



## LINCOLN COUNTY BOARD OF COMMISSIONERS

April 20, 2015  
Commission Chambers  
Lincoln County Courthouse  
181 Main Street  
Pioche, Nevada

### Commissioners

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

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

Kevin called the meeting to order at 9:00 a.m. Clerk Lisa Lloyd called the roll.

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

LISA LLOYD, Clerk  
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 4-14-15. The Invocation was offered by Kevin and Paul M. led the Pledge of Allegiance.

### **#2-PUBLIC COMMENT**

Kevin called for public comment. None offered.

### **CONSENT AGENDA**

- #3 Approve/Deny minutes of the April 6 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; 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 \$1,329,020.20 with estimated expenditures being \$163,805.57. General County will have a balance of \$1,165,214.63. All other funds look well. The tentative budget is now on file in the Clerk's Office. Paul M. advised that the department created within the General Fund makes the balance look misleading; it will be addressed in the afternoon session when Dan McArthur arrives. There isn't really \$1.3 million in the General Fund. **Adam made a motion to approve the vouchers as presented, with the exception of the LC Telephone, Meadow Valley Pharmacy, and Mountain Merc vouchers; seconded by Paul D. All voted in favor. Adam made a motion to approve the vouchers for Mountain Merc; seconded by Paul D. Kevin disclosed he is part owner of the Merc and abstained. Motion carried. Paul D. made a motion to approve the vouchers for Meadow Valley Pharmacy; seconded by Varlin. Adam disclosed he is the owner of the pharmacy; he abstained. Motion carried. Adam made a motion to approve the LCTS vouchers; seconded by Varlin. Paul D. abstained as he is an employee of LCTS. Motion carried.**

### **#6-OFFICER/DEPARTMENT HEAD REPORTS**

**ASSESSOR** Mark Holt presented a letter he received from the NV Department of Taxation requesting that he and some of the Commissioners attend a meeting with Taxation on May 11 concerning the 2015-2016 ratio study. Mark will be attending another class May 4-8. **EMERGENCY MANAGEMENT COORDINATOR** Rick Stever advised that the Emergency Operation Plan needs to be updated. He's been in touch with a consultant, who has reviewed the existing plan and advised that it may not meet today's standards. To update the entire plan it will cost about \$58,000. This entity is from Las Vegas and is frequently used by Clark County but Rick can reach out to other entities to see if the cost varies. Rick advised that the Hazard Mitigation Plan is due for

updates. The state's requirements for this plan have changed. Where federal funds are being used this plan update must now be advertised and put out to bid; LC used Ken Dixon before. Ken Dixon advised that he has a scheduled meeting next week and he's already spent a great deal of time on the update. Until someone officially tells Ken to stop he will proceed with completing the updates. This project has been under discussion for several months and it's only within the last week that Rick received the communication concerning the publication and bidding of the project. Ken advised that he has a signed contract to complete this contract. Ken also has several months' worth of work completed. **DISTRICT ATTORNEY** Daniel Hooge reported on the Air Force revenues. Part of the deal was that the Hospital/School District would be approached to help the County since so much was spent on the consultant. The agreement was that we would negotiate with the Department of Taxation and then we'd come back and do interlocal agreements with the Hospital/School District. For myriad reasons, the Hospital District has advised that they will not help the County. There wasn't an agreement before this went to Department of Taxation and they don't want one now. The Hospital representatives spoke with a couple of Commissioners, who advised them not to pay. Paul M. commented that they spoke with him but he only told them that he wasn't aware of any agreements; he didn't tell them not to pay anything. Paul M. advised that when the Board gave Daniel the authority to settle the lawsuit and negotiate that's all some of the Board members knew about; several of the Board members didn't know there was going to be a payback. The DA's Office was given authority to negotiate with the Hospital, but Paul M. didn't know what all was involved. Daniel responded that he is now in an awkward position as he believes the School District is more willing to contribute. Daniel doesn't know if it's fair if the School District should contribute when the Hospital isn't. Daniel asked if he should tell them not to worry about it. In discussions with Mr. Hansen, Daniel was advised that the School District was working on it. Kevin stated he was under the impression that each entity had agreed to assist with a percentage of the costs of the finder's fee. The agreement was that we would send this to the Department of Taxation to get it worked out. Once that happened, interlocal agreements were to be put in place. Daniel advised that this is a strange situation, should we take money from one entity and not require it from the other? Paul D. asked when the Board even talked about this as he's never once heard of requiring the Hospital/School Districts to pay the County back. Daniel responded that a motion was made at a previous meeting to allow him to go and negotiate with the other entities to see what he could get from them as well as to dismiss the lawsuit. The lawsuit was not to be dismissed until and unless we could get some assistance from the other districts. This is what Daniel did. Paul D. feels that the desired goal has changed since initial discussions and he asked how we can require them to pay that back. Do we call it a finder's fee? How do you even write a check like that? Both Adam and Paul M. advised they weren't privy to the conversations that took place after the initial vote. They didn't know anything about the interlocal agreements; they simply knew they'd given him authority to negotiate. Daniel stated that once this went through the Department of Taxation the Hospital backed out; he doesn't have an interlocal to present to the Board for approval. There is nothing in writing. Kevin asked what the suggested course of action is and reminded the Board that the Hospital just asked the Board for assistance with other matters. Adam advised that if they aren't going to pay it then it nullifies the need to donate to these other entities; they have a great deal of extra money so they should use it. Paul D. asked if the money that would be sent back would go to the County or would it be divided between the consultant and the County. Kevin responded that if this had been started differently and all entities had agreed upon a percent to share in order to cause this to happen then that would've been the way to do it. However, not everyone thinks they should pay their share/way. Kevin was told by Mr. Hansen that the increase coming locally to the tax base the distributive school fund would be reduced by a significant amount. Yet, the former superintendent, Vaughn Higbee, swore up and down that wouldn't happen. Mr. Hansen has advised that this is indeed the case and a good deal of that fund will go right back to the state. In other words, instead of keeping a larger share of the money that came in it will now go to the state. Kevin understood there would be some sort of sharing in the costs for hiring the people who went and got the money in the first place.

#### **#7-HIGHWAY COMMISSION**

This item was handled under separate agenda.

#### **#8-LINCOLN COUNTY FIRE DISTRICT**

This item was covered under a separate item.

**#9-RESOLUTION #2015-07**

**Paul M. made a motion to approve the resolution to support Nevada Wildfire Awareness Month – May 2015; seconded by Paul D. All voted in favor.**

**#10-PANACA FIRE DISTRICT**

This item was covered under separate agenda.

**#11-CALIENTE DISTRICT FIELD MANAGER**

This item concerns the introduction of Chris Carlton, the new BLM Caliente District Field Manager. Chris has been here for approximately 3 weeks and continues to learn the specifics of this area. Quarterly meetings with BLM and Road Department will continue to take place. Chris reviewed his work history. He has been a planner for the last 2 years in Spokane; before that he was a planner in Wyoming. The last 5-6 years have been spent working with conservation districts, state agencies, and county government. Chris was also in the Air Force for 5 years as a logistics officer. Chris has also worked environmental practice for Corp of Engineers. No action was taken on this item.

**#12-COMMISSIONER RESPONSIBILITIES**

Kevin commented that a representative on the BLM Archeological Initiative is needed. This responsibility of LCAI (LC Archeological Initiative) is moved to Varlin. Nellis/USAF, LC Regional Development, Job Training Board, State Land Use Planning Advisory Commission, and Quad State are moved to Varlin.

**#13-LINCOLN COUNTY AMUBLANCE**

Missie Rowe presented an update concerning the LC Ambulance. Volunteerism is very low. There are currently 16 volunteers throughout the County. There is an advanced course being taught by Ryan Rhoads in Alamo. There are several different payors at this time in addition to Medicare. LCA averages about 220 runs per year. Collections are going well; we are at approximately \$92,000 which is significantly higher than last year. Revenue per year averages about \$150,000. A new ambulance was just purchased and will be delivered in August or September 2015. Missie doesn't believe a new ambulance will be needed for 5-6 years. There is a new bill coming up concerning paramedicine. Small counties are looking to use their EMTs to do a bit more by way of triage. Things continue to go well. An increase in ambulance attendant pay needs to take place; Missie will make the proposal to the Board in the near future.

**#14-AGREEMENT BETWEEN LINCOLN COUNTY/STATE OF NEVADA AGING & DISABILITY SERVICES**

**Paul M. made a motion to approve the intrastate interlocal agreement between LC and State of NV Aging and Disability Services Division (ADSD) to provide services to children with intellectual and developmental disabilities; seconded by Paul D. Varlin was opposed. Motion carried.**

**#15-DELINQUENT TAXES**

**Adam made a motion to accept the affidavit of mailing for delinquent taxes per NRS 361.5648; seconded by Varlin. All voted in favor.**

**#16-WESTERN ELITE YOUTH FUNDS**

This item was tabled to the 5-4 meeting.

**#17-RESOLUTION #2015-06**

**Paul D. made a motion to approve the resolution amending the LC Master Plan and the LC Public Lands Policy Plan; seconded by Paul M. All voted in favor.**

**#18-COUNTY CAR**

**Adam made a motion to approve Varlin's use of the County's 2000 Ford Crown Victoria for travel from Alamo; seconded by Paul D. All voted in favor.**

**#19-BEST IN THE DESERT 2015 CANIDAE TAP IT SILVER STATE 300**

Kevin commented that he sits on an advisory board for a ranch that runs cattle. This item was discussed and it was hoped that those ruining the roads would put the roads back into good condition. Cory advised this has

been an item of contention for years. The problem is who is going to put the road back into shape. There are different standards; the Road Department standards and other standards. Hauling water to these roads is necessary to get the roads back to the condition they need to be in. In some cases more damage is done trying to fix the roads versus just hauling water and gravel. The agreements are worked out so that the roads will be repaired using water. As far as BLM fees, Cory wasn't sure if any of those could be used to return the roads to previous conditions. Calves are being born right now and Kevin asked that the races not run right through the calving grounds. The cattle are frightened away from the watering holes by all of the racers and their vehicles. It is too late this year to modify the dates for this race. Kevin suggested that BID be approached in future about communicating with the ranchers who have problems with the race affecting their livestock. The biggest challenge, Cory stated, is getting a map. The truck and buggy races are the most contentious because they cause the most damage. They are also huge events that bring in a great deal of revenue to County businesses. Shane Cheeney, Road Department Supervisor, is now very involved with the roads that are affected by the races. Sit down meetings with all parties involved need to take place more often; these meetings should include Road Department, BLM, ranchers, race committee, race promoters, etc. Varlin commented that where the race is being run they aren't hauling water, but once the roads reach a point that tankers can't cross them it ends up costing those with the permit a great deal of money because it tears up vehicles and so many other things. Ken Dixon, OHV committee and Search & Rescue, advised that one of the things that needs to be in place prior to approval is an exact, large, and detailed map. **Paul D. made a motion to approve the Best in the Desert 2015 Canidae Tap It Silver State 300 on May 2 in the Pahroc, Dry Lake, Caliente, Panaca, and Caselton areas; seconded by Varlin. All voted in favor.**

#### **#20-LINCOLN COUNTY FIRE DISTRICT & #21-EMERGENCY MANAGEMENT COORDINATOR**

This item concerns the management of the LC Fire District. It was also included on the LCFD agenda but was addressed under the Commission agenda. Adam asked if both the LC Fire District Administrator and Emergency Management Coordinator are full time jobs. Paul M. stated they're not full time jobs but together they are more than one full time position. Paul M. suggested that funds from the LCFD be contributed towards Rick's position. Right now, the only funds being contributed to EM are stated funds. The Board is looking to see how Rick can spend more time on LCFD in order to develop more programs. If we add a part time person to handle EM it would help solve the problem. The regulation from the state EM side is a lot higher. There is a great deal of paperwork involved in obtaining the EM funding. Rick spends a great deal of time on this paperwork which bleeds over into his time allotted for LCFD as well. LCFD is taking on a great deal more responsibility. There are things coming in the future with regards to Coyote Springs and Toquop that will require a great deal more time and attention for LCFD. There is a problem with PERS and this position had to either be salary or hourly. There are different contribution rates. Another concern is whether or not it should be hourly; typically supervisor positions aren't hourly. At the last meeting it was discussed that some of the EM responsibilities would be shifted to the Sheriff's Office. It has been discussed briefly at the SO but nothing has been firmly resolved. Currently, the SO does some emergency management but when the incidents are of a bigger nature it requires someone who can focus solely on coordination. Sheriff Kerry Lee commented that he's heard there were funding issues and many of the counties have pulled completely out of the funding circle because it is so difficult to obtain. If the SO is to take EM over, deep discussion will have to take place to decide whether or not pursuing the state funding is even worth it. Currently, there are two grants (DOE and EMPG). DOE funding is being reduced continually. Rick has asked if the EMPG funds can be increased. Many counties have an EM but they do not accept the grants anymore because they're so difficult to obtain. There is no NRS requiring an EM but the state would like to have one in place. Ronda Hornbeck advised that she was under the impression that EM was to bill the LCFD for time spent on EM. There was some discussion as to whether or not there is an advantage to shifting money from one department to another. It won't address the problem with the workload. Paul M. asked if the Fire Chief was made a paid position in the LCFD is there a legal obligation to advertise. No. A new position isn't being created; it would just be paid for by LCFD. There is funding available in the LCFD to pay for an administrator. Paul D. commented that he doesn't believe these are two full time positions. Once Toquop and Coyote Springs come on LCFD might be a full time position. Rick advised that the LCFD budget is sustainable and there won't be any problem. Rick would like to go full time with LCFD. Even if Rick were to go full time under LCFD it would be extremely difficult for him to continue to do EM; there simply isn't enough time for one person to do both. If the SO takes on EM, then funding will need to be designated to hire someone part time to handle EM. Rick advised there is an individual in the County who has a master's degree and is interested in EM. This individual would like \$60-65,000 for EM. No action was taken on this item.

## **#22-FISCAL YEAR 2015-2016 BUDGET**

Dan McArthur addressed the Board and advised that the budget has been increased to \$2.9 million due to the Air Force money. Discussion has been held as to how to reserve or restrict these funds. The last time the Board met, it was decided that these funds would be placed in the Building Department on a separate line item. \$560,000 is the amount that came in for the last apportionment. Dan changed it and showed it coming out of the General Fund to the Special Projects fund. The impact this has is on the fund balance; we anticipate ending this year at \$602,000. With adjustments for this year it is believed the ending fund balance will be \$454,000. The Special Projects fund was created and \$560,000 was moved into this fund for the current year. By putting the funds in here they can't be spent on any project the Board desires or it can be transferred into any fund, as needed. If the money is left in the General Fund it gives a false impression that there is a great deal more available than there really is. Paul M. stated that some money should be left in there as a cushion but the rest needs to be moved into the new fund. All funds received in the future will be moved directly into the new fund. The Planning Department is always struggling for money; Kevin suggested a portion of this could be used to make this fund whole. Dan advised the previous year's money will be left in General Fund and the new money will be moved to the new fund. When the money comes in it must be apportioned to the General Fund every year then it would be transferred out into the new Special Projects fund. For this year, 6-30-15, Dan is moving in the \$560,000 (this money stemmed from the initial \$1.8 million). There will be another year's worth of money that Dan will need to move into this fund. Right now, the General Fund has an ending fund balance of \$454,000. Once Dan pulls the money out of this fund it will be reduced by another \$230,000. This will give us an ending fund balance of about \$210,000. The required statutory balance is \$160,000. The insurance rate of about \$780 is factored into this budget. Public Defender has been increased to \$145,000. Dan discussed the Property Management Fund. This fund is used to manage the buildings throughout the County. In order to get this budget to balance, quite a bit of money was taken out to get us to a zero ending fund balance. A decision as to how much money needs to be transferred into this fund needs to be made. Dan anticipated the number to be about \$120,000, depending on the project. The only revenue source to this fund is \$80,000 as paid by the LC Water District for rent. Cory just started bid documents for ADA compliance; he hopes the total cost will be about \$40,000. Cory added \$60,000 for the upcoming budget to cover upcoming and potential projects. The biggest cost will take place during 2015. Money from the Special Projects Fund will need to be put in this fund. If not, this fund will go negative before too long. There is an issue with the Ambulance Fund. Based on the amounts requested and what is being spent, the Ambulance Fund will be in trouble. Paul M. advised Dan that Missie reported she has already collected \$92,000 this year and anticipates she will collect approximately \$150,000 by the end of the year. Due to this information, there is now no concern about the Ambulance Fund. The Board agreed to budget approximately \$110,000 for revenues. Dan had to adjust the requested numbers down in order to submit the tentative. Whatever is available from the \$110,000 will be used to fill in the gaps. The Board agreed that Dan should prepare the budget using the \$110,000 for revenue. Part of the issue with this fund is transferring the \$89,000 out to Ambulance Capital Projects Fund. This fund gets no revenue unless it is transferred from Ambulance Fund. The ambulance won't be ready until July 1<sup>st</sup>; Dan made the appropriate adjustments. There is \$160,500 available in Ambulance Capital Fund. Before final budgets are approved, Dan suggested that the Board might want to put more money in this fund to cover the cost of the new ambulance. \$6,100 will be transferred from Ambulance Fund to Ambulance Capital Projects to pay for the new ambulance. Dan went back to the Property Management Fund. Cory advised that salaries and wages caused a problem this year; he submitted \$29,101 for the proposed budget. This budget is currently showing an ending fund balance of \$47,846; it needs at least \$50,000. Museum Fund has \$25,000 budgeted for building repair. Dan addressed the Administrative Assessment Fees that are collected by the Courts. Everything that the Courts have available for AA Fees was budgeted in full. Dan discussed the Fair Board; when the fair takes place, all revenue will go into the Fair Board Fund. Dan discussed the Detention Center; based on the last meeting revenues were changed to \$2,562,000. This brings the DC into the position of showing a net profit of \$30,352 for 6-30-16 budget year. The profit for 6-30-15 is approximately \$29,000. The potential cash flow for the budget is estimated to be just under \$100,000; this can be used for capital purchases. The Assessor Tech Fund was adjusted so that all money coming in would be available to spend. Court Facility Fees Fund is driven by fees collected by the Courts. Alamo is at \$79,000, Meadow Valley is at \$30,000. Dan discussed Solid Waste Management Fund. The revenue numbers we have are trending upwards to \$300,000 per year. Dan had already adjusted the budget to address this issue. This fund will have an ending fund balance of \$72,230. \$5,000 was added for GIS costs. Dan reviewed the Vehicle Capital Projects Fund. As of right now, this fund

will have a zero ending fund balance. Vehicle upfitting had to be adjusted down to \$15,000. Kerry advised that \$15,000 will not be enough to upfit vehicles; \$30,000 is what was submitted and what it will cost. Paul M. reminded the Board that upfitting has been partially paid for in the past by the PILT Fund. Kerry also advised that about \$5,000 will come in for vehicle sales. The Board agreed to split the costs for upfitting between Vehicle Capital Fund and PILT. Lisa advised that new software and a scanner is needed to scan voter registration applications. Total cost is approximately \$14,000. Dan added \$14,000 into FILT S&S Clerk Scanner. Dan addressed the pay scales; he will bring the board a grade/step scale that shows increases by percentage. The Board met with various employees of the County to see where they fall on the pay scale. This took place in previous Commission meetings. Dan was under the impression that, as the Board met with these individuals, it would be to decide where the individual would start on the pay scale, as close to what they are presently being paid. That isn't what happened and it confused Dan. Dan requested clarification from the Board as to how these people should be plugged into the scale. When reviewing the information that he received, Dan was confused by the drastic discrepancies between what these individuals are earning now and the potential increases included on the sheet. If someone were being paid \$26,500 per year, we would put them in the slot closest to what they're being paid right now. Depending on that, each person would be put on the scale and then years of service would be taken into account. Paul M. explained the Board's intention to Dan so that he might include the amounts in the budget documentation. Dan discussed present pay rate of Grants Administrator, \$36,800; this would put that position between Grade 35. According to the sheet Dan received, it has this position starting at Grade 37. Paul D. stated that the 37-05 is what the Grants Administrator requested, not what the Board agreed to pay. The Board agreed that the idea is to start where the individual is making now, take into account years of service, then back it up by that number; this would be where a brand new Grants Administrator would start. Kevin reiterated that this whole endeavor wasn't an exercise to give raises, it was to put every individual on the scale. Paul M. agreed, the closer we can start to the current salary is where we need to be on the scale. Paul M. commented that if we end up with a 2-3% increase that would be all right, but the Board isn't looking to give \$15,000 raises. The Board directed Dan to go to the employees' present rate and run a budget for it. Paul M. stated that if the Board can get the people on the scale, with a 2% raise or so, then he would be happy. If duties don't match the job description then it will have to be addressed separately. Dan will take every individual that works for the County right now, use what they're being paid right now to put them on the scale at a number that is closest to the amount they're making right now, and then he will include these figures in the budget. The Board directed Dan to round up higher, not lower, to get the employees on the scale. This will provide a great deal of information from the Board. Kevin stated that the Board needs to know that the budget is going to work right now, for the amount of money that we have right now. All of the other unanswered questions will be addressed in the future. Dan will also present projections for 2, 3, and 4%. Leslie asked if we are going to have a new scale for the coming year. Yes, the state has updated their scale. Adam responded that bargaining units will be dealt with accordingly; pay increases will take place in July. Part of the negotiations with the units included that the County would update their scale when the state did.

#### **#23-COMMISSIONERS REPORT**

**COMMISSIONER PAUL DONOHUE** reported that he was asked to meet with several of the senior who live in the Senior Housing in Pioche. In the meeting, it was learned that the issues that are ongoing aren't specific to this complex. There are some things going on that cause major difficulties for the residents, including an 80 year old lady who went several weeks without a working toilet. There are a great deal of maintenance issues that need to be addressed. The people that work at this complex have made some of the seniors living there feel intimidated. Paul D. will be asking the Board to issue a letter to the Rural Housing Authority as well as the management of the Senior Housing. Phyllis Robistow advised that if this is still HUD subsidized housing the Board should add that in. This item will be on the next agenda.

#### **#24-PUBLIC COMMENT**

Kevin called for public comment. None offered.

#### **#25-ADJOURN**

There being no further business for the Board to attend to, adjourned the meeting at 3:49 p.m.

Attest: \_\_\_\_\_

Approve: \_\_\_\_\_

DRAFT