



LINCOLN COUNTY BOARD OF COMMISSIONERS

July 13, 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 8:06 a.m. Clerk Lisa Lloyd called the roll.

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

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 7-2-15. The Invocation was offered by Paul M. and Adam led the Pledge of Allegiance.

#2-PUBLIC COMMENT

Kevin called for public comment. None offered.

#3-CLOSED SESSION

Closed session pursuant to NRS 241.030 for a performance evaluation of Antoinette Acuff, LC Human Services Director. Toni was present. **Adam made a motion to go into closed session; seconded by Varlin. All voted in favor. Adam made a motion to go into open session; seconded by Varlin. All voted in favor.**

#4-LINCOLN COUNTY HUMAN SERVICES DIRECTOR

Paul M. stated there is no need to amend the job description; the needs of the seniors are well met and the employees are well managed. Paul M. advised that part of this meeting is to discuss finance issues. The scale that was presented at a previous meeting was discussed and the Board members reiterated that it was previously discussed to put Toni on the wage scale at 34-05. The position itself would be classified as a 34 (\$36,101) based on current salary. Toni hasn't had a raise. The Board discussed salary increases. Future raises will have to be considered by the Board or they can build the scale so the raises are automatic. Paul M. advised that originally, the Board was looking at raises that are automatic until such time arises that the County can't afford them. If that occasion arises, the Board can freeze wages. **Adam made a motion to set this position at a 34 and to set Toni Acuff's salary on the scale at grade 34-05 (\$42,908 plus benefits), increases are automatic on July 1 of each new fiscal year; seconded by Paul D.** This position is paid via grants and was already budgeted in; Toni's increase will not affect the budget. Adam asked what will happen if the grant funding is ever eliminated. **All voted in favor.** Varlin stated that step increases should be based on performance. Paul M. commented that the closed session performance review needs to take place every year. Elaine stated that the union employees aren't required to do that.

#5-CLOSED SESSION

Closed session pursuant to NRS 241.030 for a performance evaluation of Shane Cheeny, Road Department Supervisor. Shane was present. **Paul D. made a motion to go into closed session; seconded by Varlin. All voted in favor. Paul D. made a motion to go into open session; seconded by Adam. All voted in favor.**

#6-LINCOLN COUNTY ROAD DEPARTMENT SUPERVISOR

There was some discussion about the setting of wage on the pay scale for the RD Supervisor. Shane advised that it was previously discussed to set him at two different places on the pay scale, 44-06 and 46-04, but no decision was ever made. **Paul D. made a motion to put Shane on the wage scale at grade 42-08 (\$70,323), effective July 1, and increases are automatic every year; seconded by Paul M. All voted in favor.** The next RD Supervisor will start at 42.

#7-CLOSED SESSION

Closed session pursuant to NRS 241.030 for a performance evaluation of Ronda Hornbeck. Ronda was present. **Paul D. made a motion to go into closed session; seconded by Paul M. All voted in favor. Paul D. made a motion to go into open session; seconded by Adam. All voted in favor.**

#8-MULTI SPECIES HABITAT CONSERVATION PLAN DIRECTOR

Ronda hasn't had an increase since she started this position. BLM has approved Ronda's position as full time, if approved by the Board. Adam asked if part time allows for enough time to complete all the required work. No. At 19.5 hours per week Ronda can't attend all required meetings as well as work down the canyon. Ronda gives the County a great deal of time over and above the 19.5 per week without compensation for said time. Once there is development, the Board had previously agreed that this position would go full time. Ronda advised that Coyote Springs will have to do something with their tortoises. Ronda will work with CS to decide how they will mitigate for the tortoise. Paul D. stated that a grade 41-06 would be a slight increase. Ronda asked what grade someone will step into when they replace her. Paul D. advised that it would be 41-01. The Board will look at the scale again when the need arises for this position to go full time. Ronda stated that BLM asked if she could increase her hours to 30 per week. The Board would have to look at that. Paul M. suggested the Board establish the scale today then look at adjusting the hours in the future. **Paul D. made motion to set Ronda on the pay scale at grade 41-06 (paid half due to her half time status), effective July 1, and automatic increases will take place annually; seconded by Paul M. All voted in favor.**

#9-CLOSED SESSION

Closed session pursuant to NRS 241.030 for performance evaluation of Franklin Katschke, Deputy District Attorney. Franklin was present. **Adam made a motion to go into closed session; seconded by Paul D. All voted in favor. Paul D. made a motion to go back into open session; seconded by Paul M. All voted in favor.**

#10-LINCOLN COUNTY DEPUTY DISTRICT ATTORNEY

46-03 is the grade the Board considered previously. **Paul D. made a motion to set the Deputy DA's pay scale at 46-03 (\$67,129), effective July 1, increases are automatic; seconded by Paul M. Adam disclosed that Franklin is his cousin. All voted in favor.**

#11-CLOSED SESSION

Closed session pursuant to NRS 241.030 for a performance evaluation of Cory Lytle, Planning/Building/Facilities Director. Cory was present. **Paul M. made a motion to go into closed session; seconded by Adam. All voted in favor. Paul D. made a motion to go into open session; seconded by Varlin. All voted in favor.**

#12-LINCOLN COUNTY PLANNING/BUILDING/FACILITIES DIRECTOR

The Board discussed the pay scale. Cory asked that he not be given a pay cut and that he be allowed to stay at the pay he is currently receiving. Cory has been in this position for seven years. **Adam made a motion to set this position on the scale at grade 42, and to put Cory on the scale at grade 42-06, retroactive to July 1, increases are automatic each fiscal year; seconded by Paul D. All voted in favor.**

#13-CLOSED SESSION

Closed session pursuant to NRS 241.030 for a performance evaluation of Richard Simpson, Facilities/Maintenance Supervisor/Custodian 2/Building Inspector. Richard was present. **Paul D. made a motion to go into closed session; seconded by Paul M. All voted in favor. Paul M. made a motion to go into open session; seconded by Paul D. All voted in favor.**

#14-FACILITIES/MAINTENANCE SUPERVISOR/CUSTODIAN 2/BUILDING INSPECTOR

Cory included Richard's position on the pay scale at a grade 32. Adam asked the Board to follow Cory's recommendation and use 32 as the scale for Custodian 2. Adam asked that Richard be started at 32-03. **Adam made a motion to put the Custodian 2 position on the scale at grade 32, and to put Richard on the scale at grade 32-03 (\$36,101), retroactive July 1, raises are automatic each fiscal year; seconded by Paul D. All voted in favor.**

#15-CLOSED SESSION

Closed session pursuant to NRS 241.030 for a performance evaluation of Rick Stever, LC Fire District Chief/Emergency Management Coordinator. **Paul D. made a motion to go into closed session; seconded by Adam. All voted in favor. Paul D. made a motion to go into open session; seconded by Paul M. All voted in favor.**

#16-LINCOLN COUNTY FIRE DISTRICT CHIEF/EMERGENCY MANAGEMENT COORDINATOR

When Rick started, he was the Emergency Management Coordinator, and he was paid approximately what he receives now. Rick hasn't received a raise since 2008. Adam asked if any of Rick's salary is paid from LC Fire District. .25 has been approved but that quarter further complicates things as the salary is already coming from an additional three other places. Paul M. discussed the scope of the Fire District. Paul M. stated that during the creation of the LCFD one of the goals was to establish an emergency fund and to get \$1 million in that fund. Paul M. asked if the location where a fire starts is the determining factor for how much of the funds can be used and whether or not we can use the funds on the fire. Rick stated that his impression is that we can use the funds anywhere within the district when a fire happens. Once the County has exhausted its funding, then we can apply to the state. The state can then call FEMA. Rick has mutual aid agreements in place with other fire districts. He believes it can be used anywhere within the County when the local fire district has expended their funds. We have a mutual aid agreement with NDF now; Rick believes they will cover everything. NDF is now saying that their funds are limited. Paul M. is trying to set the base for what LCFD will look like in the future. As percentages are discussed between LCFD and EM a decision will have to be made with regards to how LCFD is structured. Kevin stated that he doesn't see how a wage scale can be established for these two positions. Do they need to be split? Possibly. There is a conflict between the two departments. For the Board to move forward and establish a base pay rate the issue will have to be addressed. The Board must be able to put a number of hours to each department in order to decide wages. The Board needs to identify areas of weakness with regards to how much time Rick spends on LCFD versus EM. Rick responded that he isn't building a kingdom; he was given an ordinance and a set of requirements/ideas for what LCFD is supposed to accomplish. This is what Rick has been driving towards. There is only one aspect of the original goal for LCFD; it was to put a building at Highland Knolls. This has been taken off the plate as this area is now in Panaca Fire District. However, Rick feels he can support them to a degree through mutual aid agreements. Rick has been trying to accomplish the original goals as they were provided to him. Rick stated that the LCFD is tax money from outlying areas. Once they reach their capacity it would fall under County Emergency Management rather than LCFD. In order for the Board to establish a pay scale they need to consider adding either more man hours or dividing the two positions. Rick responded that he's on 24/7 so he isn't sure how they could add more man hours. Paul M. commented that if this isn't solved today it needs to be solved in the near future. Rick said there are a lot of questions coming in as to why things aren't progressing in both areas. Why isn't Emergency Management growing? Why isn't LCFD growing? People are paying taxes and they want to see results. If we had 1.5 people to address these two areas, Kevin asked, how would Rick divide the time? Rick responded that it depends on how the Board wants to divide the time up and what they want to accomplish. There is a fire station in Eagle Valley that is basically finished and there is equipment in there. Rick continues to work on the fire station at Mt. Wilson that is 2/3 of the way done. There is equipment slated for stationing there. Rick has been speaking with the people at Mt. Wilson about training and manning the station. Rick will go out to Mt. Wilson this week to do some training. Adam asked if the Board is looking to find Rick a scale for now or does the Board want to wait. **Paul D. made a motion to set Rick Stever at grade 34-08 (\$48,904), retroactive to July 1, and increases are automatic each year (the position itself is set at grade 34).** Elaine advised the Board that we will lose some of the funding due to this grade; the County must match salary and benefits. DOE and EMPG funding require budgets. Elaine has been doing those grant applications. The original information provided to the Board for those throughout the state was at grade 39-4. This is the funding that we applied for. ½ of Rick's

salary was awarded at \$34,652; doubled it would put Rick at approximately \$69,000. Adam advised that the Board is working with the Employer only scale. Elaine advised that the funding would put him at a grade 42-08. **Paul D. amended his motion to set Rick's salary at grade 36-08 (\$53,536), retroactive to July 1, raises are automatic each year (this position – a new hire – will start at grade 36); seconded by Adam. All voted in favor.**

#17-CLOSED SESSION

Closed session pursuant to NRS 241.030 for a performance evaluation of Elaine Zimmerman, Grants Administrator. **Paul D. made a motion to go into closed session; seconded by Adam. All voted in favor. Paul D. made a motion to go into open session; seconded by Adam. All voted in favor.**

#18-LINCOLN COUNTY GRANTS ADMINISTRATOR

Elaine budgeted at grade 37-4, going to grade 37-5 in October. Adam agreed 37-1 is a good starting grade for this position. Elaine advised that her administrative assistant, as of July 1, is higher than Elaine as she's at 28-08. Paul M. suggested that this position start at grade 35-36. **Paul D. made a motion to set Elaine at grade 34-05, retroactive to July 1, raises are automatic every year (the position is set at grade 34 for new hire).** Elaine advised that 34-05 is the same rate that Toni has been set at; Elaine has duties that are over and above that. Elaine advised that she is Toni's supervisor as she has to sign off on her payroll and several other things. Toni disagreed and stated that Elaine isn't her supervisor. Paul D. responded that the Board must consider what a new hire wage would be and 34 is a fair wage. Raising Elaine to 34-05 is a wage increase of about \$6,000. **Motion seconded by Paul M.** Elaine stated that she is over the decision making process for some of Toni's funding as well as medical indigent. **All voted in favor.**

#19-GARDEN VALLEY WITHDRAWAL ACT

Connie presented a letter to be sent to Congressman Hardy opposing the withdrawal of certain federally managed lands in Garden Valley, NV, also known as the Garden Valley Withdrawal Act. Last Friday at 4 p.m. President Obama signed the proclamation. Connie presented the letter and proclamation to the Board. Connie asked that the Board consider sending an additional letter to Sally Jewel, Neil Kornze, John Ruse, Mike Herder, and Chris Carlton that says we want a seat at the table. This document sets out a three year process for making a plan to administer the new exclusion area. Our only hope to help our residents is to ask that we be allowed to be a part of the process. Kevin believes we should send a letter of thanks to Congressman Hardy for his tremendous effort to try and derail this process. **Varlin made a motion to send the letter as is; seconded by Paul M. All voted in favor.** Cory advised that he hopes the Caliente office that is administering this will be doing the EA. As part of the EA he hopes they do an administrative plan. Cory hopes this will be handled locally.

#20-PUBLIC COMMENT

Kevin called for public comment. Vaughn Higbee has felt for some time that the Garden Valley withdrawal was going to take place. The only person who got any consideration was the Legislative branch as they expressed concern about the military (who was able to work with them so things were written in to protect them). Vaughn asked that a Commission and Congressman Hardy be involved; the citizens will not even be allowed to be involved yet the citizens will be the most affected. Vaughn has a \$100,000 note on a place in Coal Valley and he asked where that stands. Vaughn's family owns acreage on the Worthington's; where does that stand and do they continue to pay taxes on it? There are a number of people who have private land in those 704,000 acres. There are probably 40 families directly impacted by this. Access will be restricted and things will be done to make it too expensive to keep the land. Vaughn is at the mercy of the bureaucrats who will be in charge of this withdrawal. Vaughn stated he will have to accept what is inevitable but he doesn't like it. There will come a point when they will have to talk to the County about this. What happens to the value of Vaughn's right to graze? Kevin responded that, at the very least, it should be valued and the DA might be able to file a takeance claim on that; we should approach the AG about this issue. Vaughn is very disappointed that it actually happened but we have to live with it. Cory Lytle met with Gerry Klein to review the design of the proposed Commission desk. Gerry is booked for the next couple of months. Total cost for the desk is \$11,500. Power will have to be moved and the floor will have to be built out to accommodate the changes. The Board budgeted \$11,500 for this project. Cory advised that this room will be painted and renovated as time allows. Cory estimates it will be October or November before the desk itself and the other big changes are implemented.

Adam discussed the Commissioners' salaries and asked that those who are in their second terms be looked at for increases. Varlin advised that the LC Archaeological Initiative is in Round 8. Funding was set aside and in the next couple of years several million will be spent protecting archaeological initiatives. Connie Simkins commented that one of the things the Commission can do is to tell BLM that they don't approve of their application for the funds to do this. BLM is supposed to come before the Board once per year to give the Commissioners the opportunity to look at the projects and say yes or no. Cory Lytle stated that if the Board is engaged with this it can benefit the County. If the County isn't engaged, things will happen anyway and they'll study everything to death. Millions will be spent and the County will not benefit. It's important to be involved. Connie advised there is a Dry Lake Valley North meeting on 7-23 in Caliente.

#21-ADJOURN

There being no further business for the Board to attend to, Kevin adjourned the meeting at 11:42 a.m.

Attest: _____ Approve: _____

DRAFT