



LINCOLN COUNTY BOARD OF COMMISSIONERS

February 17, 2015
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners

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

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

Kevin called the meeting to order at 9:04 a.m. Clerk Lisa Lloyd called the roll.

PRESENT: PAUL DONOHUE LISA LLOYD, Clerk
KEVIN PHILLIPS DANIEL HOOGE, District Attorney
PAUL MATHEWS
ABSENT: ADAM KATSCHKE (on assignment at other meetings)

There is a quorum present and the agenda was posted on 2-10-15. The Invocation was offered by Kevin and Paul D. led the Pledge of Allegiance.

#2-PUBLIC COMMENT

Kevin called for public comment. None offered.

CONSENT AGENDA

#3 Approve/Deny minutes of the January 20 and February 9 meetings.

#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 D. made a motion to approve the consent agenda with the exception of the minutes for 2-9 (there was no meeting on that date); seconded by Paul M. All voted in favor.

#5-VOUCHERS

Recorder/Auditor Leslie Boucher presented the vouchers and cash balance report. General County has a balance of \$741,075.91 with estimated expenditures being \$145,994.09. General County will have a balance of \$595,081.82. Transportation has a cash balance of \$78,280.58 with estimated expenditures being \$5,782.34. Transportation will have a balance of \$72,498.24. Alamo Town has a balance of \$10,847.88 with estimated expenditures of \$3,377.13. Alamo Town will have a balance of \$7,470.75. Senior Nutrition has a balance of \$133,748.14 with estimated expenditures being \$10,756.79. Senior Nutrition will have a balance of \$122,991.35. China Springs has a balance of \$11,621.88 with no expenditures. Detention Center has a cash balance of \$737,359.36 with estimated expenditures being \$83,861.38. Detention Center will have a cash balance of \$653,497.98. Solid Waste has a cash balance of \$100,228.07 with expenditures of \$6.52. Solid Waste will have a balance of \$100,221.55. Airport has a balance of \$6,905.86 with estimated expenditures of \$1,069.02. Airport will have a balance of \$5,836.84. Planning has a balance of \$47,014.60 with estimated expenditures being \$2,437.74. Planning will have a balance of \$44,576.86. **Paul M. made a motion to approve the vouchers as presented with the exception of the LC Telephone and Mountain Merc vouchers; seconded by Paul D. All voted in favor. Paul D. made a motion to approve the vouchers for Mountain Merc; seconded by Paul M. Kevin disclosed he is part owner of the Merc and abstained. Motion carried. Paul M. 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

RECORDER/AUDITOR Leslie Boucher advised that budget requests have been distributed. Budget hearings need to be set. **ADMINISTRATIVE ASSISTANT** Denice Brown advised that budget hearings are coming up; she's handed out several BDRs that need to be reviewed. **EMERGENCY MANAGEMENT COORDINATOR** Rick Stever presented a BDR to the Board concerning the funding of the Emergency Management Fund. **TREASURER** Shawn Frehner presented the Receipt Reconciliation for January. Shawn presented the Landfill report for this year. \$340,260 was billed. 141 waivers have been granted to date; this adjusts the receivables to \$319,858. Shawn met with Daniel, Mark, and AG Laxalt concerning the Air Force funding. Nothing has been resolved as of yet but they continue to work on it. **CLERK** Lisa Lloyd advised that Gordon Wadsworth has tendered his resignation from the Board of Equalization; he'll need to be replaced.

#7-COMMISSION MEETING INVOCATION

Paul D. advised that it was brought to his attention that the law requires that the invocation be offered prior to the meeting if the Board chooses to have one. Kevin asked if Paul D. knows this to be the law. No. It needs to be researched. Paul M. commented that he doesn't care when the invocation is offered and it is important that the will of the people be considered in this matter. Paul M. advised of the need for order before the meeting starts so the invocation can be held. Maleen Millmine advised that the requirement to hold the invocation prior to the meeting comes from the ACLU. If a prayer is going to be said, it must be done prior to opening the meeting. Kevin asked if this interpretation was given by the ACLU or if it is law. Carol White advised that it is a matter of federal law, a Supreme Court ruling. Maleen will provide the Board with copies. No action was taken on this item as it will be researched.

#8-HIGHWAY COMMISSION

This item was handled under separate agenda.

#9-LINCOLN COUNTY FIRE DISTRICT

This item was covered under separate agenda.

#10-GOVERNMENT SURPLUS PROPERTY PROGRAM

Paul M. stated that when the drain cleaning project was started in Pahranaagat Commissioner Higbee signed up to be on the GSA website. This allowed him to acquire GSA equipment. Since Ed has resigned we have no one with authorization to participate in this program. Paul M. suggested that Shane Cheeney, Rick Stever, and the Chairman of the Commission would be good candidates to sign up. The government would like one spokesperson or point of contact from each county; this person would know where the equipment is being used and stored. If equipment is acquired, it must have a home, be cared for and maintained, and it must have a property tag. If the equipment is in Lincoln County's name, as a general piece of equipment, then anyone can use it. If the equipment is specific to any one department then only that department can use it. Paul M. reiterated his suggestion that the Chairman be the person signed up and the point of contact while including Shane and Rick. Kevin suggested that a committee be created. This committee would meet quarterly to inventory items and to address any needs. Whoever the chairman/spokesperson of the committee is will need to know where every piece of equipment is at any given time. Kevin asked if anyone knows what the agreements are with GSA in terms of repair and maintenance. **Paul M. made a motion to form a committee consisting of Kevin, Shane Cheeney, and Rick Stever (said committee will do preliminary recommendation study and bring the findings back to the Board for further appointments, if needed); seconded by Paul D. All voted in favor.**

#11-PANACA FIRE DISTRICT

This item was covered under separate agenda.

#12-SNORE RACE

This item was tabled.

#13-SNORE PUBLIC CROSSINGS

This item concerns a proposal from SNORE to designate certain Union Pacific Railroad (UPRR) under-crossings as "public crossings". This would open existing RS2477 roads to allow organized and permitted

events to take place in areas where access is no longer available due to UPRR policies. Regen Gubler reviewed the proposal. Right now, if there is a permitted event they can't race under these crossings as UPRR takes exception to it. These are old RS2477 access points. This has created a safety issue as the only way to cross now is to cross over the tracks. Regen asked the Board to look at this and designate a few as public crossings so the races and other organized events can take place. To date, Regen hasn't spoken with the railroad. Initial suggestions include: English Canyon, Ash Canyon, Barnes Canyon, and Dutch Flats. At this time, BLM has no position on it and it would definitely benefit the public. It would also help BLM with SRPs. No action was taken on this item as Regen will set up a meeting with UPRR.

#14-PIOCHE LABOR DAY

This item was tabled.

#15- BRITTANY DUCET – HIGHLAND KNOLLS LIEN

This item concerns a request from Brittany Ducet concerning a landfill lien in the amount of \$389.00 on property she purchased in Highland Knolls. The previous owner passed away and the landfill bill continued to accrue while the property was vacant. Brittany was present via telephone. Brittany is the nurse practitioner at LC Medical Center. Brittany purchased Barbara Scoville's home and they've put a great deal of money into the estate to probate it. No one was living in the home and Brittany had to pay the lien in order to purchase the home. Brittany asked the Board if there is any way to get a portion of the lien costs back. Kevin advised that there is policy in place that addresses this issue. Treasurer Shawn Frehner reviewed the history of the property. Landfill bills have been sent to Barbara's son, Stephen Scoville. The Commissioners' policy is that a waiver must be submitted in the current year in order to obtain a waiver. The Treasurer's Office has no way to grant prior year waivers as the policy requires submission during current year. It is difficult to know if someone is living in a home or not when an owner passes away. When someone requests a prior year waiver they are referred to the Board. Shawn advised that the landfill amount has been paid but she doesn't know if the lien was released. Brittany advised that the money was fronted so they could purchase the home. Daniel spoke with Brittany previously and discussed the policy. Paul D. commented that he likes the idea of a credit. Shawn reminded the Board that once they open the door for "prior years" it could result in a flood of people requesting prior year's waivers/refunds. Brittany would like to have the \$389 refunded to her in some way, whether it's a credit or refund. Shawn advised that the title company paid the \$389 so she would have to refund it to the title company. Brittany responded that they paid the lien in order to prevent delay of closing. Paul M. asked if it is possible to credit \$389 to the account. Yes. **Paul M. made a motion to credit \$389 to Brittany Ducet's account; seconded by Paul D. All voted in favor.**

#16-DEPUTY RECORDER/AUDITOR

Recorder/Auditor Leslie Boucher presented a request to the Board for authorization to change her current part time Deputy position to a full time position. Leslie will have to increase her budget by \$11,707 to get through the end of this fiscal year. **Paul D. made a motion to approve the change from part time to full time; seconded by Paul M. All voted in favor.**

#17-LC TRANSPORTATION

Paul D. made a motion to approve the advertisement and hiring of a replacement driver for LC Transportation; seconded by Paul M. Paul M. commented that this position requires certain qualifications and he is concerned about the pay rate. There is a high level of care and competency involved with this position. The pay for this position is slightly above minimum wage. Paul M. will speak with Toni about this issue. **All voted in favor.**

#18-SOUTHERN NEVADA COOPERATIVE WEED MANAGEMENT AREA

This item concerns a proposed memorandum of understanding (MOU) from Southern NV Cooperative Weed Management Area (CSMA). The Board discussed whether or not there is a cost for this MOU; the agreement doesn't obligate funds. **Paul D. made a motion to approve the MOU; seconded by Paul M. All voted in favor.**

#19-BUDGET AUGMENTATION

Paul M. made a motion to approve the resolution to augment the budget for FY 2014-2015 for Alamo Town in the amount of \$7,754.00; seconded by Paul D. All voted in favor.

#20-TRI-COUNTY WEED

Paul D. made a motion to approve the agreement with Tri-County Weed; seconded by Paul M. All voted in favor.

#21-PINION-JUNIPER PARTNERSHIP

Connie Simkins asked the Board to identify the fund that the \$5,000 for continued support of the Pinion-Juniper Partnership. Funds 120 and 12 are the funds being considered. This payment was discussed at the Tri-County meeting last week. White Pine County is considering it but they are in a tight budget situation. **Paul M. made a motion to approve the payment of \$2,500 from Fund 12; seconded by Paul D. All voted in favor.**

#22-BUREAU OF LAND MANAGEMENT

Mike Herder, new District Manager for BLM Ely District Office, introduced himself to the Board. Previously, he has been the associate District Manager and he worked with Rosie Thomas. Mike asked that we continue to build on the relationship we've had over the years; he's available for discussion at any time. Mike introduced Ken, acting Field Manager, for Caliente Field Office. Ken's position sunsets on March 13th; at that time we will have a new manager named Chris Carlton. No action was taken on this item.

#23-QUARTERLY JAIL TOUR

Adam and Kevin toured the jail. Nothing has really changed except the count is down slightly and there is a great need for psychological counseling for inmates. Paul D. stated there are several counselors at the Youth Center and he asked if there is any way to use them. Rick advised that State Law Enforcement Association might be able to come up with some solutions for mental health counselors. The Detention Center continues to run smoothly.

#24-COMMISSIONER REPORTS

COMMISSIONER PAUL MATHEWS will meet with Congressman Hardy and his staff on 2-23 in Pioche. Paul M. attended the Tri-County meeting. Letters will be sent to Permittees regarding drought management and things being put in place by BLM. LC is better off than most other counties in the state due to the fact that the mitigation for drought has been voluntary. **COMMISSIONER KEVIN PHILLIPS** attended the ECA meeting in Washington, D.C. last week. The WIPP facility in NM has been closed for quite some time. With the change in Congress there is a great deal of movement to push Yucca Mountain forward, depending on where you're from. The Caliente route is what's included in the environmental impact statement. There is a group from West Texas who has come forward with an interest in doing their own WIPP-type facility; this would be on a private basis. Kevin met with the NV delegation while in D.C. **COMMISSIONER PAUL DONOHUE** continues to work on the Road Department blades. Paul D. will meet with Congressman Hardy and his staff on 2-23 in Pioche. Paul D. was given the assignment to make contact with the people at Groom Lake Road. Paul D. did some preliminary work with Captain Davis on this; the people Captain Davis spoke with gave him the blessing to do whatever can be done. Paul D. continues to work on this issue. Paul D. has received phone calls concerning a Division of Wildlife truck that is parked in various locations throughout the County. No one knows why it is there.

#25-PUBLIC COMMENT

Kevin called for public comment. Kristy Blood asked why the Board feels the Sheriff's Office needs to provide mental health to Clark County inmates. Kristy could see the offering made to County inmates but not CC inmates; it shouldn't come out of our budget. Kevin responded that the officers at the Detention Center suggested it might be beneficial.

#26-ADJOURN

There being no further business for the Board to attend to, adjourned the meeting at 11:27 a.m.

Attest: _____ Approve: _____