 20 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).

Adam made a motion to approve the consent agenda with the exception of the minutes; seconded Paul D. All voted in favor.

#5-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$693,527.77 with estimated expenditures being \$166,948.59. General County will have a balance of \$526,579.18. Transportation has a cash balance of \$79,855.55 with estimated expenditures being \$5,264.66. Transportation will have a balance of \$74,590.89. Alamo Town has a balance of \$9,289.13 with estimated expenditures of \$879.07. Alamo Town will have a balance of \$8,410.06. Senior Nutrition has a balance of \$124,441.73 with estimated expenditures being \$9,086.75. Senior Nutrition will have a balance of \$119,354.98. China Springs has a balance of \$5,155.53 with no expenditures. Detention Center has a cash balance of \$695,254.73 with estimated expenditures being \$98,042.98. Detention Center will have a cash balance of \$597,211.75. Solid Waste has a cash balance of \$68,749.38 with expenditures of \$24,002.06. Solid Waste will have a balance of \$44,747.32. Solid Waste owes LC Water Special Projects, Fund 87, \$27,484.15. Airport has a balance of \$7,211.88 with estimated expenditures of \$125.00. Airport will have a balance of \$7,086.88. Planning has a balance of \$51,198.72 with estimated expenditures being \$2,209.39. Planning will have a balance of \$48,989.33. Leslie will be presenting a special payroll for a confidential separation agreement between the DA and Sheriff's Department. Annual leave payoff will be \$2,528.94 and administrative leave payoff will be \$20,000. Leslie asked for clarification on the LC Airport weed control; which department is it to be paid from? The Board directed Leslie to take this expense out of Miscellaneous. The commission desk costs more than the amount in the fund that was designated. Adam stated that it is possible to take the extra amount from Property Management Fund but we need to wait until the beginning of the year. Paul D. commented that he'd like to wait and have this issue addressed during the budget hearings. There has been a great deal of expenses taken from the Property Management Fund. Adam commented that he feels bad that the desk was

bid to Jerry Klein and now it will be put off. The remodel of the Commission desk has already been postponed by a year. Paul D. reminded the Board that this item isn't on the agenda. Adam is simply asking for a date to tell Jerry with regards to when he can start. Adam advised that the estimate is probably only good for 60 days; he believes the cost will be higher if this is put off. This funding issue will be on the next agenda for discussion. The Assistant DA received a pay increase of \$10,000. Leslie requested the backup but Daniel was unable to provide it. This increase is due to Franklin passing the bar. Daniel commented that when he submitted the budget he included \$65,000 for a deputy; but the final amount approved was \$55,000 and \$20,000 in services/supplies for a contract attorney. Leslie requested a budget change to move the \$20,000 from services/supplies to cover the Deputy's salary increase. Daniel commented that this is another position that he wishes there was a salary scale for. The Board is willing to entertain a job scale/description proposal at a future meeting. Leslie advised that she has already paid the Deputy; she didn't receive the backup. This issue will be on the next agenda. **Adam made a motion to approve the vouchers as presented with the exception of the Mountain Merc, Meadow Valley Pharmacy, LC Telephone, and Mainstreet Market vouchers; seconded by Kevin. All voted in favor. Paul D. made a motion to approve the Meadow Valley Pharmacy and Mainstreet Market vouchers; seconded by Kevin. Adam abstained as he is the owner/part-owner of the pharmacy and store. Motion carried. Adam made a motion to approve the Mountain Merc vouchers; seconded by Paul D. Kevin disclosed he is part owner of Mountain Merc and abstained from the vote. Motion carried. Adam made a motion to approve the LCTS vouchers; seconded by Kevin. Paul D. abstained as he is an employee of LCTS. Motion carried.**

#6-OFFICER/DEPARTMENT HEAD REPORTS

DISTRICT ATTORNEY Daniel Hooge reported that he received offers from Teamsters for the collective bargaining units. The District Judge will hear Hardy vs. LC this Wednesday. Deputy DA Franklin Katschke passed the bar exam. **EMERGENCY MANAGEMENT COORDINATOR** Rick Stever attended the State Emergency conference; they stressed emergency preparedness. Rick asked the Board if they are familiar with their duties and procedures during an emergency. Rick asked that the Courthouse AED be on the next agenda to discuss the purchase of a battery and the fund that this expenditure would come from. Rick referred to the engineering report on the office in Panaca; the cost to repair it is high but it would also cost a great deal to replace it. Panaca moved their stand-by engine out of the building, thereby removing a portion of the weight. LEPC is having a table top exercise on 11-22 in Panaca. **TREASURER** Shawn Frehner presented a comparison for the combined sales use statistical report. Shawn presented an analysis on the first and second installments to see where we are; we're doing better in the current year versus the past five years. Shawn will attend a Treasurer's meeting at NACO. With the local bank closing, the Treasurer has opened an account at NV Bank & Trust for cash needs. If we have an account that has money in it, it will prevent them from having to go to the bank every day. This will be the easiest way to handle it and will cut down on the travel expense to Caliente. Paul D. advised that he is in Caliente nearly every day and he would be happy to transport to the bank if needed.

#7-2014 GENERAL ELECTION CANVASS

Clerk Lisa Lloyd reported that the election went smoother than ever. Tally was completed and turned in to the State to be posted by 9:28 p.m. The officers made an extra special effort to ensure that the equipment and supplies were returned in a timely manner, even those from the furthest precincts. Total turnout was 60.46%, or 1,627 voters. **Kevin made a motion to approve the 2014 General Election Canvass; seconded by Adam. All voted in favor.**

#8-HIGHWAY COMMISSION

This item was handled under separate agenda.

#9-LINCOLN COUNTY FIRE DISTRICT

This item was covered under separate agenda.

#10-TAX DEED AUCTION

Kevin made a motion to move forward with the tax deed auction scheduled for April 2015; seconded by Adam. Paul D. was absent for the vote. Motion carried.

#11-RESIGNATION

Adam made a motion to accept the resignation from Ann Smith, Lincoln County Library Board; seconded by Kevin. Paul D. was absent for the vote. Motion carried.

#12-APPOINTMENT

Adam made a motion to appoint Shain Manuele to the Panaca Town Board; seconded by Kevin. Paul D. was absent for the vote. Motion carried.

#13-NEVADA ASSOCIATION OF COUNTIES

Adam made a motion to approve the payment of \$5,000 towards the NV Association of Counties (NACO) conference from General Fund Miscellaneous; seconded by Paul D. All voted in favor.

#14-ALAMO INDUSTRIAL PARK

This item concerns a balloon payment that was due November 3, 2014 for the Alamo Industrial Park loan in the amount of \$239,785.02. It is possible to make the balloon payment or refinance the loan. Daily interest is \$32.7262. Refinancing the current loan includes a fee of \$1,000 and monthly payments are \$4,381.35 for a term of 62 months, paid from the Federal In Lieu Fund. Adam made a motion to refinance the loan; seconded by Kevin. All voted in favor.

#15-MEDICAL INDIGENT FUNDS

This item concerns the parameters to be used for Medical Indigent Funds and the possible adoption of a resolution governing the policies and standards for eligibility regarding access to the Medical Indigent Funds. Adam reviewed the history of this item. Grants Administrator Elaine Zimmerman advised that there is an upcoming meeting that will include discussion of medical indigent funds; she suggested the Board might want to wait to take action on this item as more information could be forthcoming. Adam made a motion to table this item to the next agenda; seconded by Kevin. All voted in favor.

#16-GROVER C. DILS & MEDICAL INDIGENT FUNDS

This item concerns the payment to Grover C. Dils for patient accounts out of the Medical Indigent Fund in the amount of \$130,601.70. We have to pay the state match out of this fund, which means we haven't enough money left in the fund to pay the \$130,000 to the hospital. One of the individuals who comprises the bill has passed away (\$45,900 is this person's portion of the bill); the other individual is still a resident at the hospital. Adam suggested that the County pay \$35,000 towards that bill. Once the land sells, then this issue can be revisited. Grants Administrator Elaine Zimmerman advised that we've kept a balance that rolls forward each year. If this fund is depleted there wouldn't be enough funding to meet the state match next year. Kevin made a motion to approve the payment of \$45,900 to GCDMC for the deceased individual; seconded by Adam. Daniel advised that Leslie has asked that this portion of the issue be tabled until the standards are approved. Kevin withdrew his motion. \$192,822 is the amount that was budgeted. \$108,221.76 is the amount billed through property taxes. The state match is approximately \$120,000; we currently have \$235,000 in that account. Adam made a motion to table this item to the next meeting; seconded by Kevin. All voted in favor.

#17-WESTERN ELITE YOUTH FUND

Paul D. made a motion to approve the donation of \$3,000 to Pahrnagat Valley High School Rodeo Club; seconded by Kevin. All voted in favor.

#18-CAPITAL IMPROVEMENT LC PARTNERS NON-MOTORIZED MULTIPURPOSE TRAIL SYSTEM

Adam made a motion to sign the letter of support for the BLM nomination submission for the Round 15 Capital Improvement Lincoln County Partners Non-Motorized Multipurpose Trail System; seconded by Paul D. All voted in favor.

#19-ECHO CANYON CAMPGROUND

Paul D. made a motion to sign Change Order #4 for Sunrise Engineering in the amount of \$50,068.88 on the Echo Canyon Campground Expansion project; seconded by Adam. Kevin disclosed his son is a

principle engineer at Sunrise Engineering; he abstained. Motion carried. Cory Lytle gave credit to Grants Administrator Elaine Zimmerman for all the work she's done.

#20-QUARTERLY JAIL TOUR

The Board made the usual jail tour. Currently, there are 92 Clark County inmates and 3 County inmates. The water was off as Pioche Town employees were working on the line. The TV was off as well due to a cut in the cable. Fresh paint has been applied to portions of the Detention Center. The kitchen is simply too small and there isn't enough storage to hold even three days' worth of food. The DC is currently short on officers. The plumbing issues continue; there are leaks and the plumbing system is so old it has become very difficult to get parts. There is no GED program at the DC right now. No action was taken as this was informational only.

#21-TAXPAYER LIST

This item concerns a resolution requiring the County Assessor to prepare a list of all taxpayers on the secured roll of the County and the total valuation of property on which they severally pay taxes, pursuant to NRS 361.300. Every year this Board has to approve the resolution requiring the Assessor to perform this task. **Paul D. made a motion to approve the resolution; seconded by Adam. All voted in favor.**

#22-RESOLUTION RE: AREA MONEY

This item was tabled.

#23-GARDEN VALLEY NATIONAL CONSERVATION AREA

Kevin made a motion to approve a letter of opposition to the National Conservation Area designation in Garden Valley; seconded by Paul D. All voted in favor.

#24-LC MASTER PLAN

This item concerns the introduction and setting of a future date for a public hearing concerning an amendment to the LC Master Plan for the designation of above-ground utility corridors, pursuant to NRS 278.150-170. **Adam made a motion to set the workshop for December 1 at 11:00 a.m. and the public hearing for December 15 at 11:00 a.m.; seconded by Paul D. All voted in favor.**

#25-TRANSMISSION PROJECTS ORDINANCE

This item concerns the introduction and setting of a future date for public hearing regarding permitting transmission projects located in master plan designated transmission corridors, pursuant to NRS 278.26503. **Adam made a motion to set the public hearing for December 15 at 11:00 a.m.; seconded by Kevin. All voted in favor.**

#26-TRANSMISSION PROJECTS ORDINANCE

This item concerns the introduction and setting of a future date for public hearing regarding permitting transmission projects located outside the master plan designated transmission corridors, pursuant to NRS 278.26503. **Adam made a motion to set public hearing for December 15 at 11:00 a.m.; seconded by Paul D. All voted in favor.**

#27-JOB DESCRIPTIONS/SALARY TABLES

This item concerns the job descriptions and salary schedules for the Building/Planning Department (Planning/Building Director/Facility Director; Public Works Director; Facilities Maintenance Worker/Custodian 1; Facilities Maintenance Supervisor/Custodian 2/Building Inspector). Cory advised he met with Daniel last week to look at proposed scales. Cory suggested that the proposed scale he has should be worked into the scale that Daniel has already proposed. There is nothing in the body of the proposal that addresses what happens when someone is maxed out, such as whether or not they receive CPI and whether or not everyone who maxes out receives the same rate. No action was taken on this item and it will be on a future agenda.

#28-AMICUS BRIEF IN NV ASSOCIATION OF COUNTIES VS. US DEPARTMENT OF INTERIOR

This item concerns joining with the N-4 Grazing Board to file an amicus brief in order to express local interests in the case Nevada Association of Counties vs. US Department of Interior and to assist the court in its resolution of the important issues the cases raises. The case addresses the efforts or lack thereof taken by the BLM to

manage wild horses on public and private lands, causing significant economic and social impact to rural LC and its residents who depend on those lands for living. Caroline Lobdell of the Western Resource Law Center has agreed to volunteer her time on the case but would require the County and the Grazing Board to pay various fees, including filing fees and pro hac vice fees. LC is splitting fees with the Grazing Board; the County will have to identify a fund to pay for our portion of the fees. **Paul D. made a motion to join with N-4 Grazing Board in the amicus brief, to be paid by PILT Fund; seconded by Kevin. All voted in favor.**

#29-BEDROC CLASS I FACILITY

This item was tabled.

#30-COMMISSIONER REPORTS

COMMISSIONER PAUL MATHEWS commented that the Tri-County Weed Cooperative Agreement needs to be on the next agenda. Paul M. will be attending a portion of the NACO conference. **COMMISSIONER KEVIN PHILLIPS** drove to Pahrump last Friday to attend the Tri-County meeting. **COMMISSIONER ED HIGBEE** attended NACO meetings in Carson City last week. Ed took part in the SNPLMA Round 8 teleconference. **COMMISSIONER ADAM KATSCHKE** received an email that there was a horse gather today. Adam will attend the NACO conference on 11-18. Adam will be attending the ECA meeting in New Orleans this week. Adam was called by Scott Seastrand; he met with him in Alamo concerning the host fees. **COMMISSIONER PAUL DONOHUE** met with the citizens of Caselton concerning obtaining ownership of the land that the residents' homes are on. Paul D. asked how the County can receive and subsequently transfer ownership so that the land can be turned over to the residents. Daniel will look into it.

#31-PUBLIC COMMENT

Ed called for public comment. Cory Lytle discussed the maintenance issues with the park in Rachel. It was a SNPLMA project and Cory's been there a few times only to find that things aren't "quite up to snuff". We may have to look at hiring someone in the future to do maintenance once in a while. The committee members don't communicate very well. Cory will work on a solution.

#32-ADJOURN

There being no further business for the Board to attend to, Ed adjourned the meeting at 4:12 p.m.

Attest: _____ Approve: _____